California No. 474

114TH CONGRESS
2D Session

S. 2956

[Report No. 114–259]

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2017, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 19, 2016

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

A BILL

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2017, 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          griculture, Rural Development, Food and Drug Administra-
6          tion, and Related Agencies programs for the fiscal year
ending September 30, 2017, and for other purposes, namely:

TITLE I

AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING, AND MARKETING

Office of the Secretary

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Secretary, $54,150,000, of which not to exceed $10,178,000 shall be available for the immediate Office of the Secretary, of which not to exceed $253,000 shall be available for the Military Veterans Agricultural Liaison, and of which not to exceed $5,000,000 shall be available for outreach services supporting veteran farmers and ranchers; not to exceed $505,000 shall be available for the Office of Tribal Relations; not to exceed $1,592,000 shall be available for the Office of Homeland Security and Emergency Coordination; not to exceed $4,220,000 shall be available for the Office of Advocacy and Outreach; not to exceed $26,203,000 shall be available for the Office of the Assistant Secretary for Administration, of which $25,396,000 shall be available for Departmental Administration to provide for necessary expenses for management support services to offices of the Department and for general administration, security, repairs and alterations, and other mis-
cellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department; not to exceed $3,919,000 shall be available for the Office of Assistant Secretary for Congressional Relations to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch; and not to exceed $7,533,000 shall be available for the Office of Communications: Provided, That the Secretary of Agriculture is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: Provided further, That no appropriation for any office shall be increased or decreased by more than 5 percent: Provided further, That not to exceed $11,000 of the amount made available under this paragraph for the immediate Office of the Secretary shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary: Provided further, That the amount made available under this heading for Departmental Administration shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551-558: Provided further, That funds made available under this heading for the Office of the Assistant Secretary for Congressional Relations may
be transferred to agencies of the Department of Agriculture funded by this Act to maintain personnel at the agency level: Provided further, That no funds made available under this heading for the Office of Assistant Secretary for Congressional Relations may be obligated after 30 days from the date of enactment of this Act, unless the Secretary has notified the Committees on Appropriations of both Houses of Congress on the allocation of these funds by USDA agency: Provided further, That within 180 days of the date of enactment of this Act, the Secretary shall submit to Congress the report required in section 7 U.S.C. 6935(b)(3).

EXECUTIVE OPERATIONS
OFFICE OF THE CHIEF ECONOMIST

For necessary expenses of the Office of the Chief Economist, $16,917,000, of which $4,000,000 shall be for grants or cooperative agreements for policy research under 7 U.S.C. 3155.

NATIONAL APPEALS DIVISION

For necessary expenses of the National Appeals Division, $13,481,000.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, $9,525,000.
OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, $49,917,000, of which not less than $33,000,000 is for cybersecurity requirements of the Department.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, $8,119,000.

OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

For necessary expenses of the Office of the Assistant Secretary for Civil Rights, $901,000.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $24,342,000.

AGRICULTURE BUILDINGS AND FACILITIES

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92–313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 121, for programs and activities of the Department which are included in this Act, and for alterations and other actions needed for the Department and its agencies to consolidate unneeded space into con-
figurations suitable for release to the Administrator of General Services, and for the operation, maintenance, improvement, and repair of Agriculture buildings and facilities, and for related costs, $74,365,000, to remain available until expended, for buildings operations and maintenance expenses.

HAZARDOUS MATERIALS MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.) and the Resource Conservation and Recovery Act (42 U.S.C. 6901 et seq.), $3,633,000, to remain available until expended: Provided, That appropriations and funds available herein to the Department for Hazardous Materials Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, including employment pursuant to the Inspector General Act of 1978, $99,378,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant
to section 6(a)(9) of the Inspector General Act of 1978,
and including not to exceed $125,000 for certain confiden-
tial operational expenses, including the payment of inform-
ants, to be expended under the direction of the Inspector
General pursuant to Public Law 95–452 and section 1337
of Public Law 97–98.

Office of the General Counsel
For necessary expenses of the Office of the General
Counsel, $45,010,000.

Office of Ethics
For necessary expenses of the Office of Ethics,
$3,715,000.

Office of the Under Secretary for Research,
Education, and Economics
For necessary expenses of the Office of the Under
Secretary for Research, Education, and Economics,
$901,000.

Economic Research Service
For necessary expenses of the Economic Research
Service, $86,757,000.

National Agricultural Statistics Service
For necessary expenses of the National Agricultural
Statistics Service, $169,639,000, of which up to
$42,177,000 shall be available until expended for the Cen-
sus of Agriculture: Provided, That amounts made available
for the Census of Agriculture may be used to conduct Current Industrial Report surveys subject to 7 U.S.C. 2204g(d) and (f).

Agricultural Research Service

Salaries and Expenses

For necessary expenses of the Agricultural Research Service and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed $100, and for land exchanges where the lands exchanged shall be of equal value or shall be equalized by a payment of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership, $1,177,938,000: Provided, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: Provided further, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed $500,000, except for headhouses or greenhouses which shall each be limited to $1,800,000, except for 10 buildings to be constructed or improved at a cost not to exceed $1,100,000 each, and except for two buildings to be constructed at a cost not to exceed $3,000,000 each,
and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or $500,000, whichever is greater: Provided further, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: Provided further, That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center: Provided further, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): Provided further, That appropriations hereunder shall be available for granting easements at any Agricultural Research Service location for the construction of a research facility by a non-Federal entity for use by, and acceptable to, the Agricultural Research Service and a condition of the easements shall be that upon completion the facility shall be accepted by the Secretary, subject to the availability of funds herein, if the Secretary finds that acceptance of the facility is in the interest of the United States: Provided further, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research
project of the Agricultural Research Service, as authorized
by law.

BUILDINGS AND FACILITIES

For the acquisition of land, construction, repair, im-
provement, extension, alteration, and purchase of fixed
equipment or facilities as necessary to carry out the agri-
cultural research programs of the Department of Agri-
culture, where not otherwise provided, $64,300,000 to re-
main available until expended.

NATIONAL INSTITUTE OF FOOD AND AGRICULTURE

RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for
cooperaive forestry and other research, for facilities, and
for other expenses, $851,496,000, which shall be for the
purposes, and in the amounts, specified in the table titled
“National Institute of Food and Agriculture, Research
and Education Activities” in the report accompanying this
Act: Provided, That funds for research grants for 1994
institutions, education grants for 1890 institutions, capac-
ity building for non-land-grant colleges of agriculture, the
agriculture and food research initiative, veterinary medi-
cine loan repayment, multicultural scholars, graduate fel-
lowship and institution challenge grants, and grants man-
agement systems shall remain available until expended:
Provided further, That each institution eligible to receive
funds under the Evans-Allen program receives no less than $1,000,000: Provided further, That funds for education grants for Alaska Native and Native Hawaiian-serving institutions be made available to individual eligible institutions or consortia of eligible institutions with funds awarded equally to each of the States of Alaska and Hawaii: Provided further, That funds for education grants for 1890 institutions shall be made available to institutions eligible to receive funds under 7 U.S.C. 3221 and 3222: Provided further, That not more than 5 percent of the amounts made available by this or any other Act to carry out the Agriculture and Food Research Initiative under 7 U.S.C. 450i(b) may be retained by the Secretary of Agriculture to pay administrative costs incurred by the Secretary in carrying out that authority.

HISPANIC-SERVING AGRICULTURAL COLLEGES AND UNIVERSITIES ENDOWMENT FUND

For the Hispanic-Serving Agricultural colleges and Universities Endowment Fund under section 1456(b) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3243(b)), $10,000,000, to remain available until expended.
For the Native American Institutions Endowment Fund authorized by Public Law 103–382 (7 U.S.C. 301 note), $11,880,000, to remain available until expended.

EXTENSION ACTIVITIES

For payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, the Northern Marianas, and American Samoa, $476,230,000, which shall be for the purposes, and in the amounts, specified in the table titled “National Institute of Food and Agriculture, Extension Activities” in the report accompanying this Act: Provided, That funds for facility improvements at 1890 institutions shall remain available until expended: Provided further, That institutions eligible to receive funds under 7 U.S.C. 3221 for cooperative extension receive no less than $1,000,000: Provided further, That funds for cooperative extension under sections 3(b) and (c) of the Smith-Lever Act (7 U.S.C. 343(b) and (c)) and section 208(c) of Public Law 93–471 shall be available for retirement and employees’ compensation costs for extension agents.

INTEGRATED ACTIVITIES

For the integrated research, education, and extension grants programs, including necessary administrative expenses, $36,000,000, which shall be for the purposes, and
in the amounts, specified in the table titled “National Institute of Food and Agriculture, Integrated Activities” in the report accompanying this Act: Provided, That funds for the Food and Agriculture Defense Initiative shall remain available until September 30, 2018: Provided further, That notwithstanding any other provision of law, indirect costs shall not be charged against any Extension Implementation Program Area grant awarded under the Crop Protection/Pest Management Program (7 U.S.C. 7626).

Office of the Under Secretary for Marketing and Regulatory Programs

For necessary expenses of the Office of the Under Secretary for Marketing and Regulatory Programs, $901,000.

