

Calendar No. 474114TH CONGRESS
2^D 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 riculture, Rural Development, Food and Drug Administra-
6 tion, and Related Agencies programs for the fiscal year

1 ending September 30, 2017, and for other purposes,
2 namely:

3 TITLE I

4 AGRICULTURAL PROGRAMS

5 PRODUCTION, PROCESSING, AND MARKETING

6 OFFICE OF THE SECRETARY

7 (INCLUDING TRANSFERS OF FUNDS)

8 For necessary expenses of the Office of the Secretary,
9 \$54,150,000, of which not to exceed \$10,178,000 shall be
10 available for the immediate Office of the Secretary, of
11 which not to exceed \$253,000 shall be available for the
12 Military Veterans Agricultural Liaison, and of which not
13 to exceed \$5,000,000 shall be available for outreach serv-
14 ices supporting veteran farmers and ranchers; not to ex-
15 ceed \$505,000 shall be available for the Office of Tribal
16 Relations; not to exceed \$1,592,000 shall be available for
17 the Office of Homeland Security and Emergency Coordi-
18 nation; not to exceed \$4,220,000 shall be available for the
19 Office of Advocacy and Outreach; not to exceed
20 \$26,203,000 shall be available for the Office of the Assist-
21 ant Secretary for Administration, of which \$25,396,000
22 shall be available for Departmental Administration to pro-
23 vide for necessary expenses for management support serv-
24 ices to offices of the Department and for general adminis-
25 tration, security, repairs and alterations, and other mis-

1 cellaneous supplies and expenses not otherwise provided
2 for and necessary for the practical and efficient work of
3 the Department; not to exceed \$3,919,000 shall be avail-
4 able for the Office of Assistant Secretary for Congres-
5 sional Relations to carry out the programs funded by this
6 Act, including programs involving intergovernmental af-
7 fairs and liaison within the executive branch; and not to
8 exceed \$7,533,000 shall be available for the Office of Com-
9 munications: *Provided*, That the Secretary of Agriculture
10 is authorized to transfer funds appropriated for any office
11 of the Office of the Secretary to any other office of the
12 Office of the Secretary: *Provided further*, That no appro-
13 priation for any office shall be increased or decreased by
14 more than 5 percent: *Provided further*, That not to exceed
15 \$11,000 of the amount made available under this para-
16 graph for the immediate Office of the Secretary shall be
17 available for official reception and representation ex-
18 penses, not otherwise provided for, as determined by the
19 Secretary: *Provided further*, That the amount made avail-
20 able under this heading for Departmental Administration
21 shall be reimbursed from applicable appropriations in this
22 Act for travel expenses incident to the holding of hearings
23 as required by 5 U.S.C. 551–558: *Provided further*, That
24 funds made available under this heading for the Office of
25 the Assistant Secretary for Congressional Relations may

1 be transferred to agencies of the Department of Agri-
2 culture funded by this Act to maintain personnel at the
3 agency level: *Provided further*, That no funds made avail-
4 able under this heading for the Office of Assistant Sec-
5 retary for Congressional Relations may be obligated after
6 30 days from the date of enactment of this Act, unless
7 the Secretary has notified the Committees on Appropria-
8 tions of both Houses of Congress on the allocation of these
9 funds by USDA agency: *Provided further*, That within 180
10 days of the date of enactment of this Act, the Secretary
11 shall submit to Congress the report required in section 7
12 U.S.C. 6935(b)(3).

13 EXECUTIVE OPERATIONS

14 OFFICE OF THE CHIEF ECONOMIST

15 For necessary expenses of the Office of the Chief
16 Economist, \$16,917,000, of which \$4,000,000 shall be for
17 grants or cooperative agreements for policy research under
18 7 U.S.C. 3155.

19 NATIONAL APPEALS DIVISION

20 For necessary expenses of the National Appeals Divi-
21 sion, \$13,481,000.

22 OFFICE OF BUDGET AND PROGRAM ANALYSIS

23 For necessary expenses of the Office of Budget and
24 Program Analysis, \$9,525,000.

1 OFFICE OF THE CHIEF INFORMATION OFFICER

2 For necessary expenses of the Office of the Chief In-
3 formation Officer, \$49,917,000, of which not less than
4 \$33,000,000 is for cybersecurity requirements of the De-
5 partment.

6 OFFICE OF THE CHIEF FINANCIAL OFFICER

7 For necessary expenses of the Office of the Chief Fi-
8 nancial Officer, \$8,119,000.

9 OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL
10 RIGHTS

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

13 OFFICE OF CIVIL RIGHTS

14 For necessary expenses of the Office of Civil Rights,
15 \$24,342,000.

16 AGRICULTURE BUILDINGS AND FACILITIES

17 (INCLUDING TRANSFERS OF FUNDS)

18 For payment of space rental and related costs pursu-
19 ant to Public Law 92–313, including authorities pursuant
20 to the 1984 delegation of authority from the Adminis-
21 trator of General Services to the Department of Agri-
22 culture under 40 U.S.C. 121, for programs and activities
23 of the Department which are included in this Act, and for
24 alterations and other actions needed for the Department
25 and its agencies to consolidate unneeded space into con-

1 figurations suitable for release to the Administrator of
2 General Services, and for the operation, maintenance, im-
3 provement, and repair of Agriculture buildings and facili-
4 ties, and for related costs, \$74,365,000, to remain avail-
5 able until expended, for buildings operations and mainte-
6 nance expenses.

7 HAZARDOUS MATERIALS MANAGEMENT

8 (INCLUDING TRANSFERS OF FUNDS)

9 For necessary expenses of the Department of Agri-
10 culture, to comply with the Comprehensive Environmental
11 Response, Compensation, and Liability Act (42 U.S.C.
12 9601 et seq.) and the Resource Conservation and Recovery
13 Act (42 U.S.C. 6901 et seq.), \$3,633,000, to remain avail-
14 able until expended: *Provided*, That appropriations and
15 funds available herein to the Department for Hazardous
16 Materials Management may be transferred to any agency
17 of the Department for its use in meeting all requirements
18 pursuant to the above Acts on Federal and non-Federal
19 lands.

20 OFFICE OF INSPECTOR GENERAL

21 For necessary expenses of the Office of Inspector
22 General, including employment pursuant to the Inspector
23 General Act of 1978, \$99,378,000, including such sums
24 as may be necessary for contracting and other arrange-
25 ments with public agencies and private persons pursuant

1 to section 6(a)(9) of the Inspector General Act of 1978,
2 and including not to exceed \$125,000 for certain confiden-
3 tial operational expenses, including the payment of inform-
4 ants, to be expended under the direction of the Inspector
5 General pursuant to Public Law 95–452 and section 1337
6 of Public Law 97–98.

7 OFFICE OF THE GENERAL COUNSEL

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

10 OFFICE OF ETHICS

11 For necessary expenses of the Office of Ethics,
12 \$3,715,000.

13 OFFICE OF THE UNDER SECRETARY FOR RESEARCH,
14 EDUCATION, AND ECONOMICS

15 For necessary expenses of the Office of the Under
16 Secretary for Research, Education, and Economics,
17 \$901,000.

18 ECONOMIC RESEARCH SERVICE

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

21 NATIONAL AGRICULTURAL STATISTICS SERVICE

22 For necessary expenses of the National Agricultural
23 Statistics Service, \$169,639,000, of which up to
24 \$42,177,000 shall be available until expended for the Cen-
25 sus of Agriculture: *Provided*, That amounts made available

1 for the Census of Agriculture may be used to conduct Cur-
2 rent Industrial Report surveys subject to 7 U.S.C.
3 2204g(d) and (f).

4 AGRICULTURAL RESEARCH SERVICE

5 SALARIES AND EXPENSES

6 For necessary expenses of the Agricultural Research
7 Service and for acquisition of lands by donation, exchange,
8 or purchase at a nominal cost not to exceed \$100, and
9 for land exchanges where the lands exchanged shall be of
10 equal value or shall be equalized by a payment of money
11 to the grantor which shall not exceed 25 percent of the
12 total value of the land or interests transferred out of Fed-
13 eral ownership, \$1,177,938,000: *Provided*, That appro-
14 priations hereunder shall be available for the operation
15 and maintenance of aircraft and the purchase of not to
16 exceed one for replacement only: *Provided further*, That
17 appropriations hereunder shall be available pursuant to 7
18 U.S.C. 2250 for the construction, alteration, and repair
19 of buildings and improvements, but unless otherwise pro-
20 vided, the cost of constructing any one building shall not
21 exceed \$500,000, except for headhouses or greenhouses
22 which shall each be limited to \$1,800,000, except for 10
23 buildings to be constructed or improved at a cost not to
24 exceed \$1,100,000 each, and except for two buildings to
25 be constructed at a cost not to exceed \$3,000,000 each,

1 and the cost of altering any one building during the fiscal
2 year shall not exceed 10 percent of the current replace-
3 ment value of the building or \$500,000, whichever is
4 greater: *Provided further*, That the limitations on alter-
5 ations contained in this Act shall not apply to moderniza-
6 tion or replacement of existing facilities at Beltsville,
7 Maryland: *Provided further*, That appropriations here-
8 under shall be available for granting easements at the
9 Beltsville Agricultural Research Center: *Provided further*,
10 That the foregoing limitations shall not apply to replace-
11 ment of buildings needed to carry out the Act of April
12 24, 1948 (21 U.S.C. 113a): *Provided further*, That appro-
13 priations hereunder shall be available for granting ease-
14 ments at any Agricultural Research Service location for
15 the construction of a research facility by a non-Federal
16 entity for use by, and acceptable to, the Agricultural Re-
17 search Service and a condition of the easements shall be
18 that upon completion the facility shall be accepted by the
19 Secretary, subject to the availability of funds herein, if the
20 Secretary finds that acceptance of the facility is in the
21 interest of the United States: *Provided further*, That funds
22 may be received from any State, other political subdivi-
23 sion, organization, or individual for the purpose of estab-
24 lishing or operating any research facility or research

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

3 BUILDINGS AND FACILITIES

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

10 NATIONAL INSTITUTE OF FOOD AND AGRICULTURE

11 RESEARCH AND EDUCATION ACTIVITIES

12 For payments to agricultural experiment stations, for
13 cooperative forestry and other research, for facilities, and
14 for other expenses, \$851,496,000, which shall be for the
15 purposes, and in the amounts, specified in the table titled
16 “National Institute of Food and Agriculture, Research
17 and Education Activities” in the report accompanying this
18 Act: *Provided*, That funds for research grants for 1994
19 institutions, education grants for 1890 institutions, capac-
20 ity building for non-land-grant colleges of agriculture, the
21 agriculture and food research initiative, veterinary medi-
22 cine loan repayment, multicultural scholars, graduate fel-
23 lowship and institution challenge grants, and grants man-
24 agement systems shall remain available until expended:
25 *Provided further*, That each institution eligible to receive

1 funds under the Evans-Allen program receives no less
2 than \$1,000,000: *Provided further*, That funds for edu-
3 cation grants for Alaska Native and Native Hawaiian-
4 serving institutions be made available to individual eligible
5 institutions or consortia of eligible institutions with funds
6 awarded equally to each of the States of Alaska and Ha-
7 waii: *Provided further*, That funds for education grants for
8 1890 institutions shall be made available to institutions
9 eligible to receive funds under 7 U.S.C. 3221 and 3222:
10 *Provided further*, That not more than 5 percent of the
11 amounts made available by this or any other Act to carry
12 out the Agriculture and Food Research Initiative under
13 7 U.S.C. 450i(b) may be retained by the Secretary of Ag-
14 riculture to pay administrative costs incurred by the Sec-
15 retary in carrying out that authority.