Animal and Plant Health Inspection Service

Salaries and Expenses

(including transfers of funds)

For necessary expenses of the Animal and Plant Health Inspection Service, including up to $30,000 for representation allowances and for expenses pursuant to the Foreign Service Act of 1980 (22 U.S.C. 4085), $939,286,000, of which $477,000, to remain available until expended, shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds (“contingency fund”) to
the extent necessary to meet emergency conditions; of which
$11,520,000, to remain available until expended,
shall be used for the cotton pests program for cost share
purposes or for debt retirement for active eradication
zones; of which $35,438,000, to remain available until ex-
pended, shall be for Animal Health Technical Services; of
which $706,000 shall be for activities under the authority
of the Horse Protection Act of 1970, as amended (15
U.S.C. 1831); of which $55,642,000, to remain available
until expended, shall be used to support avian health; of
which $4,251,000, to remain available until expended,
shall be for information technology infrastructure; of
which $158,000,000, to remain available until expended,
shall be for specialty crop pests; of which, $8,915,000, to
remain available until expended, shall be for field crop and
rangeland ecosystem pests; of which $54,000,000, to re-
main available until expended, shall be for tree and wood
pests; of which $5,723,000, to remain available until ex-
pended, shall be for the National Veterinary Stockpile; of
which up to $1,500,000, to remain available until ex-
pended, shall be for the scrapie program for indemnities;
of which $2,500,000, to remain available until expended,
shall be for the wildlife damage management program for
aviation safety: Provided, That of amounts available under
this heading for wildlife services methods development,
$1,000,000 shall remain available until expended: Provided further, That of amounts available under this heading for the screwworm program, $4,990,000 shall remain available until expended; of which $3,000,000, to remain available until expended, shall be for National Bio and Agro-Defense human capital development: Provided further, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: Provided further, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed five, of which two shall be for replacement only: Provided further, That in addition, in emergencies which threaten any segment of the agricultural production industry of this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with sections 10411 and 10417 of the Animal Health Protection Act (7 U.S.C. 8310 and 8316) and sections 431 and 442 of the Plant Protection Act (7 U.S.C. 7751 and 7772), and any unexpended balances of
funds transferred for such emergency purposes in the preceding fiscal year shall be merged with such transferred amounts: Provided further, That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

In fiscal year 2017, the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity’s liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be reimbursed to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.

BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as
authorized by 7 U.S.C. 428a, $3,175,000, to remain available until expended.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

For necessary expenses of the Agricultural Marketing Service, $82,933,000, of which $1,000,000 shall be available for the purposes of section 12306 of Public Law 113–79: Provided, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

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

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $61,227,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: Provided, That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.
Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; and (3) not more than $20,705,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937 and the Agricultural Act of 1961.

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), $1,235,000.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

For necessary expenses of the Grain Inspection, Packers and Stockyards Administration, $43,482,000:

Provided, That this appropriation shall be available pursu-
1 ant to law (7 U.S.C. 2250) for the alteration and repair
2 of buildings and improvements, but the cost of altering
3 any one building during the fiscal year shall not exceed
4 10 percent of the current replacement value of the build-
5 ing.
6
7 LIMITATION ON INSPECTION AND WEIGHING SERVICES
8 EXPENSES
9
10 Not to exceed $57,500,000 (from fees collected) shall
11 be obligated during the current fiscal year for inspection
12 and weighing services: Provided, That if grain export ac-
13 tivities require additional supervision and oversight, or
14 other uncontrollable factors occur, this limitation may be
15 exceeded by up to 10 percent with notification to the Com-
16 mittees on Appropriations of both Houses of Congress.
17
18 OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY
19
20 For necessary expenses of the Office of the Under
21 Secretary for Food Safety, $819,000.
22
23 FOOD SAFETY AND INSPECTION SERVICE
24
25 For necessary expenses to carry out services author-
26 ized by the Federal Meat Inspection Act, the Poultry
27 Products Inspection Act, and the Egg Products Inspection
28 Act, including not to exceed $50,000 for representation
29 allowances and for expenses pursuant to section 8 of the
30 Act approved August 3, 1956 (7 U.S.C. 1766),
31 $1,033,806,000; and in addition, $1,000,000 may be cred-
oted to this account from fees collected for the cost of labor-
atory accreditation as authorized by section 1327 of the
Food, Agriculture, Conservation and Trade Act of 1990
(7 U.S.C. 138f): Provided, That funds provided for the
Public Health Data Communication Infrastructure system
shall remain available until expended: Provided further,
That no fewer than 148 full-time equivalent positions shall
be employed during fiscal year 2017 for purposes dedi-
cated solely to inspections and enforcement related to the
Humane Methods of Slaughter Act: Provided further, That
the Food Safety and Inspection Service shall continue im-
plementation of section 11016 of Public Law 110–246 as
further clarified by the amendments made in section
12106 of Public Law 113–79: Provided further, That this
appropriation shall be available pursuant to law (7 U.S.C.
2250) for the alteration and repair of buildings and im-
provements, but the cost of altering any one building dur-
ing the fiscal year shall not exceed 10 percent of the cur-
rent replacement value of the building.

Office of the Under Secretary for Farm and
Foreign Agricultural Services

For necessary expenses of the Office of the Under
Secretary for Farm and Foreign Agricultural Services,
$901,000.
For necessary expenses of the Farm Service Agency, $1,210,412,000: Provided, That not more than 50 percent of the $129,546,000 made available under this heading for information technology related to farm program delivery, including the Modernize and Innovate the Delivery of Agricultural Systems and other farm program delivery systems, may be obligated until the Secretary submits to the Committees on Appropriations of both Houses of Congress a plan for expenditure that (1) identifies for each project/investment over $25,000 (a) the functional and performance capabilities to be delivered and the mission benefits to be realized, (b) the estimated lifecycle cost, including estimates for development as well as maintenance and operations, and (c) key milestones to be met; (2) demonstrates that each project/investment is, (a) consistent with the Farm Service Agency Information Technology Roadmap, (b) being managed in accordance with applicable lifecycle management policies and guidance, and (c) subject to the applicable Department’s capital planning and investment control requirements; and (3) has been reviewed by the Government Accountability Office and approved by the Committees on Appropriations of both

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Houses of Congress: *Provided further,* That the agency shall submit a report by the end of the fourth quarter of fiscal year 2017 to the Committees on Appropriations and the Government Accountability Office, that identifies for each project/investment that is operational (a) current performance against key indicators of customer satisfaction, (b) current performance of service level agreements or other technical metrics, (c) current performance against a pre-established cost baseline, (d) a detailed breakdown of current and planned spending on operational enhancements or upgrades, and (e) an assessment of whether the investment continues to meet business needs as intended as well as alternatives to the investment: *Provided further,* That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: *Provided further,* That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: *Provided further,* That funds made available to county committees shall remain available until expended: *Provided further,* That none of the funds available to the Farm Service Agency shall be used to close Farm Service Agency county offices: *Provided further,* That none of the funds available to the Farm Service Agency shall be used
to permanently relocate county based employees that
would result in an office with two or fewer employees with-
out prior notification and approval of the Committees on
Appropriations of both Houses of Congress.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agri-
tural Credit Act of 1987, as amended (7 U.S.C. 5101–
5106), $3,904,000.

GRASSROOTS SOURCE WATER PROTECTION PROGRAM

For necessary expenses to carry out wellhead or
groundwater protection activities under section 1240O of
$6,500,000, to remain available until expended.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses involved in making indemnity
payments to dairy farmers and manufacturers of dairy
products under a dairy indemnity program, such sums as
may be necessary, to remain available until expended: Pro-
vided, That such program is carried out by the Secretary
in the same manner as the dairy indemnity program de-
scribed in the Agriculture, Rural Development, Food and
Drug Administration, and Related Agencies Appropria-
tions Act, 2001 (Public Law 106–387, 114 Stat. 1549A–
12).
For gross obligations for the principal amount of direct and guaranteed farm ownership (7 U.S.C. 1922 et seq.) and operating (7 U.S.C. 1941 et seq.) loans, emergency loans (7 U.S.C. 1961 et seq.), Indian tribe land acquisition loans (25 U.S.C. 488), boll weevil loans (7 U.S.C. 1989), guaranteed conservation loans (7 U.S.C. 1924 et seq.), and Indian highly fractionated land loans (25 U.S.C. 488) to be available from funds in the Agricultural Credit Insurance Fund, as follows: $2,000,000,000 for guaranteed farm ownership loans and $1,500,000,000 for farm ownership direct loans; $1,432,430,000 for unsubsidized guaranteed operating loans and $1,460,047,000 for direct operating loans; emergency loans, $22,576,000; Indian tribe land acquisition loans, $20,000,000; guaranteed conservation loans, $150,000,000; Indian highly fractionated land loans, $10,000,000; and for boll weevil eradication program loans, $60,000,000: Provided, That the Secretary shall deem the pink bollworm to be a boll weevil for the purpose of boll weevil eradication program loans.

For the cost of direct and guaranteed loans and grants, including the cost of modifying loans as defined
in section 502 of the Congressional Budget Act of 1974,
as follows: farm operating loans, $62,198,000 for direct
operating loans, $15,327,000 for unsubsidized guaranteed
operating loans, emergency loans, $1,262,000, $2,550,000
for Indian highly fractionated land loans, and for indi-
vidual development account grants, $1,500,000 to remain
available until expended.

In addition, for administrative expenses necessary to
carry out the direct and guaranteed loan programs,
$317,068,000, of which $306,998,000 shall be transferred
to and merged with the appropriation for “Farm Service
Agency, Salaries and Expenses”.

Funds appropriated by this Act to the Agricultural
Credit Insurance Program Account for farm ownership,
operating and conservation direct loans and guaranteed
loans may be transferred among these programs: Pro-
vided, That the Committees on Appropriations of both
Houses of Congress are notified at least 15 days in ad-
vance of any transfer.

RISK MANAGEMENT AGENCY

SALARIES AND EXPENSES

For necessary expenses of the Risk Management
Agency, $75,750,000: Provided, That not to exceed
$1,000 shall be available for official reception and rep-
resentation expenses, as authorized by 7 U.S.C. 1506(i).
CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

FEDERAL CROP INSURANCE CORPORATION FUND

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

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

(INCLUDING TRANSFERS OF FUNDS)

For the current fiscal year, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, pursuant to section 2 of the Act of August 17, 1961 (15 U.S.C. 713a–11): Provided, That of the funds available to the Commodity Credit Corporation under section 11 of the Commodity Credit Corporation Charter Act
(15 U.S.C. 714i) for the conduct of its business with the Foreign Agricultural Service, up to $5,000,000 may be transferred to and used by the Foreign Agricultural Service for information resource management activities of the Foreign Agricultural Service that are not related to Commodity Credit Corporation business.

HAZARDOUS WASTE MANAGEMENT
(LIMITATION ON EXPENSES)

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

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

For necessary expenses of the Office of the Under Secretary for Natural Resources and Environment, $901,000.

NATURAL RESOURCES CONSERVATION SERVICE
CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed $100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft,
$864,474,000, to remain available until September 30, 2018: Provided, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed $250,000: Provided further, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a: Provided further, That of the amounts made available under this heading, $5,600,000, shall remain available until expended for the authorities under 16 U.S.C. 1001–1005 and 1007–1009 for authorized ongoing watershed projects with a primary purpose of providing water to rural communities.

WATERSHED AND FLOOD PREVENTION OPERATIONS

For necessary expenses to carry out preventive measures, including but not limited to surveys and investigations, engineering operations, works of improvement, and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001–1005 and 1007–1009) and in accordance with the provisions of laws relating to the activities of the Department, $150,000,000, to remain available until expended: Provided, That of the amounts made available under this
heading, $50,000,000 shall be allocated to projects and activities that can commence promptly following enactment; that address regional priorities for flood prevention, agricultural water management, inefficient irrigation systems, fish and wildlife habitat, or watershed protection; or that address authorized ongoing projects under the authorities of section 13 of the Flood Control Act of December 22, 1944 (Public Law 78–534) with a primary purpose of watershed protection by preventing floodwater damage and stabilizing stream channels, tributaries, and banks to reduce erosion and sediment transport.
TITLE III

RURAL DEVELOPMENT PROGRAMS

Office of the Under Secretary for Rural Development

For necessary expenses of the Office of the Under Secretary for Rural Development, $896,000.

RURAL DEVELOPMENT

Salaries and Expenses

(including transfers of funds)

For necessary expenses for carrying out the administration and implementation of programs in the Rural Development mission area, including activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements; $226,283,000: Provided, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that support the Rural Development mission area: Provided further, That any balances available from prior years for the Rural Utilities Service, Rural Housing Service, and the Rural Business—Cooperative Service salaries and expenses accounts shall be transferred to and merged with this appropriation.
RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: $900,000,000 shall be for direct loans and $24,000,000,000 shall be for unsubsidized guaranteed loans; $26,278,000 for section 504 housing repair loans; $40,000,000 for section 515 rental housing; $230,000,000 for section 538 guaranteed multi-family housing loans; $10,000,000 for credit sales of single family housing acquired property; $5,000,000 for section 523 self-help housing land development loans; and $5,000,000 for section 524 site development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, $60,930,000 shall be for direct loans; section 504 housing repair loans, $3,663,000; repair, rehabilitation, and new construction of section 515 rental housing, $11,840,000; section 523 self-help land development loans, $417,000; section 524 site development loans, $111,000: Provided, That to support the loan program level for section 538 guaranteed loans made available

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under this heading the Secretary may charge or adjust
any fees to cover the projected cost of such loan guaran-
etes pursuant to the provisions of the Credit Reform Act
of 1990 (2 U.S.C. 661 et seq.), and the interest on such
loans may not be subsidized: Provided further, That appli-
cants in communities that have a current rural area waiv-
er under section 541 of the Housing Act of 1949 (42
U.S.C. 1490q) shall be treated as living in a rural area
for purposes of section 502 guaranteed loans provided
under this heading: Provided further, That of the amounts
available under this paragraph for section 502 direct
loans, no less than $5,000,000 shall be available for direct
loans for individuals whose homes will be built pursuant
to a program funded with a mutual and self-help housing
grant authorized by section 523 of the Housing Act of
1949 until June 1, 2017: Provided further, That the Sec-
retary shall implement provisions to provide incentives to
nonprofit organizations and public housing authorities to
facilitate the acquisition of Rural Housing Service (RHS)
multifamily housing properties by such nonprofit organi-
zations and public housing authorities that commit to keep
such properties in the RHS multifamily housing program
for a period of time as determined by the Secretary. Incent-
tives provided will include, but not be limited to, the fol-
lowing: allow such nonprofit entities and public housing
authorities to earn a Return on Investment (ROI) on their own resources to include proceeds from low income housing tax credit syndication, own contributions, grants, and developer loans at favorable rates and terms, invested in a deal; and allow reimbursement of organizational costs associated with owner’s oversight of asset referred to as “Asset Management Fee” (AMF) of up to $7,500 per property.

In addition, for the cost of direct loans, grants, and contracts, as authorized by 42 U.S.C. 1484 and 1486, $15,388,000, to remain available until expended, for direct farm labor housing loans and domestic farm labor housing grants and contracts: Provided, That any balances available for the Farm Labor Program Account shall be transferred to and merged with this account.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $417,854,000 shall be transferred to and merged with the appropriation for “Rural Development, Salaries and Expenses”.

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section
502(c)(5)(D) of the Housing Act of 1949, $1,405,033,000; and in addition such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: Provided, That rental assistance agreements entered into or renewed during the current fiscal year shall be funded for a one-year period: Provided further, That any unexpended balances remaining at the end of such one-year agreements may be transferred and used for purposes of any debt reduction; maintenance, repair, or rehabilitation of any existing projects; preservation; and rental assistance activities authorized under title V of the Act: Provided further, That rental assistance provided under agreements entered into prior to fiscal year 2017 for a farm labor multi-family housing project financed under section 514 or 516 of the Act may not be recaptured for use in another project until such assistance has remained unused for a period of 12 consecutive months, if such project has a waiting list of tenants seeking such assistance or the project has rental assistance eligible tenants who are not receiving such assistance: Provided further, That such recaptured rental assistance shall, to the extent practicable, be applied to another farm labor multi-family housing project financed under section 514 or 516 of the
Act: Provided further, That the Secretary shall provide to the Committees on Appropriations of both Houses of Congress quarterly reports on the number of renewals approved, on the amount of rental assistance available, and the anticipated need for rental assistance for the remainder of the fiscal year: Provided further, That except as provided in the third proviso under this heading and notwithstanding any other provision of the Act, the Secretary may recapture rental assistance provided under agreements entered into prior to fiscal year 2017 for a project that the Secretary determines no longer needs rental assistance and use such recaptured funds for current needs.

MULTI-FAMILY HOUSING REVITALIZATION PROGRAM ACCOUNT

For the rural housing voucher program as authorized under section 542 of the Housing Act of 1949, but notwithstanding subsection (b) of such section, and for additional costs to conduct a demonstration program for the preservation and revitalization of multi-family rental housing properties described in this paragraph, $40,000,000, to remain available until expended: Provided, That of the funds made available under this heading, $18,000,000, shall be available for rural housing vouchers to any low-income household (including those not receiving rental assistance) residing in a property financed with a section
515 loan which has been prepaid after September 30, 2005: Provided further, That the amount of such voucher shall be the difference between comparable market rent for the section 515 unit and the tenant paid rent for such unit: Provided further, That funds made available for such vouchers shall be subject to the availability of annual appropriations: Provided further, That the Secretary shall, to the maximum extent practicable, administer such vouchers with current regulations and administrative guidance applicable to section 8 housing vouchers administered by the Secretary of the Department of Housing and Urban Development: Provided further, That if the Secretary determines that the amount made available for vouchers in this or any other Act is not needed for vouchers, the Secretary may use such funds for the demonstration program for the preservation and revitalization of multi-family rental housing properties described in this paragraph: Provided further, That of the funds made available under this heading, $22,000,000 shall be available for a demonstration program for the preservation and revitalization of the sections 514, 515, and 516 multi-family rental housing properties to restructure existing USDA multi-family housing loans, as the Secretary deems appropriate, expressly for the purposes of ensuring the project has sufficient resources to preserve the project for the purpose of
providing safe and affordable housing for low-income residents and farm laborers including reducing or eliminating interest; deferring loan payments, subordinating, reducing or reamortizing loan debt; and other financial assistance including advances, payments and incentives (including the ability of owners to obtain reasonable returns on investment) required by the Secretary: Provided further, That the Secretary shall as part of the preservation and revitalization agreement obtain a restrictive use agreement consistent with the terms of the restructuring: Provided further, That if the Secretary determines that additional funds for vouchers described in this paragraph are needed, funds for the preservation and revitalization demonstration program may be used for such vouchers: Provided further, That if Congress enacts legislation to permanently authorize a multi-family rental housing loan restructuring program similar to the demonstration program described herein, the Secretary may use funds made available for the demonstration program under this heading to carry out such legislation with the prior approval of the Committees on Appropriations of both Houses of Congress: Provided further, That in addition to any other available funds, the Secretary may expend not more than $1,000,000 total, from the program funds made available
under this heading, for administrative expenses for activities funded under this heading.

**MUTUAL AND SELF-HELP HOUSING GRANTS**

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), $27,500,000, to remain available until expended.

**RURAL HOUSING ASSISTANCE GRANTS**

For grants for very low-income housing repair and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, and 1490m, $32,239,000, to remain available until expended.

**RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT**

**(INCLUDING TRANSFERS OF FUNDS)**

For gross obligations for the principal amount of direct and guaranteed loans as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, $2,200,000,000 for direct loans and $156,250,000 for guaranteed loans.