16 HISPANIC-SERVING AGRICULTURAL COLLEGES AND
17 UNIVERSITIES ENDOWMENT FUND

18 For the Hispanic-Serving Agricultural colleges and
19 Universities Endowment Fund under section 1456(b) of
20 the National Agricultural Research, Extension, and
21 Teaching Policy Act of 1977 (7 U.S.C. 3243(b)),
22 \$10,000,000, to remain available until expended.

1 NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

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

5 EXTENSION ACTIVITIES

6 For payments to States, the District of Columbia,
7 Puerto Rico, Guam, the Virgin Islands, Micronesia, the
8 Northern Marianas, and American Samoa, \$476,230,000,
9 which shall be for the purposes, and in the amounts, speci-
10 fied in the table titled “National Institute of Food and
11 Agriculture, Extension Activities” in the report accom-
12 panying this Act: *Provided*, That funds for facility im-
13 provements at 1890 institutions shall remain available
14 until expended: *Provided further*, That institutions eligible
15 to receive funds under 7 U.S.C. 3221 for cooperative ex-
16 tension receive no less than \$1,000,000: *Provided further*,
17 That funds for cooperative extension under sections 3(b)
18 and (c) of the Smith-Lever Act (7 U.S.C. 343(b) and (c))
19 and section 208(c) of Public Law 93–471 shall be avail-
20 able for retirement and employees’ compensation costs for
21 extension agents.

22 INTEGRATED ACTIVITIES

23 For the integrated research, education, and extension
24 grants programs, including necessary administrative ex-
25 penses, \$36,000,000, which shall be for the purposes, and

1 in the amounts, specified in the table titled “National In-
 2 stitute of Food and Agriculture, Integrated Activities” in
 3 the report accompanying this Act: *Provided*, That funds
 4 for the Food and Agriculture Defense Initiative shall re-
 5 main available until September 30, 2018: *Provided further*,
 6 That notwithstanding any other provision of law, indirect
 7 costs shall not be charged against any Extension Imple-
 8 mentation Program Area grant awarded under the Crop
 9 Protection/Pest Management Program (7 U.S.C. 7626).

10 OFFICE OF THE UNDER SECRETARY FOR MARKETING
 11 AND REGULATORY PROGRAMS

12 For necessary expenses of the Office of the Under
 13 Secretary for Marketing and Regulatory Programs,
 14 \$901,000.

15 ANIMAL AND PLANT HEALTH INSPECTION SERVICE
 16 SALARIES AND EXPENSES
 17 (INCLUDING TRANSFERS OF FUNDS)

18 For necessary expenses of the Animal and Plant
 19 Health Inspection Service, including up to \$30,000 for
 20 representation allowances and for expenses pursuant to
 21 the Foreign Service Act of 1980 (22 U.S.C. 4085),
 22 \$939,286,000, of which \$477,000, to remain available
 23 until expended, shall be available for the control of out-
 24 breaks of insects, plant diseases, animal diseases and for
 25 control of pest animals and birds (“contingency fund”) to

1 the extent necessary to meet emergency conditions; of
2 which \$11,520,000, to remain available until expended,
3 shall be used for the cotton pests program for cost share
4 purposes or for debt retirement for active eradication
5 zones; of which \$35,438,000, to remain available until ex-
6 pended, shall be for Animal Health Technical Services; of
7 which \$706,000 shall be for activities under the authority
8 of the Horse Protection Act of 1970, as amended (15
9 U.S.C. 1831); of which \$55,642,000, to remain available
10 until expended, shall be used to support avian health; of
11 which \$4,251,000, to remain available until expended,
12 shall be for information technology infrastructure; of
13 which \$158,000,000, to remain available until expended,
14 shall be for specialty crop pests; of which, \$8,915,000, to
15 remain available until expended, shall be for field crop and
16 rangeland ecosystem pests; of which \$54,000,000, to re-
17 main available until expended, shall be for tree and wood
18 pests; of which \$5,723,000, to remain available until ex-
19 pended, shall be for the National Veterinary Stockpile; of
20 which up to \$1,500,000, to remain available until ex-
21 pended, shall be for the scrapie program for indemnities;
22 of which \$2,500,000, to remain available until expended,
23 shall be for the wildlife damage management program for
24 aviation safety: *Provided*, That of amounts available under
25 this heading for wildlife services methods development,

1 \$1,000,000 shall remain available until expended: *Pro-*
2 *vided further*, That of amounts available under this head-
3 ing for the screwworm program, \$4,990,000 shall remain
4 available until expended; of which \$3,000,000, to remain
5 available until expended, shall be for National Bio and
6 Agro-Defense human capital development: *Provided fur-*
7 *ther*, That no funds shall be used to formulate or admin-
8 ister a brucellosis eradication program for the current fis-
9 cal year that does not require minimum matching by the
10 States of at least 40 percent: *Provided further*, That this
11 appropriation shall be available for the operation and
12 maintenance of aircraft and the purchase of not to exceed
13 five, of which two shall be for replacement only: *Provided*
14 *further*, That in addition, in emergencies which threaten
15 any segment of the agricultural production industry of this
16 country, the Secretary may transfer from other appropria-
17 tions or funds available to the agencies or corporations
18 of the Department such sums as may be deemed nec-
19 essary, to be available only in such emergencies for the
20 arrest and eradication of contagious or infectious disease
21 or pests of animals, poultry, or plants, and for expenses
22 in accordance with sections 10411 and 10417 of the Ani-
23 mal Health Protection Act (7 U.S.C. 8310 and 8316) and
24 sections 431 and 442 of the Plant Protection Act (7
25 U.S.C. 7751 and 7772), and any unexpended balances of

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

10 In fiscal year 2017, the agency is authorized to collect
11 fees to cover the total costs of providing technical assist-
12 ance, goods, or services requested by States, other political
13 subdivisions, domestic and international organizations,
14 foreign governments, or individuals, provided that such
15 fees are structured such that any entity's liability for such
16 fees is reasonably based on the technical assistance, goods,
17 or services provided to the entity by the agency, and such
18 fees shall be reimbursed to this account, to remain avail-
19 able until expended, without further appropriation, for
20 providing such assistance, goods, or services.

21 BUILDINGS AND FACILITIES

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

1 authorized by 7 U.S.C. 428a, \$3,175,000, to remain avail-
2 able until expended.

3 AGRICULTURAL MARKETING SERVICE

4 MARKETING SERVICES

5 For necessary expenses of the Agricultural Marketing
6 Service, \$82,933,000, of which \$1,000,000 shall be avail-
7 able for the purposes of section 12306 of Public Law 113-
8 79: *Provided*, That this appropriation shall be available
9 pursuant to law (7 U.S.C. 2250) for the alteration and
10 repair of buildings and improvements, but the cost of al-
11 tering any one building during the fiscal year shall not
12 exceed 10 percent of the current replacement value of the
13 building.

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

17 LIMITATION ON ADMINISTRATIVE EXPENSES

18 Not to exceed \$61,227,000 (from fees collected) shall
19 be obligated during the current fiscal year for administra-
20 tive expenses: *Provided*, That if crop size is understated
21 and/or other uncontrollable events occur, the agency may
22 exceed this limitation by up to 10 percent with notification
23 to the Committees on Appropriations of both Houses of
24 Congress.

1 FUNDS FOR STRENGTHENING MARKETS, INCOME, AND
 2 SUPPLY (SECTION 32)
 3 (INCLUDING TRANSFERS OF FUNDS)

4 Funds available under section 32 of the Act of Au-
 5 gust 24, 1935 (7 U.S.C. 612c), shall be used only for com-
 6 modity program expenses as authorized therein, and other
 7 related operating expenses, except for: (1) transfers to the
 8 Department of Commerce as authorized by the Fish and
 9 Wildlife Act of August 8, 1956; (2) transfers otherwise
 10 provided in this Act; and (3) not more than \$20,705,000
 11 for formulation and administration of marketing agree-
 12 ments and orders pursuant to the Agricultural Marketing
 13 Agreement Act of 1937 and the Agricultural Act of 1961.

14 PAYMENTS TO STATES AND POSSESSIONS

15 For payments to departments of agriculture, bureaus
 16 and departments of markets, and similar agencies for
 17 marketing activities under section 204(b) of the Agricul-
 18 tural Marketing Act of 1946 (7 U.S.C. 1623(b)),
 19 \$1,235,000.

20 GRAIN INSPECTION, PACKERS AND STOCKYARDS

21 ADMINISTRATION

22 SALARIES AND EXPENSES

23 For necessary expenses of the Grain Inspection,
 24 Packers and Stockyards Administration, \$43,482,000:
 25 *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 LIMITATION ON INSPECTION AND WEIGHING SERVICES

7 EXPENSES

8 Not to exceed \$57,500,000 (from fees collected) shall
 9 be obligated during the current fiscal year for inspection
 10 and weighing services: *Provided*, That if grain export ac-
 11 tivities require additional supervision and oversight, or
 12 other uncontrollable factors occur, this limitation may be
 13 exceeded by up to 10 percent with notification to the Com-
 14 mittees on Appropriations of both Houses of Congress.

15 OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

16 For necessary expenses of the Office of the Under
 17 Secretary for Food Safety, \$819,000.

18 FOOD SAFETY AND INSPECTION SERVICE

19 For necessary expenses to carry out services author-
 20 ized by the Federal Meat Inspection Act, the Poultry
 21 Products Inspection Act, and the Egg Products Inspection
 22 Act, including not to exceed \$50,000 for representation
 23 allowances and for expenses pursuant to section 8 of the
 24 Act approved August 3, 1956 (7 U.S.C. 1766),
 25 \$1,033,806,000; and in addition, \$1,000,000 may be cred-

1 ited to this account from fees collected for the cost of lab-
2 oratory accreditation as authorized by section 1327 of the
3 Food, Agriculture, Conservation and Trade Act of 1990
4 (7 U.S.C. 138f): *Provided*, That funds provided for the
5 Public Health Data Communication Infrastructure system
6 shall remain available until expended: *Provided further*,
7 That no fewer than 148 full-time equivalent positions shall
8 be employed during fiscal year 2017 for purposes dedi-
9 cated solely to inspections and enforcement related to the
10 Humane Methods of Slaughter Act: *Provided further*, That
11 the Food Safety and Inspection Service shall continue im-
12 plementation of section 11016 of Public Law 110–246 as
13 further clarified by the amendments made in section
14 12106 of Public Law 113–79: *Provided further*, That this
15 appropriation shall be available pursuant to law (7 U.S.C.
16 2250) for the alteration and repair of buildings and im-
17 provements, but the cost of altering any one building dur-
18 ing the fiscal year shall not exceed 10 percent of the cur-
19 rent replacement value of the building.

20 OFFICE OF THE UNDER SECRETARY FOR FARM AND
21 FOREIGN AGRICULTURAL SERVICES

22 For necessary expenses of the Office of the Under
23 Secretary for Farm and Foreign Agricultural Services,
24 \$901,000.