For the cost of guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, $3,500,000, to remain available until expended.

For the cost of grants for rural community facilities programs as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural
Development Act, $38,778,000, to remain available until expended: Provided, That $4,000,000 of the amount appropriated under this heading shall be available for a Rural Community Development Initiative: Provided further, That such funds shall be used solely to develop the capacity and ability of private, nonprofit community-based housing and community development organizations, low-income rural communities, and Federally Recognized Native American Tribes to undertake projects to improve housing, community facilities, community and economic development projects in rural areas: Provided further, That such funds shall be made available to qualified private, nonprofit and public intermediary organizations proposing to carry out a program of financial and technical assistance: Provided further, That such intermediary organizations shall provide matching funds from other sources, including Federal funds for related activities, in an amount not less than funds provided: Provided further, That $5,778,000 of the amount appropriated under this heading shall be to provide grants for facilities in rural communities with extreme unemployment and severe economic depression (Public Law 106–387), with up to 5 percent for administration and capacity building in the State rural development offices: Provided further, That $4,000,000 of the amount appropriated under this head-
ing shall be available for community facilities grants to tribal colleges, as authorized by section 306(a)(19) of such Act: Provided further, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading: Provided further, That for the purposes of determining eligibility or level of program assistance the Secretary shall not include incarcerated prison populations.

RURAL BUSINESS—COOPERATIVE SERVICE

RURAL BUSINESS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of loan guarantees and grants, for the rural business development programs authorized by section 310B and described in subsections (a), (c), (f) and (g) of section 310B of the Consolidated Farm and Rural Development Act, $63,883,000, to remain available until expended: Provided, That of the amount appropriated under this heading, not to exceed $500,000 shall be made available for one grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development and $3,000,000 shall be for grants to the Delta Regional Authority (7 U.S.C. 2009aa et seq.) for any Rural Community Advancement Program purpose as described in section 381E(d) of the Consolidated Farm and Rural Develop-
ment Act, of which not more than 5 percent may be used for administrative expenses: Provided further, That $4,000,000 of the amount appropriated under this heading shall be for business grants to benefit Federally Recognized Native American Tribes, including $250,000 for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development: Provided further, That for purposes of determining eligibility or level of program assistance the Secretary shall not include incarcerated prison populations: Provided further, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to funds made available under this heading.

INTERMEDIARY RELENDING PROGRAM FUND ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the principal amount of direct loans, as authorized by the Intermediary Relending Program Fund Account (7 U.S.C. 1936b), $18,889,000.

For the cost of direct loans, $5,476,000, as authorized by the Intermediary Relending Program Fund Account (7 U.S.C. 1936b), of which $557,000 shall be available through June 30, 2017, for Federally Recognized Native American Tribes; and of which $1,072,000 shall be available through June 30, 2017, for Mississippi Delta Re-
region counties (as determined in accordance with Public
Law 100–460): Provided, That such costs, including the
cost of modifying such loans, shall be as defined in section

In addition, for administrative expenses to carry out
the direct loan programs, $4,468,000 shall be transferred
to and merged with the appropriation for “Rural Develop-
ment, Salaries and Expenses”.

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM

ACCOUNT

(INCLUDING RESCISSION OF FUNDS)

For the principal amount of direct loans, as author-
ized under section 313 of the Rural Electrification Act,
for the purpose of promoting rural economic development
and job creation projects, $33,077,000.

Of the funds derived from interest on the cushion of
credit payments, as authorized by section 313 of the Rural
Electrification Act of 1936, $165,000,000 shall not be ob-
ligated and $165,000,000 are rescinded.

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized
under section 310B(e) of the Consolidated Farm and
Rural Development Act (7 U.S.C. 1932), $22,300,000, of
which $2,750,000 shall be for cooperative agreements for
the appropriate technology transfer for rural areas pro-
gram: Provided, That not to exceed $3,000,000 shall be for grants for cooperative development centers, individual cooperatives, or groups of cooperatives that serve socially disadvantaged groups and a majority of the boards of directors or governing boards of which are comprised of individuals who are members of socially disadvantaged groups; and of which $10,750,000, to remain available until expended, shall be for value-added agricultural product market development grants, as authorized by section 231 of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1632a).

RURAL ENERGY FOR AMERICA PROGRAM

For the cost of a program of loan guarantees, under the same terms and conditions as authorized by section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107), $352,000: Provided, That the cost of loan guarantees, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

RURAL UTILITIES SERVICE

RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, and grants for the rural water, waste water, waste disposal, and solid waste management programs authorized by sec-
tions 306, 306A, 306C, 306D, 306E, and 310B and de-
scribed in sections 306C(a)(2), 306D, 306E, and
381E(d)(2) of the Consolidated Farm and Rural Develop-
ment Act, $546,090,000, to remain available until ex-
pended, of which not to exceed $1,000,000 shall be avail-
able for the rural utilities program described in section
306(a)(2)(B) of such Act, and of which not to exceed
$993,000 shall be available for the rural utilities program
described in section 306E of such Act: Provided, That not
to exceed $10,000,000 of the amount appropriated under
this heading shall be for grants authorized by section
306A(i)(2) of the Consolidated Farm and Rural Develop-
ment Act in addition to funding authorized by section
306A(i)(1) of such Act: Provided further, That
$66,500,000 of the amount appropriated under this head-
ing shall be for loans and grants including water and
waste disposal systems grants authorized by section
306C(a)(2)(B) and section 306D of the Consolidated
Farm and Rural Development Act, and Federally Recog-
nized Native American Tribes authorized by 306C(a)(1):
Provided further, That funding provided for section 306D
of the Consolidated Farm and Rural Development Act
may be provided to a consortium formed pursuant to sec-
tion 325 of Public Law 105–83: Provided further, That
not more than 2 percent of the funding provided for sec-
tion 306D of the Consolidated Farm and Rural Development Act may be used by the State of Alaska for training and technical assistance programs and not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by a consortium formed pursuant to section 325 of Public Law 105–83 for training and technical assistance programs: Provided further, That not to exceed $20,000,000 of the amount appropriated under this heading shall be for technical assistance grants for rural water and waste systems pursuant to section 306(a)(14) of such Act, unless the Secretary makes a determination of extreme need, of which $6,500,000 shall be made available for a grant to a qualified nonprofit multi-State regional technical assistance organization, with experience in working with small communities on water and waste water problems, the principal purpose of such grant shall be to assist rural communities with populations of 3,300 or less, in improving the planning, financing, development, operation, and management of water and waste water systems, and of which not less than $800,000 shall be for a qualified national Native American organization to provide technical assistance for rural water systems for tribal communities: Provided further, That not to exceed $16,897,000 of the amount appropriated under this head-
ing shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: *Provided further,* That not to exceed $4,000,000 shall be for solid waste management grants: *Provided further,* That $10,000,000 of the amount appropriated under this heading shall be transferred to, and merged with, the Rural Utilities Service, High Energy Cost Grants Account to provide grants authorized under section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a): *Provided further,* That any prior year balances for high-energy cost grants authorized by section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a) shall be transferred to and merged with the Rural Utilities Service, High Energy Cost Grants Account: *Provided further,* That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading.

**RURAL ELECTRIFICATION AND TELECOMMUNICATIONS**

**LOANS PROGRAM ACCOUNT**

**(INCLUDING TRANSFER OF FUNDS)**

The principal amount of direct and guaranteed loans as authorized by sections 305 and 306 of the Rural Electrification Act of 1936 (7 U.S.C. 935 and 936) shall be made as follows: loans made pursuant to section 306 of
that Act, rural electric, $5,500,000,000; guaranteed un-
derwriting loans pursuant to section 313A, $750,000,000;
5 percent rural telecommunications loans, cost of money
rural telecommunications loans, and for loans made pursu-
ant to section 306 of that Act, rural telecommunications
loans, $690,000,000: Provided, That up to
$2,000,000,000 shall be used for the construction, acquisi-
tion, or improvement of fossil-fueled electric generating
plants (whether new or existing) that utilize carbon se-
questration systems.

For the cost of direct loans as authorized by section
305 of the Rural Electrification Act of 1936 (7 U.S.C.
935), including the cost of modifying loans, as defined in
section 502 of the Congressional Budget Act of 1974, cost
of money rural telecommunications loans, $3,071,000.
In addition, for administrative expenses necessary to
carry out the direct and guaranteed loan programs,
$34,707,000, which shall be transferred to and merged
with the appropriation for “Rural Development, Salaries
and Expenses”.

DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND
PROGRAM

For the principal amount of broadband telecommuni-
cation loans, $27,043,000.
For grants for telemedicine and distance learning services in rural areas, as authorized by 7 U.S.C. 950aaa et seq., $22,000,000, to remain available until expended: Provided, That $3,000,000 shall be made available for grants authorized by 379G of the Consolidated Farm and Rural Development Act: Provided further, That funding provided under this heading for grants under 379G of the Consolidated Farm and Rural Development Act may only be provided to entities that meet all of the eligibility criteria for a consortium as established by this section.

For the cost of broadband loans, as authorized by section 601 of the Rural Electrification Act, $4,500,000, to remain available until expended: Provided, That the cost of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, $10,372,000, to remain available until expended, for a grant program to finance broadband transmission in rural areas eligible for Distance Learning and Telemedicine Program benefits authorized by 7 U.S.C. 950aaa.
TITLE IV
DOMESTIC FOOD PROGRAMS
Office of the Under Secretary for Food,
Nutrition, and Consumer Services
For necessary expenses of the Office of the Under Secretary for Food, Nutrition, and Consumer Services, $814,000.