1 FARM SERVICE AGENCY

2 SALARIES AND EXPENSES

3 (INCLUDING TRANSFERS OF FUNDS)

4 For necessary expenses of the Farm Service Agency,
5 \$1,210,412,000: *Provided*, That not more than 50 percent
6 of the \$129,546,000 made available under this heading
7 for information technology related to farm program deliv-
8 ery, including the Modernize and Innovate the Delivery of
9 Agricultural Systems and other farm program delivery
10 systems, may be obligated until the Secretary submits to
11 the Committees on Appropriations of both Houses of Con-
12 gress a plan for expenditure that (1) identifies for each
13 project/investment over \$25,000 (a) the functional and
14 performance capabilities to be delivered and the mission
15 benefits to be realized, (b) the estimated lifecycle cost, in-
16 cluding estimates for development as well as maintenance
17 and operations, and (c) key milestones to be met; (2) dem-
18 onstrates that each project/investment is, (a) consistent
19 with the Farm Service Agency Information Technology
20 Roadmap, (b) being managed in accordance with applica-
21 ble lifecycle management policies and guidance, and (c)
22 subject to the applicable Department's capital planning
23 and investment control requirements; and (3) has been re-
24 viewed by the Government Accountability Office and ap-
25 proved by the Committees on Appropriations of both

1 Houses of Congress: *Provided further*, That the agency
2 shall submit a report by the end of the fourth quarter of
3 fiscal year 2017 to the Committees on Appropriations and
4 the Government Accountability Office, that identifies for
5 each project/investment that is operational (a) current
6 performance against key indicators of customer satisfac-
7 tion, (b) current performance of service level agreements
8 or other technical metrics, (c) current performance against
9 a pre-established cost baseline, (d) a detailed breakdown
10 of current and planned spending on operational enhance-
11 ments or upgrades, and (e) an assessment of whether the
12 investment continues to meet business needs as intended
13 as well as alternatives to the investment: *Provided further*,
14 That the Secretary is authorized to use the services, facili-
15 ties, and authorities (but not the funds) of the Commodity
16 Credit Corporation to make program payments for all pro-
17 grams administered by the Agency: *Provided further*, That
18 other funds made available to the Agency for authorized
19 activities may be advanced to and merged with this ac-
20 count: *Provided further*, That funds made available to
21 county committees shall remain available until expended:
22 *Provided further*, That none of the funds available to the
23 Farm Service Agency shall be used to close Farm Service
24 Agency county offices: *Provided further*, That none of the
25 funds available to the Farm Service Agency shall be used

1 to permanently relocate county based employees that
2 would result in an office with two or fewer employees with-
3 out prior notification and approval of the Committees on
4 Appropriations of both Houses of Congress.

5 STATE MEDIATION GRANTS

6 For grants pursuant to section 502(b) of the Agricul-
7 tural Credit Act of 1987, as amended (7 U.S.C. 5101-
8 5106), \$3,904,000.

9 GRASSROOTS SOURCE WATER PROTECTION PROGRAM

10 For necessary expenses to carry out wellhead or
11 groundwater protection activities under section 12400 of
12 the Food Security Act of 1985 (16 U.S.C. 3839bb-2),
13 \$6,500,000, to remain available until expended.

14 DAIRY INDEMNITY PROGRAM

15 (INCLUDING TRANSFER OF FUNDS)

16 For necessary expenses involved in making indemnity
17 payments to dairy farmers and manufacturers of dairy
18 products under a dairy indemnity program, such sums as
19 may be necessary, to remain available until expended: *Pro-*
20 *vided*, That such program is carried out by the Secretary
21 in the same manner as the dairy indemnity program de-
22 scribed in the Agriculture, Rural Development, Food and
23 Drug Administration, and Related Agencies Appropria-
24 tions Act, 2001 (Public Law 106-387, 114 Stat. 1549A-
25 12).

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

8 In addition, for administrative expenses necessary to
9 carry out the direct and guaranteed loan programs,
10 \$317,068,000, of which \$306,998,000 shall be transferred
11 to and merged with the appropriation for “Farm Service
12 Agency, Salaries and Expenses”.

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

20 RISK MANAGEMENT AGENCY

21 SALARIES AND EXPENSES

22 For necessary expenses of the Risk Management
23 Agency, \$75,750,000: *Provided*, That not to exceed
24 \$1,000 shall be available for official reception and rep-
25 resentation expenses, as authorized by 7 U.S.C. 1506(i).

1 CORPORATIONS

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

12 FEDERAL CROP INSURANCE CORPORATION FUND

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

16 COMMODITY CREDIT CORPORATION FUND

17 REIMBURSEMENT FOR NET REALIZED LOSSES

18 (INCLUDING TRANSFERS OF FUNDS)

19 For the current fiscal year, such sums as may be nec-
20 essary to reimburse the Commodity Credit Corporation for
21 net realized losses sustained, but not previously reim-
22 bursed, pursuant to section 2 of the Act of August 17,
23 1961 (15 U.S.C. 713a–11): *Provided*, That of the funds
24 available to the Commodity Credit Corporation under sec-
25 tion 11 of the Commodity Credit Corporation Charter Act

1 (15 U.S.C. 714i) for the conduct of its business with the
2 Foreign Agricultural Service, up to \$5,000,000 may be
3 transferred to and used by the Foreign Agricultural Serv-
4 ice for information resource management activities of the
5 Foreign Agricultural Service that are not related to Com-
6 modity Credit Corporation business.

7 HAZARDOUS WASTE MANAGEMENT

8 (LIMITATION ON EXPENSES)

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

1 TITLE II
2 CONSERVATION PROGRAMS
3 OFFICE OF THE UNDER SECRETARY FOR NATURAL
4 RESOURCES AND ENVIRONMENT

5 For necessary expenses of the Office of the Under
6 Secretary for Natural Resources and Environment,
7 \$901,000.

8 NATURAL RESOURCES CONSERVATION SERVICE
9 CONSERVATION OPERATIONS

10 For necessary expenses for carrying out the provi-
11 sions of the Act of April 27, 1935 (16 U.S.C. 590a–f),
12 including preparation of conservation plans and establish-
13 ment of measures to conserve soil and water (including
14 farm irrigation and land drainage and such special meas-
15 ures for soil and water management as may be necessary
16 to prevent floods and the siltation of reservoirs and to con-
17 trol agricultural related pollutants); operation of conserva-
18 tion plant materials centers; classification and mapping of
19 soil; dissemination of information; acquisition of lands,
20 water, and interests therein for use in the plant materials
21 program by donation, exchange, or purchase at a nominal
22 cost not to exceed \$100 pursuant to the Act of August
23 3, 1956 (7 U.S.C. 428a); purchase and erection or alter-
24 ation or improvement of permanent and temporary build-
25 ings; and operation and maintenance of aircraft,

1 \$864,474,000, to remain available until September 30,
2 2018: *Provided*, That appropriations hereunder shall be
3 available pursuant to 7 U.S.C. 2250 for construction and
4 improvement of buildings and public improvements at
5 plant materials centers, except that the cost of alterations
6 and improvements to other buildings and other public im-
7 provements shall not exceed \$250,000: *Provided further*,
8 That when buildings or other structures are erected on
9 non-Federal land, that the right to use such land is ob-
10 tained as provided in 7 U.S.C. 2250a: *Provided further*,
11 That of the amounts made available under this heading,
12 \$5,600,000, shall remain available until expended for the
13 authorities under 16 U.S.C. 1001–1005 and 1007–1009
14 for authorized ongoing watershed projects with a primary
15 purpose of providing water to rural communities.

16 WATERSHED AND FLOOD PREVENTION OPERATIONS

17 For necessary expenses to carry out preventive meas-
18 ures, including but not limited to surveys and investiga-
19 tions, engineering operations, works of improvement, and
20 changes in use of land, in accordance with the Watershed
21 Protection and Flood Prevention Act (16 U.S.C. 1001–
22 1005 and 1007–1009) and in accordance with the provi-
23 sions of laws relating to the activities of the Department,
24 \$150,000,000, to remain available until expended: *Pro-*
25 *vided*, That of the amounts made available under this

1 heading, \$50,000,000 shall be allocated to projects and
2 activities that can commence promptly following enact-
3 ment; that address regional priorities for flood prevention,
4 agricultural water management, inefficient irrigation sys-
5 tems, fish and wildlife habitat, or watershed protection;
6 or that address authorized ongoing projects under the au-
7 thorities of section 13 of the Flood Control Act of Decem-
8 ber 22, 1944 (Public Law 78–534) with a primary pur-
9 pose of watershed protection by preventing floodwater
10 damage and stabilizing stream channels, tributaries, and
11 banks to reduce erosion and sediment transport.

1 TITLE III
2 RURAL DEVELOPMENT PROGRAMS
3 OFFICE OF THE UNDER SECRETARY FOR RURAL
4 DEVELOPMENT

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

7 RURAL DEVELOPMENT
8 SALARIES AND EXPENSES
9 (INCLUDING TRANSFERS OF FUNDS)

10 For necessary expenses for carrying out the adminis-
11 tration and implementation of programs in the Rural De-
12 velopment mission area, including activities with institu-
13 tions concerning the development and operation of agricul-
14 tural cooperatives; and for cooperative agreements;
15 \$226,283,000: *Provided*, That notwithstanding any other
16 provision of law, funds appropriated under this heading
17 may be used for advertising and promotional activities
18 that support the Rural Development mission area: *Pro-*
19 *vided further*, That any balances available from prior years
20 for the Rural Utilities Service, Rural Housing Service, and
21 the Rural Business—Cooperative Service salaries and ex-
22 penses accounts shall be transferred to and merged with
23 this appropriation.

1 RURAL HOUSING SERVICE
2 RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT
3 (INCLUDING TRANSFERS OF FUNDS)

4 For gross obligations for the principal amount of di-
5 rect and guaranteed loans as authorized by title V of the
6 Housing Act of 1949, to be available from funds in the
7 rural housing insurance fund, as follows: \$900,000,000
8 shall be for direct loans and \$24,000,000,000 shall be for
9 unsubsidized guaranteed loans; \$26,278,000 for section
10 504 housing repair loans; \$40,000,000 for section 515
11 rental housing; \$230,000,000 for section 538 guaranteed
12 multi-family housing loans; \$10,000,000 for credit sales
13 of single family housing acquired property; \$5,000,000 for
14 section 523 self-help housing land development loans; and
15 \$5,000,000 for section 524 site development loans.