Food and Nutrition Service
Child Nutrition Programs
(including transfers of funds)
For necessary expenses to carry out the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; $23,201,733,000 to remain available through September 30, 2018, of which such sums as are made available under section 14222(b)(1) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246), as amended by this Act, shall be merged with and available for the same time period and purposes as provided herein: Provided, That of the total amount available, $17,004,000 shall be available to carry out section 19 of the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.): Provided further, That of the total amount available, $30,000,000 shall be available to provide competitive grants to State...
agencies for subgrants to local educational agencies and schools to purchase the equipment needed to serve healthier meals, improve food safety, and to help support the establishment, maintenance, or expansion of the school breakfast program: Provided further, That of the total amount available, $23,000,000 shall remain available until expended to carry out section 749(g) of the Agriculture Appropriations Act of 2010 (Public Law 111–80): Provided further, That section 26(d) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769g(d)) is amended in the first sentence by striking “2010 through 2016” and inserting “2010 through 2017”.

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $6,350,000,000, to remain available through September 30, 2018: Provided, That notwithstanding section 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(10)), not less than $60,000,000 shall be used for breastfeeding peer counselors and other related activities, and $13,600,000 shall be used for infrastructure: Provided further, That none of the funds provided in this account shall be available for the purchase of infant formula
except in accordance with the cost containment and competitive bidding requirements specified in section 17 of such Act: Provided further, That none of the funds provided shall be available for activities that are not fully reimbursed by other Federal Government departments or agencies unless authorized by section 17 of such Act: Provided further, That upon termination of a federally mandated vendor moratorium and subject to terms and conditions established by the Secretary, the Secretary may waive the requirement at 7 CFR 246.12(g)(6) at the request of a State agency.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

For necessary expenses to carry out the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), $79,682,168,000, of which $3,000,000,000, to remain available through December 31, 2018, shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: Provided, That funds provided herein shall be expended in accordance with section 16 of the Food and Nutrition Act of 2008: Provided further, That of the funds made available under this heading, $998,000 may be used to provide nutrition education services to State agencies and Federally Recognized Tribes participating in the Food Distribution Program on Indian Reservations: Provided
• That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: Provided further, That funds made available for Employment and Training under this heading shall remain available through September 30, 2018: Provided further, That funds made available under this heading for section 28(d)(1), section 4(b), and section 27(a) of the Food and Nutrition Act of 2008 shall remain available through September 30, 2018: Provided further, That funds made available under this heading may be used to enter into contracts and employ staff to conduct studies, evaluations, or to conduct activities related to program integrity provided that such activities are authorized by the Food and Nutrition Act of 2008.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out disaster assistance and the Commodity Supplemental Food Program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note); the Emergency Food Assistance Act of 1983; special assistance for the nuclear affected islands, as authorized by section 103(f)(2) of the Compact of Free Association Amendments Act of 2003 (Public Law 108–188); and the Farmers’ Market Nutrition Program, as authorized by section 17(m) of the Child Nutrition Act of 1966, $313,139,000,
to remain available through September 30, 2018: *Provided*, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program: *Provided further*, That notwithstanding any other provision of law, effective with funds made available in fiscal year 2017 to support the Seniors Farmers’ Market Nutrition Program, as authorized by section 4402 of the Farm Security and Rural Investment Act of 2002, such funds shall remain available through September 30, 2018: *Provided further*, That of the funds made available under section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)), the Secretary may use up to 10 percent for costs associated with the distribution of commodities.

**NUTRITION PROGRAMS ADMINISTRATION**

For necessary administrative expenses of the Food and Nutrition Service for carrying out any domestic nutrition assistance program, $173,274,000: *Provided*, That of the funds provided herein, $2,000,000 shall be used for the purposes of section 4404 of Public Law 107–171, as amended by section 4401 of Public Law 110–246.
TITLE V
FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE

SALARIES AND EXPENSES (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including not to exceed $250,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $196,571,000, of which no more than 6 percent shall remain available until September 30, 2018, for overseas operations to include the payment of locally employed staff: Provided, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1737) and the foreign assistance programs of the United States Agency for International Development: Provided further, That funds made available for middle-income country training programs, funds made available for the Borlaug International Agricultural Science and Technology Fellowship program, and up to $2,000,000 of the Foreign Agricultural Service appropriation—
tion solely for the purpose of offsetting fluctuations in international currency exchange rates, subject to documentation by the Foreign Agricultural Service, shall remain available until expended.

FOOD FOR PEACE TITLE I DIRECT CREDIT AND FOOD FOR PROGRESS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the credit program of title I, Food for Peace Act (Public Law 83–480) and the Food for Progress Act of 1985, $149,000, shall be transferred to and merged with the appropriation for “Farm Service Agency, Salaries and Expenses”.

FOOD FOR PEACE TITLE II GRANTS

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years’ costs, including interest thereon, under the Food for Peace Act (Public Law 83–480), for commodities supplied in connection with dispositions abroad under title II of said Act, $1,600,000,000, to remain available until expended.

MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM GRANTS

For necessary expenses to carry out the provisions of section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1), $201,626,000, to remain available until expended: Provided, That the Com-
Commodity Credit Corporation is authorized to provide the services, facilities, and authorities for the purpose of implementing such section, subject to reimbursement from amounts provided herein: Provided further, That of the amount made available under this heading, $10,000,000, shall remain available until expended for necessary expenses to carry out the provisions of section 3207 of the Agricultural Act of 2014 (7 U.S.C. 1726c).

Commodity Credit Corporation Export (Loans) Credit Guarantee Program Account (Including Transfers of Funds)

For administrative expenses to carry out the Commodity Credit Corporation’s Export Guarantee Program, GSM 102 and GSM 103, $8,537,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which $6,074,000 shall be transferred to and merged with the appropriation for “Foreign Agricultural Service, Salaries and Expenses”, and of which $2,463,000 shall be transferred to and merged with the appropriation for “Farm Service Agency, Salaries and Expenses”.
For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92–313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary’s certificate, not to exceed $25,000; and notwithstanding section 521 of Public Law 107–188; $4,784,998,000: Provided, That of the amount provided under this heading, $865,653,000 shall be derived from prescription drug user fees authorized by 21 U.S.C. 379h, and shall be credited to this account and remain available until expended; $144,859,000 shall be derived from medical device user fees authorized by 21 U.S.C. 379j, and shall be credited to this account and remain available until expended; $324,085,000 shall be de-
derived from human generic drug user fees authorized by 21 U.S.C. 379j–42, and shall be credited to this account and remain available until expended; $22,079,000 shall be derived from biosimilar biological product user fees authorized by 21 U.S.C. 379j–52, and shall be credited to this account and remain available until expended; $22,977,000 shall be derived from animal drug user fees authorized by 21 U.S.C. 379j–12, and shall be credited to this account and remain available until expended; $10,367,000 shall be derived from animal generic drug user fees authorized by 21 U.S.C. 379j–21, and shall be credited to this account and remain available until expended; $635,000,000 shall be derived from tobacco product user fees authorized by 21 U.S.C. 387s, and shall be credited to this account and remain available until expended: Provided further, That in addition to and notwithstanding any other provision under this heading, amounts collected for prescription drug user fees, medical device user fees, human generic drug user fees, biosimilar biological product user fees, animal drug user fees, and animal generic drug user fees that exceed the respective fiscal year 2017 limitations are appropriated and shall be credited to this account and remain available until expended: Provided further, That fees derived from prescription drug, medical device, human generic drug, biosimilar biological
product, animal drug, and animal generic drug assessments for fiscal year 2017, including any such fees collected prior to fiscal year 2017 but credited for fiscal year 2017, shall be subject to the fiscal year 2017 limitations: Provided further, That the Secretary may accept payment during fiscal year 2017 of user fees specified under this heading and authorized for fiscal year 2018, prior to the due date for such fees, and that amounts of such fees assessed for fiscal year 2018 for which the Secretary accepts payment in fiscal year 2017 shall not be included in amounts under this heading: Provided further, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701: Provided further, That of the total amount appropriated: (1) $1,027,103,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs; (2) $1,407,781,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs; (3) $359,989,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) $191,257,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) $442,232,000 shall be for the Cen-
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1. The Appropriations Act shall include $63,331,000 for the National Center for Toxicological Research.
2. $596,338,000 shall be for the Center for Tobacco Products and related field activities in the Office of Regulatory Affairs.
3. $63,331,000 shall be for the National Center for Toxicological Research.
4. $596,338,000 shall be for the Center for Tobacco Products and related field activities in the Office of Regulatory Affairs.
5. Not to exceed $168,552,000 shall be for Rent and Related activities, of which $47,461,000 is for White Oak Consolidation, other than the amounts paid to the General Services Administration for rent.
6. Not to exceed $235,277,000 shall be for payments to the General Services Administration for rent.
7. $293,138,000 shall be for other activities, including the Office of the Commissioner of Food and Drugs, the Office of Foods and Veterinary Medicine, the Office of Medical and Tobacco Products, the Office of Global and Regulatory Policy, the Office of Operations, the Office of the Chief Scientist, and central services for these offices. Provided further, That not to exceed $25,000 of this amount shall be for official reception and representation expenses, not otherwise provided for, as determined by the Commissioner. Provided further, That any transfer of funds pursuant to section 770(n) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379dd(n)) shall only be from amounts made available under this heading for other activities. Provided further, That of the amounts
that are made available under this heading for “other activities”, and that are not derived from user fees, $1,500,000 shall be transferred to and merged with the appropriation for “Department of Health and Human Services—Office of Inspector General” for oversight of the programs and operations of the Food and Drug Administration and shall be in addition to funds otherwise made available for oversight of the Food and Drug Administration: Provided further, That funds may be transferred from one specified activity to another with the prior approval of the Committees on Appropriations of both Houses of Congress.