16 For the cost of direct and guaranteed loans, including
17 the cost of modifying loans, as defined in section 502 of
18 the Congressional Budget Act of 1974, as follows: section
19 502 loans, \$60,930,000 shall be for direct loans; section
20 504 housing repair loans, \$3,663,000; repair, rehabilita-
21 tion, and new construction of section 515 rental housing,
22 \$11,840,000; section 523 self-help land development
23 loans, \$417,000; section 524 site development loans,
24 \$111,000: *Provided*, That to support the loan program
25 level for section 538 guaranteed loans made available

1 under this heading the Secretary may charge or adjust
2 any fees to cover the projected cost of such loan guaran-
3 tees pursuant to the provisions of the Credit Reform Act
4 of 1990 (2 U.S.C. 661 et seq.), and the interest on such
5 loans may not be subsidized: *Provided further*, That appli-
6 cants in communities that have a current rural area waiv-
7 er under section 541 of the Housing Act of 1949 (42
8 U.S.C. 1490q) shall be treated as living in a rural area
9 for purposes of section 502 guaranteed loans provided
10 under this heading: *Provided further*, That of the amounts
11 available under this paragraph for section 502 direct
12 loans, no less than \$5,000,000 shall be available for direct
13 loans for individuals whose homes will be built pursuant
14 to a program funded with a mutual and self-help housing
15 grant authorized by section 523 of the Housing Act of
16 1949 until June 1, 2017: *Provided further*, That the Sec-
17 retary shall implement provisions to provide incentives to
18 nonprofit organizations and public housing authorities to
19 facilitate the acquisition of Rural Housing Service (RHS)
20 multifamily housing properties by such nonprofit organi-
21 zations and public housing authorities that commit to keep
22 such properties in the RHS multifamily housing program
23 for a period of time as determined by the Secretary. Incen-
24 tives provided will include, but not be limited to, the fol-
25 lowing: allow such nonprofit entities and public housing

1 502(c)(5)(D) of the Housing Act of 1949,
2 \$1,405,033,000; and in addition such sums as may be nec-
3 essary, as authorized by section 521(c) of the Act, to liq-
4 uidate debt incurred prior to fiscal year 1992 to carry out
5 the rental assistance program under section 521(a)(2) of
6 the Act: *Provided*, That rental assistance agreements en-
7 tered into or renewed during the current fiscal year shall
8 be funded for a one-year period: *Provided further*, That
9 any unexpended balances remaining at the end of such
10 one-year agreements may be transferred and used for pur-
11 poses of any debt reduction; maintenance, repair, or reha-
12 bilitation of any existing projects; preservation; and rental
13 assistance activities authorized under title V of the Act:
14 *Provided further*, That rental assistance provided under
15 agreements entered into prior to fiscal year 2017 for a
16 farm labor multi-family housing project financed under
17 section 514 or 516 of the Act may not be recaptured for
18 use in another project until such assistance has remained
19 unused for a period of 12 consecutive months, if such
20 project has a waiting list of tenants seeking such assist-
21 ance or the project has rental assistance eligible tenants
22 who are not receiving such assistance: *Provided further*,
23 That such recaptured rental assistance shall, to the extent
24 practicable, be applied to another farm labor multi-family
25 housing project financed under section 514 or 516 of the

1 Act: *Provided further*, That the Secretary shall provide to
 2 the Committees on Appropriations of both Houses of Con-
 3 gress quarterly reports on the number of renewals ap-
 4 proved, on the amount of rental assistance available, and
 5 the anticipated need for rental assistance for the remain-
 6 der of the fiscal year: *Provided further*, That except as pro-
 7 vided in the third proviso under this heading and notwith-
 8 standing any other provision of the Act, the Secretary may
 9 recapture rental assistance provided under agreements en-
 10 tered into prior to fiscal year 2017 for a project that the
 11 Secretary determines no longer needs rental assistance
 12 and use such recaptured funds for current needs.

13 MULTI-FAMILY HOUSING REVITALIZATION PROGRAM

14 ACCOUNT

15 For the rural housing voucher program as authorized
 16 under section 542 of the Housing Act of 1949, but not-
 17 withstanding subsection (b) of such section, and for addi-
 18 tional costs to conduct a demonstration program for the
 19 preservation and revitalization of multi-family rental hous-
 20 ing properties described in this paragraph, \$40,000,000,
 21 to remain available until expended: *Provided*, That of the
 22 funds made available under this heading, \$18,000,000,
 23 shall be available for rural housing vouchers to any low-
 24 income household (including those not receiving rental as-
 25 sistance) residing in a property financed with a section

1 515 loan which has been prepaid after September 30,
2 2005: *Provided further*, That the amount of such voucher
3 shall be the difference between comparable market rent
4 for the section 515 unit and the tenant paid rent for such
5 unit: *Provided further*, That funds made available for such
6 vouchers shall be subject to the availability of annual ap-
7 propriations: *Provided further*, That the Secretary shall,
8 to the maximum extent practicable, administer such
9 vouchers with current regulations and administrative guid-
10 ance applicable to section 8 housing vouchers administered
11 by the Secretary of the Department of Housing and Urban
12 Development: *Provided further*, That if the Secretary de-
13 termines that the amount made available for vouchers in
14 this or any other Act is not needed for vouchers, the Sec-
15 retary may use such funds for the demonstration program
16 for the preservation and revitalization of multi-family
17 rental housing properties described in this paragraph: *Pro-*
18 *vided further*, That of the funds made available under this
19 heading, \$22,000,000 shall be available for a demonstra-
20 tion program for the preservation and revitalization of the
21 sections 514, 515, and 516 multi-family rental housing
22 properties to restructure existing USDA multi-family
23 housing loans, as the Secretary deems appropriate, ex-
24 pressly for the purposes of ensuring the project has suffi-
25 cient resources to preserve the project for the purpose of

1 providing safe and affordable housing for low-income resi-
2 dents and farm laborers including reducing or eliminating
3 interest; deferring loan payments, subordinating, reducing
4 or reamortizing loan debt; and other financial assistance
5 including advances, payments and incentives (including
6 the ability of owners to obtain reasonable returns on in-
7 vestment) required by the Secretary: *Provided further,*
8 That the Secretary shall as part of the preservation and
9 revitalization agreement obtain a restrictive use agreement
10 consistent with the terms of the restructuring: *Provided*
11 *further,* That if the Secretary determines that additional
12 funds for vouchers described in this paragraph are needed,
13 funds for the preservation and revitalization demonstra-
14 tion program may be used for such vouchers: *Provided fur-*
15 *ther,* That if Congress enacts legislation to permanently
16 authorize a multi-family rental housing loan restructuring
17 program similar to the demonstration program described
18 herein, the Secretary may use funds made available for
19 the demonstration program under this heading to carry
20 out such legislation with the prior approval of the Commit-
21 tees on Appropriations of both Houses of Congress: *Pro-*
22 *vided further,* That in addition to any other available
23 funds, the Secretary may expend not more than
24 \$1,000,000 total, from the program funds made available

1 under this heading, for administrative expenses for activi-
2 ties funded under this heading.

3 MUTUAL AND SELF-HELP HOUSING GRANTS

4 For grants and contracts pursuant to section
5 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C.
6 1490c), \$27,500,000, to remain available until expended.

7 RURAL HOUSING ASSISTANCE GRANTS

8 For grants for very low-income housing repair and
9 rural housing preservation made by the Rural Housing
10 Service, as authorized by 42 U.S.C. 1474, and 1490m,
11 \$32,239,000, to remain available until expended.

12 RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

13 (INCLUDING TRANSFERS OF FUNDS)

14 For gross obligations for the principal amount of di-
15 rect and guaranteed loans as authorized by section 306
16 and described in section 381E(d)(1) of the Consolidated
17 Farm and Rural Development Act, \$2,200,000,000 for di-
18 rect loans and \$156,250,000 for guaranteed loans.

19 For the cost of guaranteed loans, including the cost
20 of modifying loans, as defined in section 502 of the Con-
21 gressional Budget Act of 1974, \$3,500,000, to remain
22 available until expended.

23 For the cost of grants for rural community facilities
24 programs as authorized by section 306 and described in
25 section 381E(d)(1) of the Consolidated Farm and Rural

1 Development Act, \$38,778,000, to remain available until
2 expended: *Provided*, That \$4,000,000 of the amount ap-
3 propriated under this heading shall be available for a
4 Rural Community Development Initiative: *Provided fur-*
5 *ther*, That such funds shall be used solely to develop the
6 capacity and ability of private, nonprofit community-based
7 housing and community development organizations, low-
8 income rural communities, and Federally Recognized Na-
9 tive American Tribes to undertake projects to improve
10 housing, community facilities, community and economic
11 development projects in rural areas: *Provided further*,
12 That such funds shall be made available to qualified pri-
13 vate, nonprofit and public intermediary organizations pro-
14 posing to carry out a program of financial and technical
15 assistance: *Provided further*, That such intermediary orga-
16 nizations shall provide matching funds from other sources,
17 including Federal funds for related activities, in an
18 amount not less than funds provided: *Provided further*,
19 That \$5,778,000 of the amount appropriated under this
20 heading shall be to provide grants for facilities in rural
21 communities with extreme unemployment and severe eco-
22 nomic depression (Public Law 106–387), with up to 5 per-
23 cent for administration and capacity building in the State
24 rural development offices: *Provided further*, That
25 \$4,000,000 of the amount appropriated under this head-

1 ing shall be available for community facilities grants to
 2 tribal colleges, as authorized by section 306(a)(19) of such
 3 Act: *Provided further*, That sections 381E–H and 381N
 4 of the Consolidated Farm and Rural Development Act are
 5 not applicable to the funds made available under this
 6 heading: *Provided further*, That for the purposes of deter-
 7 mining eligibility or level of program assistance the Sec-
 8 retary shall not include incarcerated prison populations.

9 RURAL BUSINESS—COOPERATIVE SERVICE

10 RURAL BUSINESS PROGRAM ACCOUNT

11 (INCLUDING TRANSFERS OF FUNDS)

12 For the cost of loan guarantees and grants, for the
 13 rural business development programs authorized by sec-
 14 tion 310B and described in subsections (a), (c), (f) and
 15 (g) of section 310B of the Consolidated Farm and Rural
 16 Development Act, \$63,883,000, to remain available until
 17 expended: *Provided*, That of the amount appropriated
 18 under this heading, not to exceed \$500,000 shall be made
 19 available for one grant to a qualified national organization
 20 to provide technical assistance for rural transportation in
 21 order to promote economic development and \$3,000,000
 22 shall be for grants to the Delta Regional Authority (7
 23 U.S.C. 2009aa et seq.) for any Rural Community Ad-
 24 vancement Program purpose as described in section
 25 381E(d) of the Consolidated Farm and Rural Develop-

1 ment Act, of which not more than 5 percent may be used
 2 for administrative expenses: *Provided further*, That
 3 \$4,000,000 of the amount appropriated under this head-
 4 ing shall be for business grants to benefit Federally Recog-
 5 nized Native American Tribes, including \$250,000 for a
 6 grant to a qualified national organization to provide tech-
 7 nical assistance for rural transportation in order to pro-
 8 mote economic development: *Provided further*, That for
 9 purposes of determining eligibility or level of program as-
 10 sistance the Secretary shall not include incarcerated pris-
 11 on populations: *Provided further*, That sections 381E–H
 12 and 381N of the Consolidated Farm and Rural Develop-
 13 ment Act are not applicable to funds made available under
 14 this heading.

15 INTERMEDIARY RELENDING PROGRAM FUND ACCOUNT

16 (INCLUDING TRANSFER OF FUNDS)

17 For the principal amount of direct loans, as author-
 18 ized by the Intermediary Relending Program Fund Ac-
 19 count (7 U.S.C. 1936b), \$18,889,000.

20 For the cost of direct loans, \$5,476,000, as author-
 21 ized by the Intermediary Relending Program Fund Ac-
 22 count (7 U.S.C. 1936b), of which \$557,000 shall be avail-
 23 able through June 30, 2017, for Federally Recognized Na-
 24 tive American Tribes; and of which \$1,072,000 shall be
 25 available through June 30, 2017, for Mississippi Delta Re-

1 gion counties (as determined in accordance with Public
 2 Law 100–460): *Provided*, That such costs, including the
 3 cost of modifying such loans, shall be as defined in section
 4 502 of the Congressional Budget Act of 1974.

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

9 RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM

10 ACCOUNT

11 (INCLUDING RESCISSION OF FUNDS)

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

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

20 RURAL COOPERATIVE DEVELOPMENT GRANTS

21 For rural cooperative development grants authorized
 22 under section 310B(e) of the Consolidated Farm and
 23 Rural Development Act (7 U.S.C. 1932), \$22,300,000, of
 24 which \$2,750,000 shall be for cooperative agreements for
 25 the appropriate technology transfer for rural areas pro-

1 gram: *Provided*, That not to exceed \$3,000,000 shall be
2 for grants for cooperative development centers, individual
3 cooperatives, or groups of cooperatives that serve socially
4 disadvantaged groups and a majority of the boards of di-
5 rectors or governing boards of which are comprised of in-
6 dividuals who are members of socially disadvantaged
7 groups; and of which \$10,750,000, to remain available
8 until expended, shall be for value-added agricultural prod-
9 uct market development grants, as authorized by section
10 231 of the Agricultural Risk Protection Act of 2000 (7
11 U.S.C. 1632a).

12 RURAL ENERGY FOR AMERICA PROGRAM

13 For the cost of a program of loan guarantees, under
14 the same terms and conditions as authorized by section
15 9007 of the Farm Security and Rural Investment Act of
16 2002 (7 U.S.C. 8107), \$352,000: *Provided*, That the cost
17 of loan guarantees, including the cost of modifying such
18 loans, shall be as defined in section 502 of the Congres-
19 sional Budget Act of 1974.

20 RURAL UTILITIES SERVICE

21 RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT

22 (INCLUDING TRANSFERS OF FUNDS)

23 For the cost of direct loans, loan guarantees, and
24 grants for the rural water, waste water, waste disposal,
25 and solid waste management programs authorized by sec-

1 tions 306, 306A, 306C, 306D, 306E, and 310B and de-
2 scribed in sections 306C(a)(2), 306D, 306E, and
3 381E(d)(2) of the Consolidated Farm and Rural Develop-
4 ment Act, \$546,090,000, to remain available until ex-
5 pended, of which not to exceed \$1,000,000 shall be avail-
6 able for the rural utilities program described in section
7 306(a)(2)(B) of such Act, and of which not to exceed
8 \$993,000 shall be available for the rural utilities program
9 described in section 306E of such Act: *Provided*, That not
10 to exceed \$10,000,000 of the amount appropriated under
11 this heading shall be for grants authorized by section
12 306A(i)(2) of the Consolidated Farm and Rural Develop-
13 ment Act in addition to funding authorized by section
14 306A(i)(1) of such Act: *Provided further*, That
15 \$66,500,000 of the amount appropriated under this head-
16 ing shall be for loans and grants including water and
17 waste disposal systems grants authorized by section
18 306C(a)(2)(B) and section 306D of the Consolidated
19 Farm and Rural Development Act, and Federally Recog-
20 nized Native American Tribes authorized by 306C(a)(1):
21 *Provided further*, That funding provided for section 306D
22 of the Consolidated Farm and Rural Development Act
23 may be provided to a consortium formed pursuant to sec-
24 tion 325 of Public Law 105–83: *Provided further*, That
25 not more than 2 percent of the funding provided for sec-

1 tion 306D of the Consolidated Farm and Rural Develop-
2 ment Act may be used by the State of Alaska for training
3 and technical assistance programs and not more than 2
4 percent of the funding provided for section 306D of the
5 Consolidated Farm and Rural Development Act may be
6 used by a consortium formed pursuant to section 325 of
7 Public Law 105–83 for training and technical assistance
8 programs: *Provided further*, That not to exceed
9 \$20,000,000 of the amount appropriated under this head-
10 ing shall be for technical assistance grants for rural water
11 and waste systems pursuant to section 306(a)(14) of such
12 Act, unless the Secretary makes a determination of ex-
13 treme need, of which \$6,500,000 shall be made available
14 for a grant to a qualified nonprofit multi-State regional
15 technical assistance organization, with experience in work-
16 ing with small communities on water and waste water
17 problems, the principal purpose of such grant shall be to
18 assist rural communities with populations of 3,300 or less,
19 in improving the planning, financing, development, oper-
20 ation, and management of water and waste water systems,
21 and of which not less than \$800,000 shall be for a quali-
22 fied national Native American organization to provide
23 technical assistance for rural water systems for tribal com-
24 munities: *Provided further*, That not to exceed
25 \$16,897,000 of the amount appropriated under this head-

1 ing shall be for contracting with qualified national organi-
 2 zations for a circuit rider program to provide technical as-
 3 sistance for rural water systems: *Provided further*, That
 4 not to exceed \$4,000,000 shall be for solid waste manage-
 5 ment grants: *Provided further*, That \$10,000,000 of the
 6 amount appropriated under this heading shall be trans-
 7 ferred to, and merged with, the Rural Utilities Service,
 8 High Energy Cost Grants Account to provide grants au-
 9 thorized under section 19 of the Rural Electrification Act
 10 of 1936 (7 U.S.C. 918a): *Provided further*, That any prior
 11 year balances for high-energy cost grants authorized by
 12 section 19 of the Rural Electrification Act of 1936 (7
 13 U.S.C. 918a) shall be transferred to and merged with the
 14 Rural Utilities Service, High Energy Cost Grants Ac-
 15 count: *Provided further*, That sections 381E–H and 381N
 16 of the Consolidated Farm and Rural Development Act are
 17 not applicable to the funds made available under this
 18 heading.

19 RURAL ELECTRIFICATION AND TELECOMMUNICATIONS

20 LOANS PROGRAM ACCOUNT

21 (INCLUDING TRANSFER OF FUNDS)

22 The principal amount of direct and guaranteed loans
 23 as authorized by sections 305 and 306 of the Rural Elec-
 24 trification Act of 1936 (7 U.S.C. 935 and 936) shall be
 25 made as follows: loans made pursuant to section 306 of

1 that Act, rural electric, \$5,500,000,000; guaranteed un-
2 derwriting loans pursuant to section 313A, \$750,000,000;
3 5 percent rural telecommunications loans, cost of money
4 rural telecommunications loans, and for loans made pursu-
5 ant to section 306 of that Act, rural telecommunications
6 loans, \$690,000,000: *Provided*, That up to
7 \$2,000,000,000 shall be used for the construction, acquisi-
8 tion, or improvement of fossil-fueled electric generating
9 plants (whether new or existing) that utilize carbon se-
10 questration systems.

11 For the cost of direct loans as authorized by section
12 305 of the Rural Electrification Act of 1936 (7 U.S.C.
13 935), including the cost of modifying loans, as defined in
14 section 502 of the Congressional Budget Act of 1974, cost
15 of money rural telecommunications loans, \$3,071,000.

16 In addition, for administrative expenses necessary to
17 carry out the direct and guaranteed loan programs,
18 \$34,707,000, which shall be transferred to and merged
19 with the appropriation for “Rural Development, Salaries
20 and Expenses”.

21 DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND
22 PROGRAM

23 For the principal amount of broadband telecommuni-
24 cation loans, \$27,043,000.

1 For grants for telemedicine and distance learning
2 services in rural areas, as authorized by 7 U.S.C. 950aaa
3 et seq., \$22,000,000, to remain available until expended:
4 *Provided*, That \$3,000,000 shall be made available for
5 grants authorized by 379G of the Consolidated Farm and
6 Rural Development Act: *Provided further*, That funding
7 provided under this heading for grants under 379G of the
8 Consolidated Farm and Rural Development Act may only
9 be provided to entities that meet all of the eligibility cri-
10 teria for a consortium as established by this section.

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

16 In addition, \$10,372,000, to remain available until
17 expended, for a grant program to finance broadband
18 transmission in rural areas eligible for Distance Learning
19 and Telemedicine Program benefits authorized by 7
20 U.S.C. 950aaa.

1 TITLE IV
2 DOMESTIC FOOD PROGRAMS
3 OFFICE OF THE UNDER SECRETARY FOR FOOD,
4 NUTRITION, AND CONSUMER SERVICES
5 For necessary expenses of the Office of the Under
6 Secretary for Food, Nutrition, and Consumer Services,
7 \$814,000.

8 FOOD AND NUTRITION SERVICE
9 CHILD NUTRITION PROGRAMS
10 (INCLUDING TRANSFERS OF FUNDS)
11 For necessary expenses to carry out the Richard B.
12 Russell National School Lunch Act (42 U.S.C. 1751 et
13 seq.), except section 21, and the Child Nutrition Act of
14 1966 (42 U.S.C. 1771 et seq.), except sections 17 and
15 21; \$23,201,733,000 to remain available through Sep-
16 tember 30, 2018, of which such sums as are made avail-
17 able under section 14222(b)(1) of the Food, Conservation,
18 and Energy Act of 2008 (Public Law 110–246), as
19 amended by this Act, shall be merged with and available
20 for the same time period and purposes as provided herein:
21 *Provided*, That of the total amount available, \$17,004,000
22 shall be available to carry out section 19 of the Child Nu-
23 trition Act of 1966 (42 U.S.C. 1771 et seq.): *Provided*
24 *further*, That of the total amount available, \$30,000,000
25 shall be available to provide competitive grants to State

1 agencies for subgrants to local educational agencies and
2 schools to purchase the equipment needed to serve
3 healthier meals, improve food safety, and to help support
4 the establishment, maintenance, or expansion of the school
5 breakfast program: *Provided further*, That of the total
6 amount available, \$23,000,000 shall remain available until
7 expended to carry out section 749(g) of the Agriculture
8 Appropriations Act of 2010 (Public Law 111–80): *Pro-*
9 *vided further*, That section 26(d) of the Richard B. Russell
10 National School Lunch Act (42 U.S.C. 1769g(d)) is
11 amended in the first sentence by striking “2010 through
12 2016” and inserting “2010 through 2017”.

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

15 For necessary expenses to carry out the special sup-
16 plemental nutrition program as authorized by section 17
17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786),
18 \$6,350,000,000, to remain available through September
19 30, 2018: *Provided*, That notwithstanding section
20 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C.
21 1786(h)(10)), not less than \$60,000,000 shall be used for
22 breastfeeding peer counselors and other related activities,
23 and \$13,600,000 shall be used for infrastructure: *Pro-*
24 *vided further*, That none of the funds provided in this ac-
25 count shall be available for the purchase of infant formula

1 except in accordance with the cost containment and com-
2 petitive bidding requirements specified in section 17 of
3 such Act: *Provided further*, That none of the funds pro-
4 vided shall be available for activities that are not fully re-
5 imbursed by other Federal Government departments or
6 agencies unless authorized by section 17 of such Act: *Pro-*
7 *vided further*, That upon termination of a federally man-
8 dated vendor moratorium and subject to terms and condi-
9 tions established by the Secretary, the Secretary may
10 waive the requirement at 7 CFR 246.12(g)(6) at the re-
11 quest of a State agency.

12 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

13 For necessary expenses to carry out the Food and
14 Nutrition Act of 2008 (7 U.S.C. 2011 et seq.),
15 \$79,682,168,000, of which \$3,000,000,000, to remain
16 available through December 31, 2018, shall be placed in
17 reserve for use only in such amounts and at such times
18 as may become necessary to carry out program operations:
19 *Provided*, That funds provided herein shall be expended
20 in accordance with section 16 of the Food and Nutrition
21 Act of 2008: *Provided further*, That of the funds made
22 available under this heading, \$998,000 may be used to
23 provide nutrition education services to State agencies and
24 Federally Recognized Tribes participating in the Food
25 Distribution Program on Indian Reservations: *Provided*

1 *further*, That this appropriation shall be subject to any
2 work registration or workfare requirements as may be re-
3 quired by law: *Provided further*, That funds made available
4 for Employment and Training under this heading shall re-
5 main available through September 30, 2018: *Provided fur-*
6 *ther*, That funds made available under this heading for
7 section 28(d)(1), section 4(b), and section 27(a) of the
8 Food and Nutrition Act of 2008 shall remain available
9 through September 30, 2018: *Provided further*, That
10 funds made available under this heading may be used to
11 enter into contracts and employ staff to conduct studies,
12 evaluations, or to conduct activities related to program in-
13 tegrity provided that such activities are authorized by the
14 Food and Nutrition Act of 2008.