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, $11,788,000, to remain available until expended.

INDEPENDENT AGENCY

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $65,600,000 (from assessments collected from farm credit institutions, including the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: Provided, That this limitation shall not apply to expenses associated with receiverships: Provided further, That the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.
TITLE VII

GENERAL PROVISIONS

(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

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 52 passenger motor vehicles of which 52 shall be for replacement only, and for the hire of such vehicles: Provided, That notwithstanding this section, the only purchase of new passenger vehicles shall be for those determined by the Secretary to be necessary for transportation safety, to reduce operational costs, and for the protection of life, property, and public safety.

Sec. 702. Notwithstanding any other provision of this Act, the Secretary of Agriculture may transfer unobligated balances of discretionary funds appropriated by this Act or any other available unobligated discretionary balances that are remaining available 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, such transferred funds to re-
main available until expended: 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 approval 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 written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: Provided further, That none of the funds appropriated by this Act or made available to the Department’s Working Capital Fund shall be available for obligation or expenditure to make any changes to the Department’s National Finance Center without written notification to and prior approval of the Committees on Appropriations of both Houses of Congress as required by section 717 of this Act: Provided further, That of annual income amounts in the Working Capital Fund of the Department of Agriculture allocated for the National Finance Center, the Secretary may reserve not more than 4 percent for the replacement or acquisition of capital equipment, including equipment for the improvement and implementation of a financial management plan, information technology, and other systems of the National Finance Center or to pay any unforeseen, extraordinary cost of the National Finance Center: Provided further, That
none of the amounts reserved shall be available for obliga-
tion unless the Secretary submits written notification of
the obligation to the Committees on Appropriations of
both Houses of Congress: Provided further, That the limi-
tation on the obligation of funds pending notification to
Congressional Committees shall not apply to any obliga-
tion that, as determined by the Secretary, is necessary to
respond to a declared state of emergency that significantly
impacts the operations of the National Finance Center;
or to evacuate employees of the National Finance Center
to a safe haven to continue operations of the National Fi-
nance Center.

Sec. 703. No part of any appropriation contained in
this Act shall remain available for obligation beyond the
current fiscal year unless expressly so provided herein.

Sec. 704. 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 institu-
tions in excess of 10 percent of the total direct cost of
the agreement when the purpose of such cooperative ar-
rangements is to carry out programs of mutual interest
between the two parties. This does not preclude appro-
priate payment of indirect costs on grants and contracts
with such institutions when such indirect costs are com-
puted on a similar basis for all agencies for which appro-
priations are provided in this Act.

SEC. 705. Appropriations to the Department of Agri-
culture 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 Develop-
ment Loan Fund program account, the Rural Electrifica-
tion and Telecommunication Loans program account, and
the Rural Housing Insurance Fund program account.

SEC. 706. None of the funds made available to the
Department of Agriculture by this Act may be used to ac-
quire new information technology systems or significant
upgrades, as determined by the Office of the Chief Infor-
mation Officer, without the approval of the Chief Informa-
tion Officer and the concurrence of the Executive Informa-
tion 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 Informa-
tion Officer without written notification to and the prior
approval of the Committees on Appropriations of both
Houses of Congress: Provided further, That, notwith-
standing section 11319 of title 40, United States Code,
none of the funds available to the Department of Agri-
culture for information technology shall be obligated for
projects, contracts, or other agreements over $25,000
prior to receipt of written approval by the Chief Informa-
tion Officer: Provided further, That the Chief Information
Officer may authorize an agency to obligate funds without
written approval from the Chief Information Officer for
projects, contracts, or other agreements up to $250,000
based upon the performance of an agency measured
against the performance plan requirements described in
the explanatory statement accompanying Public Law 113–
235.

SEC. 707. Funds made available under section 524(b)
of the Federal Crop Insurance Act (7 U.S.C. 1524(b)) in
the current fiscal year shall remain available until ex-
pended to disburse obligations made in the current fiscal
year.

SEC. 708. Notwithstanding any other provision of
law, any former RUS borrower that has repaid or prepaid
an insured, direct or guaranteed loan under the Rural
Electrification Act of 1936, or any not-for-profit utility
that is eligible to receive an insured or direct loan under
such Act, shall be eligible for assistance under section
313(b)(2)(B) of such Act in the same manner as a bor-
rrower under such Act.
Sec. 709. Except as otherwise specifically provided by law, not more than $20,000,000 in unobligated balances from appropriations made available for salaries and expenses in this Act for the Farm Service Agency shall remain available through September 30, 2018, for information technology expenses: Provided, That except as otherwise specifically provided by law, unobligated balances from appropriations made available for salaries and expenses in this Act for the Rural Development mission area shall remain available through September 30, 2018, for information technology expenses.

Sec. 710. None of the funds appropriated or otherwise made available by this Act may be used for first-class travel by the employees of agencies funded by this Act in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

Sec. 711. In the case of each program established or amended by the Agricultural Act of 2014 (Public Law 113–79), other than by title I or subtitle A of title III of such Act, or programs for which indefinite amounts were provided in that Act, that is authorized or required to be carried out using funds of the Commodity Credit Corporation—

(1) such funds shall be available for salaries and related administrative expenses, including tech-
technical assistance, associated with the implementation
of the program, without regard to the limitation on
the total amount of allotments and fund transfers
contained in section 11 of the Commodity Credit
Corporation Charter Act (15 U.S.C. 714i); and

(2) the use of such funds for such purpose shall
not be considered to be a fund transfer or allotment
for purposes of applying the limitation on the total
amount of allotments and fund transfers contained
in such section.

Sec. 712. Of the funds made available by this Act,
not more than $2,000,000 shall be used to cover necessary
expenses of activities related to all advisory committees,
panels, commissions, and task forces of the Department
of Agriculture, except for panels used to comply with nego-
tiated rule makings and panels used to evaluate competi-
tively awarded grants.

Sec. 713. None of the funds in this Act shall be avail-
able to pay indirect costs charged against any agricultural
research, education, or extension grant awards issued by
the National Institute of Food and Agriculture that exceed
30 percent of total Federal funds provided under each
award: Provided, That notwithstanding section 1462 of
the National Agricultural Research, Extension, and
Teaching Policy Act of 1977 (7 U.S.C. 3310), funds pro-
vided by this Act for grants awarded competitively by the National Institute of Food and Agriculture shall be available to pay full allowable indirect costs for each grant awarded under section 9 of the Small Business Act (15 U.S.C. 638).

Sec. 714. 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:

(1) The Watershed Rehabilitation program authorized by section 14(h)(1) of the Watershed and Flood Protection Act (16 U.S.C. 1012(h)(1));

(2) The Environmental Quality Incentives Program as authorized by sections 1240–1240H of the Food Security Act of 1985 (16 U.S.C. 3839aa–3839aa–8) in excess of $1,347,000,000: Provided, That this limitation shall apply only to funds provided by section 1241(a)(5)(D) of the Food Security Act of 1985 (16 U.S.C. 3841(a)(5)(D)); and

(3) The Biomass Crop Assistance Program authorized by section 9011 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8111) in excess of $3,000,000 in new obligational authority.

Sec. 715. 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 a program under subsection (b)(2)(A)(ix) of section 14222 of Public Law 110–246 in excess of $880,000,000, as follows: Child Nutrition Programs Entitlement Commodities—$465,000,000; State Option Contracts—$5,000,000; Removal of Defective Commodities—$2,500,000: Provided, That none of the funds made available in this Act or any other Act shall be used for salaries and expenses to carry out in this fiscal year section 19(i)(1)(E) of the Richard B. Russell National School Lunch Act, as amended, except in an amount that excludes the transfer of $125,000,000 of the funds to be transferred under subsection (c) of section 14222 of Public Law 110–246, until October 1, 2017: Provided further, That $125,000,000 made available on October 1, 2017, to carry out section 19(i)(1)(E) of the Richard B. Russell National School Lunch Act, as amended, shall be excluded from the limitation described in subsection (b)(2)(A)(x) of section 14222 of Public Law 110–246: Provided further, That none of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries or expenses of any employee of the Department of Agriculture or officer of the Commodity Credit Corporation to carry out clause 3 of section 32 of the Agricultural Adjustment Act of 1935 (Public Law 74–320, 7
U.S.C. 612c, as amended), or for any surplus removal activities or price support activities under section 5 of the Commodity Credit Corporation Charter Act: Provided further, That the available unobligated balances under (b)(2)(A)(ix) of section 14222 of Public Law 110–246 in excess of the limitation set forth in this section, except for the amounts to be transferred pursuant to the first proviso, are hereby permanently rescinded.

SEC. 716. None of the funds appropriated by this or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President’s budget submission to the Congress for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the budget unless such budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2018 appropriations Act.

SEC. 717. (a) None of the funds provided by this Act, or provided by previous appropriations Acts to the agen-
cies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming, transfer of funds, or reimbursements as authorized by the Economy Act, or in the case of the Department of Agriculture, through use of the authority provided by section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or section 8 of Public Law 89–106 (7 U.S.C. 2263), that—

1. creates new programs;
2. eliminates a program, project, or activity;
3. increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;
4. relocates an office or employees;
5. reorganizes offices, programs, or activities;
or
6. contracts out or privatizes any functions or activities presently performed by Federal employees;

unless the Secretary of Agriculture or the Secretary of Health and Human Services (as the case may be) notifies in writing and receives approval from the Committees on Appropriations of both Houses of Congress at least 30
days in advance of the reprogramming of such funds or
the use of such authority.