15 COMMODITY ASSISTANCE PROGRAM

16 For necessary expenses to carry out disaster assist-
17 ance and the Commodity Supplemental Food Program as
18 authorized by section 4(a) of the Agriculture and Con-
19 sumer Protection Act of 1973 (7 U.S.C. 612c note); the
20 Emergency Food Assistance Act of 1983; special assist-
21 ance for the nuclear affected islands, as authorized by sec-
22 tion 103(f)(2) of the Compact of Free Association Amend-
23 ments Act of 2003 (Public Law 108–188); and the Farm-
24 ers' Market Nutrition Program, as authorized by section
25 17(m) of the Child Nutrition Act of 1966, \$313,139,000,

1 to remain available through September 30, 2018: *Pro-*
2 *vided*, That none of these funds shall be available to reim-
3 burse the Commodity Credit Corporation for commodities
4 donated to the program: *Provided further*, That notwith-
5 standing any other provision of law, effective with funds
6 made available in fiscal year 2017 to support the Seniors
7 Farmers' Market Nutrition Program, as authorized by
8 section 4402 of the Farm Security and Rural Investment
9 Act of 2002, such funds shall remain available through
10 September 30, 2018: *Provided further*, That of the funds
11 made available under section 27(a) of the Food and Nutri-
12 tion Act of 2008 (7 U.S.C. 2036(a)), the Secretary may
13 use up to 10 percent for costs associated with the distribu-
14 tion of commodities.

15 NUTRITION PROGRAMS ADMINISTRATION

16 For necessary administrative expenses of the Food
17 and Nutrition Service for carrying out any domestic nutri-
18 tion assistance program, \$173,274,000: *Provided*, That of
19 the funds provided herein, \$2,000,000 shall be used for
20 the purposes of section 4404 of Public Law 107–171, as
21 amended by section 4401 of Public Law 110–246.

1 TITLE V
2 FOREIGN ASSISTANCE AND RELATED
3 PROGRAMS
4 FOREIGN AGRICULTURAL SERVICE
5 SALARIES AND EXPENSES
6 (INCLUDING TRANSFERS OF FUNDS)

7 For necessary expenses of the Foreign Agricultural
8 Service, including not to exceed \$250,000 for representa-
9 tion allowances and for expenses pursuant to section 8 of
10 the Act approved August 3, 1956 (7 U.S.C. 1766),
11 \$196,571,000, of which no more than 6 percent shall re-
12 main available until September 30, 2018, for overseas op-
13 erations to include the payment of locally employed staff:
14 *Provided*, That the Service may utilize advances of funds,
15 or reimburse this appropriation for expenditures made on
16 behalf of Federal agencies, public and private organiza-
17 tions and institutions under agreements executed pursu-
18 ant to the agricultural food production assistance pro-
19 grams (7 U.S.C. 1737) and the foreign assistance pro-
20 grams of the United States Agency for International De-
21 velopment: *Provided further*, That funds made available
22 for middle-income country training programs, funds made
23 available for the Borlaug International Agricultural
24 Science and Technology Fellowship program, and up to
25 \$2,000,000 of the Foreign Agricultural Service appropria-

1 tion solely for the purpose of offsetting fluctuations in
 2 international currency exchange rates, subject to docu-
 3 mentation by the Foreign Agricultural Service, shall re-
 4 main available until expended.

5 FOOD FOR PEACE TITLE I DIRECT CREDIT AND FOOD
 6 FOR PROGRESS PROGRAM ACCOUNT
 7 (INCLUDING TRANSFER OF FUNDS)

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

13 FOOD FOR PEACE TITLE II GRANTS

14 For expenses during the current fiscal year, not oth-
 15 erwise recoverable, and unrecovered prior years’ costs, in-
 16 cluding interest thereon, under the Food for Peace Act
 17 (Public Law 83-480), for commodities supplied in connec-
 18 tion with dispositions abroad under title II of said Act,
 19 \$1,600,000,000, to remain available until expended.

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

22 For necessary expenses to carry out the provisions
 23 of section 3107 of the Farm Security and Rural Invest-
 24 ment Act of 2002 (7 U.S.C. 1736o-1), \$201,626,000, to
 25 remain available until expended: *Provided*, That the Com-

1 modify Credit Corporation is authorized to provide the
2 services, facilities, and authorities for the purpose of im-
3 plementing such section, subject to reimbursement from
4 amounts provided herein: *Provided further*, That of the
5 amount made available under this heading, \$10,000,000,
6 shall remain available until expended for necessary ex-
7 penses to carry out the provisions of section 3207 of the
8 Agricultural Act of 2014 (7 U.S.C. 1726c).

9 COMMODITY CREDIT CORPORATION EXPORT (LOANS)
10 CREDIT GUARANTEE PROGRAM ACCOUNT
11 (INCLUDING TRANSFERS OF FUNDS)

12 For administrative expenses to carry out the Com-
13 modify Credit Corporation’s Export Guarantee Program,
14 GSM 102 and GSM 103, \$8,537,000; to cover common
15 overhead expenses as permitted by section 11 of the Com-
16 modify Credit Corporation Charter Act and in conformity
17 with the Federal Credit Reform Act of 1990, of which
18 \$6,074,000 shall be transferred to and merged with the
19 appropriation for “Foreign Agricultural Service, Salaries
20 and Expenses”, and of which \$2,463,000 shall be trans-
21 ferred to and merged with the appropriation for “Farm
22 Service Agency, Salaries and Expenses”.

1 TITLE VI
2 RELATED AGENCIES AND FOOD AND DRUG
3 ADMINISTRATION
4 DEPARTMENT OF HEALTH AND HUMAN SERVICES
5 FOOD AND DRUG ADMINISTRATION
6 SALARIES AND EXPENSES

7 For necessary expenses of the Food and Drug Ad-
8 ministration, including hire and purchase of passenger
9 motor vehicles; for payment of space rental and related
10 costs pursuant to Public Law 92–313 for programs and
11 activities of the Food and Drug Administration which are
12 included in this Act; for rental of special purpose space
13 in the District of Columbia or elsewhere; for miscellaneous
14 and emergency expenses of enforcement activities, author-
15 ized and approved by the Secretary and to be accounted
16 for solely on the Secretary’s certificate, not to exceed
17 \$25,000; and notwithstanding section 521 of Public Law
18 107–188; \$4,784,998,000: *Provided*, That of the amount
19 provided under this heading, \$865,653,000 shall be de-
20 rived from prescription drug user fees authorized by 21
21 U.S.C. 379h, and shall be credited to this account and
22 remain available until expended; \$144,859,000 shall be de-
23 rived from medical device user fees authorized by 21
24 U.S.C. 379j, and shall be credited to this account and re-
25 main available until expended; \$324,085,000 shall be de-

1 rived from human generic drug user fees authorized by
2 21 U.S.C. 379j–42, and shall be credited to this account
3 and remain available until expended; \$22,079,000 shall be
4 derived from biosimilar biological product user fees au-
5 thorized by 21 U.S.C. 379j–52, and shall be credited to
6 this account and remain available until expended;
7 \$22,977,000 shall be derived from animal drug user fees
8 authorized by 21 U.S.C. 379j–12, and shall be credited
9 to this account and remain available until expended;
10 \$10,367,000 shall be derived from animal generic drug
11 user fees authorized by 21 U.S.C. 379j–21, and shall be
12 credited to this account and remain available until ex-
13 pended; \$635,000,000 shall be derived from tobacco prod-
14 uct user fees authorized by 21 U.S.C. 387s, and shall be
15 credited to this account and remain available until ex-
16 pended: *Provided further*, That in addition to and notwith-
17 standing any other provision under this heading, amounts
18 collected for prescription drug user fees, medical device
19 user fees, human generic drug user fees, biosimilar biologi-
20 cal product user fees, animal drug user fees, and animal
21 generic drug user fees that exceed the respective fiscal
22 year 2017 limitations are appropriated and shall be cred-
23 ited to this account and remain available until expended:
24 *Provided further*, That fees derived from prescription drug,
25 medical device, human generic drug, biosimilar biological

1 product, animal drug, and animal generic drug assess-
2 ments for fiscal year 2017, including any such fees col-
3 lected prior to fiscal year 2017 but credited for fiscal year
4 2017, shall be subject to the fiscal year 2017 limitations:
5 *Provided further*, That the Secretary may accept payment
6 during fiscal year 2017 of user fees specified under this
7 heading and authorized for fiscal year 2018, prior to the
8 due date for such fees, and that amounts of such fees as-
9 sessed for fiscal year 2018 for which the Secretary accepts
10 payment in fiscal year 2017 shall not be included in
11 amounts under this heading: *Provided further*, That none
12 of these funds shall be used to develop, establish, or oper-
13 ate any program of user fees authorized by 31 U.S.C.
14 9701: *Provided further*, That of the total amount appro-
15 priated: (1) \$1,027,103,000 shall be for the Center for
16 Food Safety and Applied Nutrition and related field activi-
17 ties in the Office of Regulatory Affairs; (2)
18 \$1,407,781,000 shall be for the Center for Drug Evalua-
19 tion and Research and related field activities in the Office
20 of Regulatory Affairs; (3) \$359,989,000 shall be for the
21 Center for Biologics Evaluation and Research and for re-
22 lated field activities in the Office of Regulatory Affairs;
23 (4) \$191,257,000 shall be for the Center for Veterinary
24 Medicine and for related field activities in the Office of
25 Regulatory Affairs; (5) \$442,232,000 shall be for the Cen-

1 ter for Devices and Radiological Health and for related
2 field activities in the Office of Regulatory Affairs; (6)
3 \$63,331,000 shall be for the National Center for Toxi-
4 cological Research; (7) \$596,338,000 shall be for the Cen-
5 ter for Tobacco Products and for related field activities
6 in the Office of Regulatory Affairs; (8) not to exceed
7 \$168,552,000 shall be for Rent and Related activities, of
8 which \$47,461,000 is for White Oak Consolidation, other
9 than the amounts paid to the General Services Adminis-
10 tration for rent; (9) not to exceed \$235,277,000 shall be
11 for payments to the General Services Administration for
12 rent; and (10) \$293,138,000 shall be for other activities,
13 including the Office of the Commissioner of Food and
14 Drugs, the Office of Foods and Veterinary Medicine, the
15 Office of Medical and Tobacco Products, the Office of
16 Global and Regulatory Policy, the Office of Operations,
17 the Office of the Chief Scientist, and central services for
18 these offices: *Provided further*, That not to exceed \$25,000
19 of this amount shall be for official reception and represen-
20 tation expenses, not otherwise provided for, as determined
21 by the Commissioner: *Provided further*, That any transfer
22 of funds pursuant to section 770(n) of the Federal Food,
23 Drug, and Cosmetic Act (21 U.S.C. 379dd(n)) shall only
24 be from amounts made available under this heading for
25 other activities: *Provided further*, That of the amounts

1 that are made available under this heading for “other ac-
2 tivities”, and that are not derived from user fees,
3 \$1,500,000 shall be transferred to and merged with the
4 appropriation for “Department of Health and Human
5 Services—Office of Inspector General” for oversight of the
6 programs and operations of the Food and Drug Adminis-
7 tration and shall be in addition to funds otherwise made
8 available for oversight of the Food and Drug Administra-
9 tion: *Provided further*, That funds may be transferred
10 from one specified activity to another with the prior ap-
11 proval of the Committees on Appropriations of both
12 Houses of Congress.

13 In addition, mammography user fees authorized by
14 42 U.S.C. 263b, export certification user fees authorized
15 by 21 U.S.C. 381, priority review user fees authorized by
16 21 U.S.C. 360n and 360ff, food and feed recall fees, food
17 reinspection fees, and voluntary qualified importer pro-
18 gram fees authorized by 21 U.S.C. 379j–31, outsourcing
19 facility fees authorized by 21 U.S.C. 379j–62, prescription
20 drug wholesale distributor licensing and inspection fees
21 authorized by 21 U.S.C. 353(e)(3), third-party logistics
22 provider licensing and inspection fees authorized by 21
23 U.S.C. 360eee–3(e)(1), and third-party auditor fees au-
24 thorized by 21 U.S.C. 384d(e)(8), shall be credited to this
25 account, to remain available until expended.

1 BUILDINGS AND FACILITIES

2 For plans, construction, repair, improvement, exten-
3 sion, alteration, and purchase of fixed equipment or facili-
4 ties of or used by the Food and Drug Administration,
5 where not otherwise provided, \$11,788,000, to remain
6 available until expended.

7 INDEPENDENT AGENCY

8 FARM CREDIT ADMINISTRATION

9 LIMITATION ON ADMINISTRATIVE EXPENSES

10 Not to exceed \$65,600,000 (from assessments col-
11 lected from farm credit institutions, including the Federal
12 Agricultural Mortgage Corporation) shall be obligated
13 during the current fiscal year for administrative expenses
14 as authorized under 12 U.S.C. 2249: *Provided*, That this
15 limitation shall not apply to expenses associated with re-
16 ceiverships: *Provided further*, That the agency may exceed
17 this limitation by up to 10 percent with notification to the
18 Committees on Appropriations of both Houses of Con-
19 gress.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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-

1 main available until expended: *Provided*, That none of the
2 funds made available by this Act or any other Act shall
3 be transferred to the Working Capital Fund without the
4 prior approval of the agency administrator: *Provided fur-*
5 *ther*, That none of the funds transferred to the Working
6 Capital Fund pursuant to this section shall be available
7 for obligation without written notification to and the prior
8 approval of the Committees on Appropriations of both
9 Houses of Congress: *Provided further*, That none of the
10 funds appropriated by this Act or made available to the
11 Department's Working Capital Fund shall be available for
12 obligation or expenditure to make any changes to the De-
13 partment's National Finance Center without written noti-
14 fication to and prior approval of the Committees on Ap-
15 propriations of both Houses of Congress as required by
16 section 717 of this Act: *Provided further*, That of annual
17 income amounts in the Working Capital Fund of the De-
18 partment of Agriculture allocated for the National Fi-
19 nance Center, the Secretary may reserve not more than
20 4 percent for the replacement or acquisition of capital
21 equipment, including equipment for the improvement and
22 implementation of a financial management plan, informa-
23 tion technology, and other systems of the National Fi-
24 nance Center or to pay any unforeseen, extraordinary cost
25 of the National Finance Center: *Provided further*, That

1 none of the amounts reserved shall be available for obliga-
2 tion unless the Secretary submits written notification of
3 the obligation to the Committees on Appropriations of
4 both Houses of Congress: *Provided further*, That the limi-
5 tation on the obligation of funds pending notification to
6 Congressional Committees shall not apply to any obliga-
7 tion that, as determined by the Secretary, is necessary to
8 respond to a declared state of emergency that significantly
9 impacts the operations of the National Finance Center;
10 or to evacuate employees of the National Finance Center
11 to a safe haven to continue operations of the National Fi-
12 nance Center.

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

16 SEC. 704. No funds appropriated by this Act may be
17 used to pay negotiated indirect cost rates on cooperative
18 agreements or similar arrangements between the United
19 States Department of Agriculture and nonprofit institu-
20 tions in excess of 10 percent of the total direct cost of
21 the agreement when the purpose of such cooperative ar-
22 rangements is to carry out programs of mutual interest
23 between the two parties. This does not preclude appro-
24 priate payment of indirect costs on grants and contracts
25 with such institutions when such indirect costs are com-

1 puted on a similar basis for all agencies for which appro-
2 priations are provided in this Act.

3 SEC. 705. Appropriations to the Department of Agri-
4 culture for the cost of direct and guaranteed loans made
5 available in the current fiscal year shall remain available
6 until expended to disburse obligations made in the current
7 fiscal year for the following accounts: the Rural Develop-
8 ment Loan Fund program account, the Rural Electrifica-
9 tion and Telecommunication Loans program account, and
10 the Rural Housing Insurance Fund program account.

11 SEC. 706. None of the funds made available to the
12 Department of Agriculture by this Act may be used to ac-
13 quire new information technology systems or significant
14 upgrades, as determined by the Office of the Chief Infor-
15 mation Officer, without the approval of the Chief Informa-
16 tion Officer and the concurrence of the Executive Informa-
17 tion Technology Investment Review Board: *Provided*, That
18 notwithstanding any other provision of law, none of the
19 funds appropriated or otherwise made available by this
20 Act may be transferred to the Office of the Chief Informa-
21 tion Officer without written notification to and the prior
22 approval of the Committees on Appropriations of both
23 Houses of Congress: *Provided further*, That, notwith-
24 standing section 11319 of title 40, United States Code,
25 none of the funds available to the Department of Agri-

1 culture for information technology shall be obligated for
2 projects, contracts, or other agreements over \$25,000
3 prior to receipt of written approval by the Chief Informa-
4 tion Officer: *Provided further*, That the Chief Information
5 Officer may authorize an agency to obligate funds without
6 written approval from the Chief Information Officer for
7 projects, contracts, or other agreements up to \$250,000
8 based upon the performance of an agency measured
9 against the performance plan requirements described in
10 the explanatory statement accompanying Public Law 113–
11 235.

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

17 SEC. 708. Notwithstanding any other provision of
18 law, any former RUS borrower that has repaid or prepaid
19 an insured, direct or guaranteed loan under the Rural
20 Electrification Act of 1936, or any not-for-profit utility
21 that is eligible to receive an insured or direct loan under
22 such Act, shall be eligible for assistance under section
23 313(b)(2)(B) of such Act in the same manner as a bor-
24 rower under such Act.

1 SEC. 709. Except as otherwise specifically provided
2 by law, not more than \$20,000,000 in unobligated bal-
3 ances from appropriations made available for salaries and
4 expenses in this Act for the Farm Service Agency shall
5 remain available through September 30, 2018, for infor-
6 mation technology expenses: *Provided*, That except as oth-
7 erwise specifically provided by law, unobligated balances
8 from appropriations made available for salaries and ex-
9 penses in this Act for the Rural Development mission area
10 shall remain available through September 30, 2018, for
11 information technology expenses.

12 SEC. 710. None of the funds appropriated or other-
13 wise made available by this Act may be used for first-class
14 travel by the employees of agencies funded by this Act in
15 contravention of sections 301–10.122 through 301–10.124
16 of title 41, Code of Federal Regulations.

17 SEC. 711. In the case of each program established
18 or amended by the Agricultural Act of 2014 (Public Law
19 113–79), other than by title I or subtitle A of title III
20 of such Act, or programs for which indefinite amounts
21 were provided in that Act, that is authorized or required
22 to be carried out using funds of the Commodity Credit
23 Corporation—

24 (1) such funds shall be available for salaries
25 and related administrative expenses, including tech-

1 nical assistance, associated with the implementation
2 of the program, without regard to the limitation on
3 the total amount of allotments and fund transfers
4 contained in section 11 of the Commodity Credit
5 Corporation Charter Act (15 U.S.C. 714i); and

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

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

18 SEC. 713. None of the funds in this Act shall be avail-
19 able to pay indirect costs charged against any agricultural
20 research, education, or extension grant awards issued by
21 the National Institute of Food and Agriculture that exceed
22 30 percent of total Federal funds provided under each
23 award: *Provided*, That notwithstanding section 1462 of
24 the National Agricultural Research, Extension, and
25 Teaching Policy Act of 1977 (7 U.S.C. 3310), funds pro-

1 vided by this Act for grants awarded competitively by the
2 National Institute of Food and Agriculture shall be avail-
3 able to pay full allowable indirect costs for each grant
4 awarded under section 9 of the Small Business Act (15
5 U.S.C. 638).

6 SEC. 714. None of the funds appropriated or other-
7 wise made available by this or any other Act shall be used
8 to pay the salaries and expenses of personnel to carry out
9 the following:

10 (1) The Watershed Rehabilitation program au-
11 thorized by section 14(h)(1) of the Watershed and
12 Flood Protection Act (16 U.S.C. 1012(h)(1));

13 (2) The Environmental Quality Incentives Pro-
14 gram as authorized by sections 1240–1240H of the
15 Food Security Act of 1985 (16 U.S.C. 3839aa–
16 3839aa–8) in excess of \$1,347,000,000: *Provided*,
17 That this limitation shall apply only to funds pro-
18 vided by section 1241(a)(5)(D) of the Food Security
19 Act of 1985 (16 U.S.C. 3841(a)(5)(D)); and

20 (3) The Biomass Crop Assistance Program au-
21 thorized by section 9011 of the Farm Security and
22 Rural Investment Act of 2002 (7 U.S.C. 8111) in
23 excess of \$3,000,000 in new obligational authority.

24 SEC. 715. None of the funds appropriated or other-
25 wise made available by this or any other Act shall be used

1 to pay the salaries and expenses of personnel to carry out
2 a program under subsection (b)(2)(A)(ix) of section 14222
3 of Public Law 110–246 in excess of \$880,000,000, as fol-
4 lows: Child Nutrition Programs Entitlement Commod-
5 ities—\$465,000,000; State Option Contracts—
6 \$5,000,000; Removal of Defective Commodities—
7 \$2,500,000: *Provided*, That none of the funds made avail-
8 able in this Act or any other Act shall be used for salaries
9 and expenses to carry out in this fiscal year section
10 19(i)(1)(E) of the Richard B. Russell National School
11 Lunch Act, as amended, except in an amount that ex-
12 cludes the transfer of \$125,000,000 of the funds to be
13 transferred under subsection (c) of section 14222 of Pub-
14 lic Law 110–246, until October 1, 2017: *Provided further*,
15 That \$125,000,000 made available on October 1, 2017,
16 to carry out section 19(i)(1)(E) of the Richard B. Russell
17 National School Lunch Act, as amended, shall be excluded
18 from the limitation described in subsection (b)(2)(A)(x) of
19 section 14222 of Public Law 110–246: *Provided further*,
20 That none of the funds appropriated or otherwise made
21 available by this or any other Act shall be used to pay
22 the salaries or expenses of any employee of the Depart-
23 ment of Agriculture or officer of the Commodity Credit
24 Corporation to carry out clause 3 of section 32 of the Agri-
25 cultural Adjustment Act of 1935 (Public Law 74–320, 7

1 U.S.C. 612c, as amended), or for any surplus removal ac-
2 tivities or price support activities under section 5 of the
3 Commodity Credit Corporation Charter Act: *Provided fur-*
4 *ther*, That the available unobligated balances under
5 (b)(2)(A)(ix) of section 14222 of Public Law 110–246 in
6 excess of the limitation set forth in this section, except
7 for the amounts to be transferred pursuant to the first
8 proviso, are hereby permanently rescinded.

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

24 SEC. 717. (a) None of the funds provided by this Act,
25 or provided by previous appropriations Acts to the agen-

1 cies funded by this Act that remain available for obligation
2 or expenditure in the current fiscal year, or provided from
3 any accounts in the Treasury derived by the collection of
4 fees available to the agencies funded by this Act, shall be
5 available for obligation or expenditure through a re-
6 programming, transfer of funds, or reimbursements as au-
7 thorized by the Economy Act, or in the case of the Depart-
8 ment of Agriculture, through use of the authority provided
9 by section 702(b) of the Department of Agriculture Or-
10 ganic Act of 1944 (7 U.S.C. 2257) or section 8 of Public
11 Law 89–106 (7 U.S.C. 2263), that—

12 (1) creates new programs;

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

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

17 (4) relocates an office or employees;

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

19 or

20 (6) contracts out or privatizes any functions or
21 activities presently performed by Federal employees;

22 unless the Secretary of Agriculture or the Secretary of
23 Health and Human Services (as the case may be) notifies
24 in writing and receives approval from the Committees on
25 Appropriations of both Houses of Congress at least 30

1 days in advance of the reprogramming of such funds or
2 the use of such authority.