(b) None of the funds provided by this Act, or pro-
vided by previous Appropriations Acts to the agencies
funded by this Act that remain available for obligation or
expenditure in the current fiscal year, or provided from
any accounts in the Treasury derived by the collection of
fees available to the agencies funded by this Act, shall be
available for obligation or expenditure for activities, pro-
grams, or projects through a reprogramming or use of the
authorities referred to in subsection (a) involving funds
in excess of $500,000 or 10 percent, whichever is less,
that—

(1) augments existing programs, projects, or ac-
tivities;

(2) reduces by 10 percent funding for any exist-
ing program, project, or activity, or numbers of per-
sonnel by 10 percent as approved by Congress; or

(3) results from any general savings from a re-
duction in personnel which would result in a change
in existing programs, activities, or projects as ap-
proved by Congress; unless the Secretary of Agri-
culture or the Secretary of Health and Human Serv-
ices (as the case may be) notifies in writing and re-
ceives approval from the Committees on Appropria-
tions of both Houses of Congress at least 30 days
in advance of the reprogramming or transfer of such
funds or the use of such authority.

(c) The Secretary of Agriculture or the Secretary of
Health and Human Services shall notify in writing and
receive approval from the Committees on Appropriations
of both Houses of Congress before implementing any pro-
gram or activity not carried out during the previous fiscal
year unless the program or activity is funded by this Act
or specifically funded by any other Act.

(d) None of the funds provided by this Act, or pro-
vided by previous Appropriations Acts to the agencies
funded by this Act that remain available for obligation or
expenditure in the current fiscal year, or provided from
any accounts in the Treasury derived by the collection of
fees available to the agencies funded by this Act, shall be
available for—

(1) modifying major capital investments fund-
ing levels, including information technology systems,
that involves increasing or decreasing funds in the
current fiscal year for the individual investment in
excess of $500,000 or 10 percent of the total cost,
whichever is less;

(2) realigning or reorganizing new, current, or
vacant positions or agency activities or functions to
establish a center, office, branch, or similar entity
with five or more personnel; or

(3) carrying out activities or functions that
were not described in the budget request; unless the
agencies funded by this Act notify, in writing, the
Committees on Appropriations of both Houses of
Congress at least 30 days in advance of using the
funds for these purposes.

(e) As described in this section, no funds may be used
for any activities unless the Secretary of Agriculture or
the Secretary of Health and Human Services receives from
the Committee on Appropriations of both Houses of Con-
gress written or electronic mail confirmation of receipt of
the notification as required in this section.

SEC. 718. Notwithstanding section 310B(g)(5) of the
Consolidated Farm and Rural Development Act (7 U.S.C.
1932(g)(5)), the Secretary may assess a one-time fee for
any guaranteed business and industry loan in an amount
that does not exceed 3 percent of the guaranteed principal
portion of the loan.

SEC. 719. None of the funds appropriated or other-
wise made available to the Department of Agriculture, the
Food and Drug Administration, or the Farm Credit Ad-
ministration shall be used to transmit or otherwise make
available reports, questions, or responses to questions that
are a result of information requested for the appropriations hearing process to any non-Department of Agriculture, non-Department of Health and Human Services, or non-Farm Credit Administration employee.

Sec. 720. Unless otherwise authorized by existing law, none of the funds provided in this Act, may be used by an executive branch agency to produce any pre-packaged news story intended for broadcast or distribution in the United States unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

Sec. 721. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act or any other Act to any other agency or office of the Department for more than 60 days in a fiscal year unless the individual’s employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

Sec. 722. None of the funds made available by this Act or any other Act may be used—

(1) in contravention of section 7606 of the Agricultural Act of 2014 (7 U.S.C. 5940); or
(2) to prohibit the transportation, processing, sale, or use of industrial hemp that is grown or cultivated in accordance with subsection section 7606 of the Agricultural Act of 2014, within or outside the State in which the industrial hemp is grown or cultivated.

SEC. 723. Not later than 30 days after the date of enactment of this Act, the Secretary of Agriculture, the Commissioner of the Food and Drug Administration, and the Chairman of the Farm Credit Administration shall submit to the Committees on Appropriations of both Houses of Congress a detailed spending plan by program, project, and activity for all the funds made available under this Act including appropriated user fees, as defined in the report accompanying this Act.

SEC. 724. There is hereby appropriated $1,996,000 to carry out section 1621 of Public Law 110–246.

SEC. 725. The Secretary shall establish an intermediary loan packaging program based on the pilot program in effect for fiscal year 2013 for packaging and reviewing section 502 single family direct loans. The Secretary shall enter into agreements with current intermediary organizations and with additional qualified intermediary organizations. The Secretary shall work with these organizations to increase effectiveness of the section
502 single family direct loan program in rural communities and shall set aside and make available from the national reserve section 502 loans an amount necessary to support the work of such intermediaries and provide a priority for review of such loans.

SEC. 726. For loans and loan guarantees that do not require budget authority and the program level has been established in this Act, the Secretary of Agriculture may increase the program level for such loans and loan guarantees by not more than 25 percent: Provided, That prior to the Secretary implementing such an increase, the Secretary notifies, in writing, the Committees on Appropriations of both Houses of Congress at least 15 days in advance.

SEC. 727. None of the credit card refunds or rebates transferred to the Working Capital Fund pursuant to section 729 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2002 (7 U.S.C. 2235a; Public Law 107–76) shall be available for obligation without written notification to, and the prior approval of, the Committees on Appropriations of both Houses of Congress: Provided, That the refunds or rebates so transferred shall be available for obligation only for the acquisition of plant and capital equipment necessary for the delivery of financial, adminis-
trative, and information technology services of primary
benefit to the agencies of the Department of Agriculture.

SEC. 728. The Secretary shall set aside for Rural
Economic Area Partnership (REAP) Zones, until August
15, 2017, an amount of funds made available in title III
under the headings of Rural Housing Insurance Fund
Program Account, Mutual and Self-Help Housing Grants,
Rural Housing Assistance Grants, Rural Community Fa-
cilities Program Account, Rural Business Program Ac-
count, Rural Development Loan Fund Program Account,
and Rural Water and Waste Disposal Program Account,
equal to the amount obligated in REAP Zones with re-
spect to funds provided under such headings in the most
recent fiscal year any such funds were obligated under
such headings for REAP Zones.

SEC. 729. In response to an eligible community where
the drinking water supplies are inadequate due to a nat-
ural disaster, as determined by the Secretary, including
drought or severe weather, the Secretary may provide po-
table water through the Emergency Community Water As-
sistance Grant Program for an additional period of time
not to exceed 120 days beyond the established period pro-
vided under the Program in order to protect public health.

SEC. 730. Funds provided by this or any prior Approp-
riations Act for the Agriculture and Food Research Ini-
tiative under 7 U.S.C. 450i(b) shall be made available without regard to section 7128 of the Agricultural Act of 2014 (7 U.S.C. 3371 note), under the matching requirements in laws in effect on the date before the date of enactment of such section: Provided, That the requirements of 7 U.S.C. 450i(b)(9) shall continue to apply.

Sec. 731. There is hereby appropriated $8,000,000, to remain available until expended, to carry out section 6407 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107a).

Sec. 732. There is hereby appropriated $600,000 for the purposes of section 727 of division A of Public Law 112–55.

Sec. 733. In carrying out subsection (h) of section 502 of the Housing Act of 1949 (42 U.S.C. 1472), the Secretary of Agriculture shall have the same authority with respect to loans guaranteed under such section and eligible lenders for such loans as the Secretary has under subsections (h) and (j) of section 538 of such Act (42 U.S.C. 1490p–2) with respect to loans guaranteed under such section 538 and eligible lenders for such loans.

Sec. 734. None of the funds made available by this Act may be used to propose, promulgate, or implement any rule, or take any other action with respect to, allowing or requiring information intended for a prescribing health
care professional, in the case of a drug or biological product subject to section 503(b)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353(b)(1)), to be distributed to such professional electronically (in lieu of in paper form) unless and until a Federal law is enacted to allow or require such distribution.

Sec. 735. None of the funds made available by this Act may be used to implement, administer, or enforce the final rule entitled “Food Labeling; Nutrition Labeling of Standard Menu Items in Restaurants and Similar Retail Food Establishments” published by the Food and Drug Administration in the Federal Register on December 1, 2014 (79 Fed. Reg. 71156 et seq.) until April 29, 2017.

Sec. 736. None of the funds made available by this Act may be used to notify a sponsor or otherwise acknowledge receipt of a submission for an exemption for investigational use of a drug or biological product under section 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)) or section 351(a)(3) of the Public Health Service Act (42 U.S.C. 262(a)(3)) in research in which a human embryo is intentionally created or modified to include a heritable genetic modification. Any such submission shall be deemed to have not been received by the Secretary, and the exemption may not go into effect.
SEC. 737. None of the funds made available by this or any other Act may be used to implement or enforce any provision of the FDA Food Safety Modernization Act (Public Law 111–353), including the amendments made thereby, with respect to the regulation of the distribution, sale, or receipt of dried spent grain byproducts of the alcoholic beverage production process, irrespective of whether such byproducts are solely intended for use as animal feed.

SEC. 738. In addition to amounts otherwise made available by this Act and notwithstanding the last sentence of 16 U.S.C. 1310, there is appropriated $4,000,000, to remain available until expended, to implement non-renewable agreements on eligible lands, including flooded agricultural lands, as determined by the Secretary, under the Water Bank Act (16 U.S.C. 1301–1311).

SEC. 739. The Secretary of Agriculture and the Secretary’s designees are hereby granted the same access to information and subject to the same requirements applicable to the Secretary of Housing and Urban Development as provided in section 453(j) of the Social Security Act (42 U.S.C. 653(j)) and section 6103(l)(7)(D)(ix) of the Internal Revenue Code of 1986 (26 U.S.C. 6103(l)(7)(D)(ix)) to verify the income for individuals participating in sections 502, 504, 521, and 542 of the Hous-
Sec. 740. No partially hydrogenated oils as defined in the order published by the Food and Drug Administration in the Federal Register on June 17, 2015 (80 Fed. Reg. 34650 et seq.) shall be deemed unsafe within the meaning of section 409(a) and no food that is introduced or delivered for introduction into interstate commerce that bears or contains a partially hydrogenated oil shall be deemed adulterated under sections 402(a)(1) or 402(a)(2)(C)(i) by virtue of bearing or containing a partially hydrogenated oil until the compliance date as specified in such order (June 18, 2018).

Sec. 741. The Secretary may charge a fee for lenders to access Department loan guarantee systems in connection with such lenders’ participation in loan guarantee programs of the Rural Housing Service: Provided, That the funds collected from such fees shall be made available to the Secretary without further appropriation and such funds shall be deposited into the Rural Development Salaries and Expense Account and shall remain available until expended for obligation and expenditure by the Secretary for administrative expenses of the Rural Housing Service Loan Guarantee Program in addition to other available
funds: Provided further, That such fees collected shall not exceed $50 per loan.

Sec. 742. The following unobligated balances identified by the following Treasury Appropriation Fund Symbols are hereby rescinded: 12X1951, $620,161.89; 12X1953, $2,302,342.75; 12X1902, $352,323.31; 12X1900, $16,452.44; and 12X1232, $529,310.95: Provided, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency or disaster relief requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

Sec. 743. The unobligated balances resulting from offsetting collections identified by Treasury Appropriation Fund Symbols 12X1951, 12X2002, 12X2006, 12X1902, 12X1900, 12X1232, and 12X1980, respectively, are hereby rescinded: Provided, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency or disaster relief requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

Sec. 744. Beginning on the date of enactment of this Act, in fiscal year 2017 and each fiscal year hereafter, notwithstanding any other provision of law, a household certified to participate in the Supplemental Nutrition As-
sistance Program is required to report in a manner pre-
scribed by the Secretary if the household no longer resides
in the State in which it is certified.

SEC. 745. Of the unobligated balances from amounts
made available in fiscal year 2016 for the supplemental
nutrition program as authorized by section 17 of the Child
Nutrition Act of 1966 (42 U.S.C. 1786), $200,000,000
are hereby rescinded.

SEC. 746. There is hereby appropriated $1,000,000,
to remain available until expended, for the cost of loans
and grants that is consistent with section 4206 of the Ag-
ricultural Act of 2014, for necessary expenses of the Sec-
retary to support projects that provide access to healthy
food in underserved areas, to create and preserve quality
jobs, and to revitalize low-income communities.

SEC. 747. (a) Of the unobligated balances from
amounts made available in fiscal year 2015 for the Com-
prehensive Loan Accounting System under the heading
“Rural Development Salaries and Expenses”,
$15,000,000 are hereby rescinded.

(b) For an additional amount for fiscal year 2016 for
“Rural Development Salaries and Expenses”,
$15,000,000, to remain available until September 30,
2017, is provided for Information Technology moderniza-
tion activities.
(c) This section shall become effective immediately upon enactment of this Act.

SEC. 748. (a) Of the unobligated balances from amounts made available in fiscal year 2016 for the Comprehensive Loan Accounting System under the heading “Rural Development, Salaries and Expenses”, $19,500,000 are hereby rescinded.

(b) For an additional amount for “Rural Development, Salaries and Expenses”, $19,500,000, to remain available until September 30, 2018, is provided for Information Technology modernization activities.

SEC. 749. There is hereby appropriated $1,000,000 for a pilot program for the Secretary to provide grants to qualified non-profit organizations and public housing authorities to provide technical assistance, including financial and legal services, to RHS multi-family housing borrowers to facilitate the acquisition of RHS multi-family housing properties in areas where the Secretary determines a risk of loss of affordable housing, by non-profit housing organizations and public housing authorities as authorized by law that commit to keep such properties in the RHS multi-family housing program for a period of time as determined by the Secretary.

SEC. 750. Notwithstanding any language to the contrary, state agricultural experiment stations and state co-
operative extension services are eligible entities under 7
U.S.C. 3125a–1(a).

Sec. 751. (a) The Secretary of Agriculture (referred
to in this section as the “Secretary”) shall carry out a
pilot program during fiscal year 2017 with respect to the
2016 crop year for county-level agriculture risk coverage
payments under section 1117(b)(1) of the Agricultural Act
of 2014 (7 U.S.C. 9017(b)(1)), that provides all or some
of the State Farm Service Agency offices in each State
the opportunity to provide agricultural producers in the
State a supplemental payment described in subsection (c)
based on the alternate calculation method described in
subsection (b) for 1 or more counties in a State if the
office for that State determines that the alternate calcula-
tion method is necessary to ensure that, to the maximum
extent practicable, there are not significant yield calcula-
tion disparities between comparable counties in the State.

(b) The alternate calculation method referred to in
subsection (a) is a method of calculating the actual yield
for the 2016 crop year for county-level agriculture risk
coverage payments under section 1117(b)(1) of the Agri-
cultural Act of 2014 (7 U.S.C. 9017(b)(1)), under
which—
(1) county data of the National Agricultural Statistics Service (referred to in this section as “NASS data”) is used for the calculations;

(2) if there is insufficient NASS data for a county (as determined under standards of the Secretary in effect as of the date of enactment of this Act) or the available NASS data produces a substantially disparate result, the calculation of the county yield is determined using comparable contiguous county NASS data as determined by the Farm Service Agency office in the applicable State; and

(3) if there is insufficient NASS data for a comparable contiguous county (as determined under standards of the Secretary in effect as of the date of enactment of this Act), the calculation of the county yield is determined using reliable yield data from other sources, such as Risk Management Agency data, National Agricultural Statistics Service district data, National Agricultural Statistics Service State yield data, or other data as determined by the Farm Service Agency office in the applicable State.

(c)(1) A supplemental payment made under the pilot program established under this section may be made to an agricultural producer who is subject to the alternate calculation method described in subsection (b) if that agri-
cultural producer would otherwise receive a county-level agriculture risk coverage payment for the 2016 crop year in an amount that is less than the payment that the agricultural producer would receive under the alternate calculation method.

(2) The amount of a supplemental payment to an agricultural producer under this section may not exceed the difference between—

(A) the payment that the agricultural producer would have received without the alternate calculation method described in subsection (b); and

(B) the payment that the agricultural producer would receive using the alternate calculation method.

(d)(1) There is appropriated to the Secretary, out of funds of the Treasury not otherwise appropriated, $5,000,000 to carry out the pilot program described in this section.

(2) Of the funds appropriated, the Secretary shall use not more than $5,000,000 to carry out the pilot program described in this section.

(e)(1) To the maximum extent practicable, the Secretary shall select States to participate in the pilot pro-
gram under this section so the cost of the pilot program
equals the amount provided under subsection (d).

(2) To the extent that the cost of the pilot pro-
gram exceeds the amount made available, the Sec-
retary shall reduce all payments under the pilot pro-
gram on a pro rata basis.

(f) Nothing in this section affects the calculation of
actual yield for purposes of county-level agriculture risk
coverage payments under section 1117(b)(1) of the Agri-
cultural Act of 2014 (7 U.S.C. 9017(b)(1)) other than
payments made in accordance with the pilot program
under this section.

(g) A calculation of actual yield made using the alter-
nate calculation method described in subsection (b) shall
not be used as a basis for any agriculture risk coverage
payment determinations under section 1117 of the Agri-
cultural Act of 2014 (7 U.S.C. 9017) other than for pur-
poses of the pilot program under this section.

Sec. 752. None of the funds appropriated in this Act
shall be used to write, prepare, or publish an interim final
rule or final rule in furtherance of, or otherwise to imple-
ment or enforce, any portion of the proposed rule entitled
“Enhancing Retailer Standards in the Supplemental Nu-
trition Assistance Program (SNAP)” (81 Fed. Reg. 8015
(February 17, 2016)), that would—
(a) alter the definition of a retail food store by establishing a threshold for the amount of an entity’s total food sales that must be for items that are not cooked or heated on-site before or after purchase;

(b) establish a minimum number of stocking units required for each food item in a staple food category; or

(c) alter the definition of a staple food by—

(1) changing the manner in which commercially processed foods and prepared mixtures with multiple ingredients are counted; or

(2) expanding the scope of accessory food items beyond the list of food items described in 7 U.S.C. 2012(q)(2).

Sec. 753. Notwithstanding any other provision of law, for purposes of applying the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), the acceptable market name of Lithodes aequispinus is “golden king crab.”

Sec. 754. (a) Notwithstanding any other provision of law, for purposes of applying the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), the acceptable market name of any salmon that is genetically engineered shall include the words “genetically engineered” or “GE” prior to the existing acceptable market name.

(b) For purposes of this section, salmon is genetically engineered if it has been modified by recombinant DNA
(rDNA) techniques, including the entire lineage of salmon that contain the rDNA modification.

Sec. 755. None of the funds made available in this Act may be used to pay the salary or expenses of personnel—

(1) to inspect horses under section 3 of the Federal Meat Inspection Act (21 U.S.C. 603);

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

(3) to implement or enforce section 352.19 of title 9, Code of Federal Regulations (or a successor regulation).

This Act may be cited as the “Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2017”.
A BILL

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2017, and for other purposes.

MAY 19, 2016

Read twice and placed on the calendar.