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

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

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

19 (3) results from any general savings from a re-
20 duction in personnel which would result in a change
21 in existing programs, activities, or projects as ap-
22 proved by Congress; unless the Secretary of Agri-
23 culture or the Secretary of Health and Human Serv-
24 ices (as the case may be) notifies in writing and re-
25 ceives approval from the Committees on Appropria-

1 tions of both Houses of Congress at least 30 days
2 in advance of the reprogramming or transfer of such
3 funds or the use of such authority.

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

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

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

24 (2) realigning or reorganizing new, current, or
25 vacant positions or agency activities or functions to

1 establish a center, office, branch, or similar entity
2 with five or more personnel; or

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

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

15 SEC. 718. Notwithstanding section 310B(g)(5) of the
16 Consolidated Farm and Rural Development Act (7 U.S.C.
17 1932(g)(5)), the Secretary may assess a one-time fee for
18 any guaranteed business and industry loan in an amount
19 that does not exceed 3 percent of the guaranteed principal
20 portion of the loan.

21 SEC. 719. None of the funds appropriated or other-
22 wise made available to the Department of Agriculture, the
23 Food and Drug Administration, or the Farm Credit Ad-
24 ministration shall be used to transmit or otherwise make
25 available reports, questions, or responses to questions that

1 are a result of information requested for the appropria-
2 tions hearing process to any non-Department of Agri-
3 culture, non-Department of Health and Human Services,
4 or non-Farm Credit Administration employee.

5 SEC. 720. Unless otherwise authorized by existing
6 law, none of the funds provided in this Act, may be used
7 by an executive branch agency to produce any pre-
8 packaged news story intended for broadcast or distribution
9 in the United States unless the story includes a clear noti-
10 fication within the text or audio of the prepackaged news
11 story that the prepackaged news story was prepared or
12 funded by that executive branch agency.

13 SEC. 721. No employee of the Department of Agri-
14 culture may be detailed or assigned from an agency or
15 office funded by this Act or any other Act to any other
16 agency or office of the Department for more than 60 days
17 in a fiscal year unless the individual's employing agency
18 or office is fully reimbursed by the receiving agency or
19 office for the salary and expenses of the employee for the
20 period of assignment.

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

23 (1) in contravention of section 7606 of the Ag-
24 ricultural Act of 2014 (7 U.S.C. 5940); or

1 (2) to prohibit the transportation, processing,
2 sale, or use of industrial hemp that is grown or cul-
3 tivated in accordance with subsection section 7606
4 of the Agricultural Act of 2014, within or outside
5 the State in which the industrial hemp is grown or
6 cultivated.

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

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

18 SEC. 725. The Secretary shall establish an inter-
19 mediary loan packaging program based on the pilot pro-
20 gram in effect for fiscal year 2013 for packaging and re-
21 viewing section 502 single family direct loans. The Sec-
22 retary shall enter into agreements with current inter-
23 mediary organizations and with additional qualified inter-
24 mediary organizations. The Secretary shall work with
25 these organizations to increase effectiveness of the section

1 502 single family direct loan program in rural commu-
2 nities and shall set aside and make available from the na-
3 tional reserve section 502 loans an amount necessary to
4 support the work of such intermediaries and provide a pri-
5 ority for review of such loans.

6 SEC. 726. For loans and loan guarantees that do not
7 require budget authority and the program level has been
8 established in this Act, the Secretary of Agriculture may
9 increase the program level for such loans and loan guaran-
10 tees by not more than 25 percent: *Provided*, That prior
11 to the Secretary implementing such an increase, the Sec-
12 retary notifies, in writing, the Committees on Appropria-
13 tions of both Houses of Congress at least 15 days in ad-
14 vance.

15 SEC. 727. None of the credit card refunds or rebates
16 transferred to the Working Capital Fund pursuant to sec-
17 tion 729 of the Agriculture, Rural Development, Food and
18 Drug Administration, and Related Agencies Appropria-
19 tions Act, 2002 (7 U.S.C. 2235a; Public Law 107-76)
20 shall be available for obligation without written notifica-
21 tion to, and the prior approval of, the Committees on Ap-
22 propriations of both Houses of Congress: *Provided*, That
23 the refunds or rebates so transferred shall be available for
24 obligation only for the acquisition of plant and capital
25 equipment necessary for the delivery of financial, adminis-

1 trative, and information technology services of primary
2 benefit to the agencies of the Department of Agriculture.

3 SEC. 728. The Secretary shall set aside for Rural
4 Economic Area Partnership (REAP) Zones, until August
5 15, 2017, an amount of funds made available in title III
6 under the headings of Rural Housing Insurance Fund
7 Program Account, Mutual and Self-Help Housing Grants,
8 Rural Housing Assistance Grants, Rural Community Fa-
9 cilities Program Account, Rural Business Program Ac-
10 count, Rural Development Loan Fund Program Account,
11 and Rural Water and Waste Disposal Program Account,
12 equal to the amount obligated in REAP Zones with re-
13 spect to funds provided under such headings in the most
14 recent fiscal year any such funds were obligated under
15 such headings for REAP Zones.

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

24 SEC. 730. Funds provided by this or any prior Appro-
25 priations Act for the Agriculture and Food Research Ini-

1 tiative under 7 U.S.C. 450i(b) shall be made available
2 without regard to section 7128 of the Agricultural Act of
3 2014 (7 U.S.C. 3371 note), under the matching require-
4 ments in laws in effect on the date before the date of en-
5 actment of such section: *Provided*, That the requirements
6 of 7 U.S.C. 450i(b)(9) shall continue to apply.

7 SEC. 731. There is hereby appropriated \$8,000,000,
8 to remain available until expended, to carry out section
9 6407 of the Farm Security and Rural Investment Act of
10 2002 (7 U.S.C. 8107a).

11 SEC. 732. There is hereby appropriated \$600,000 for
12 the purposes of section 727 of division A of Public Law
13 112–55.

14 SEC. 733. In carrying out subsection (h) of section
15 502 of the Housing Act of 1949 (42 U.S.C. 1472), the
16 Secretary of Agriculture shall have the same authority
17 with respect to loans guaranteed under such section and
18 eligible lenders for such loans as the Secretary has under
19 subsections (h) and (j) of section 538 of such Act (42
20 U.S.C. 1490p–2) with respect to loans guaranteed under
21 such section 538 and eligible lenders for such loans.

22 SEC. 734. None of the funds made available by this
23 Act may be used to propose, promulgate, or implement
24 any rule, or take any other action with respect to, allowing
25 or requiring information intended for a prescribing health

1 care professional, in the case of a drug or biological prod-
2 uct subject to section 503(b)(1) of the Federal Food,
3 Drug, and Cosmetic Act (21 U.S.C. 353(b)(1)), to be dis-
4 tributed to such professional electronically (in lieu of in
5 paper form) unless and until a Federal law is enacted to
6 allow or require such distribution.

7 SEC. 735. None of the funds made available by this
8 Act may be used to implement, administer, or enforce the
9 final rule entitled “Food Labeling; Nutrition Labeling of
10 Standard Menu Items in Restaurants and Similar Retail
11 Food Establishments” published by the Food and Drug
12 Administration in the Federal Register on December 1,
13 2014 (79 Fed. Reg. 71156 et seq.) until April 29, 2017.

14 SEC. 736. None of the funds made available by this
15 Act may be used to notify a sponsor or otherwise acknowl-
16 edge receipt of a submission for an exemption for inves-
17 tigational use of a drug or biological product under section
18 505(i) of the Federal Food, Drug, and Cosmetic Act (21
19 U.S.C. 355(i)) or section 351(a)(3) of the Public Health
20 Service Act (42 U.S.C. 262(a)(3)) in research in which
21 a human embryo is intentionally created or modified to
22 include a heritable genetic modification. Any such submis-
23 sion shall be deemed to have not been received by the Sec-
24 retary, and the exemption may not go into effect.

1 SEC. 737. None of the funds made available by this
2 or any other Act may be used to implement or enforce
3 any provision of the FDA Food Safety Modernization Act
4 (Public Law 111–353), including the amendments made
5 thereby, with respect to the regulation of the distribution,
6 sale, or receipt of dried spent grain byproducts of the alco-
7 holic beverage production process, irrespective of whether
8 such byproducts are solely intended for use as animal feed.

9 SEC. 738. In addition to amounts otherwise made
10 available by this Act and notwithstanding the last sentence
11 of 16 U.S.C. 1310, there is appropriated \$4,000,000, to
12 remain available until expended, to implement non-renew-
13 able agreements on eligible lands, including flooded agri-
14 cultural lands, as determined by the Secretary, under the
15 Water Bank Act (16 U.S.C. 1301–1311).

16 SEC. 739. The Secretary of Agriculture and the Sec-
17 retary’s designees are hereby granted the same access to
18 information and subject to the same requirements applica-
19 ble to the Secretary of Housing and Urban Development
20 as provided in section 453(j) of the Social Security Act
21 (42 U.S.C. 653(j)) and section 6103(l)(7)(D)(ix) of the
22 Internal Revenue Code of 1986 (26 U.S.C.
23 6103(l)(7)(D)(ix)) to verify the income for individuals par-
24 ticipating in sections 502, 504, 521, and 542 of the Hous-

1 ing Act of 1949 (42 U.S.C. 1472, 1474, 1490a, and
2 1490r).

3 SEC. 740. No partially hydrogenated oils as defined
4 in the order published by the Food and Drug Administra-
5 tion in the Federal Register on June 17, 2015 (80 Fed.
6 Reg. 34650 et seq.) shall be deemed unsafe within the
7 meaning of section 409(a) and no food that is introduced
8 or delivered for introduction into interstate commerce that
9 bears or contains a partially hydrogenated oil shall be
10 deemed adulterated under sections 402(a)(1) or
11 402(a)(2)(C)(i) by virtue of bearing or containing a par-
12 tially hydrogenated oil until the compliance date as speci-
13 fied in such order (June 18, 2018).

14 SEC. 741. The Secretary may charge a fee for lenders
15 to access Department loan guarantee systems in connec-
16 tion with such lenders' participation in loan guarantee
17 programs of the Rural Housing Service: *Provided*, That
18 the funds collected from such fees shall be made available
19 to the Secretary without further appropriation and such
20 funds shall be deposited into the Rural Development Sala-
21 ries and Expense Account and shall remain available until
22 expended for obligation and expenditure by the Secretary
23 for administrative expenses of the Rural Housing Service
24 Loan Guarantee Program in addition to other available

1 funds: *Provided further*, That such fees collected shall not
2 exceed \$50 per loan.

3 SEC. 742. The following unobligated balances identi-
4 fied by the following Treasury Appropriation Fund Sym-
5 bols are hereby rescinded: 12X1951, \$620,161.89;
6 12X1953, \$2,302,342.75; 12X1902, \$352,323.31;
7 12X1900, \$16,452.44; and 12X1232, \$529,310.95: *Pro-*
8 *vided*, That no amounts may be rescinded from amounts
9 that were designated by the Congress as an emergency or
10 disaster relief requirement pursuant to a concurrent reso-
11 lution on the budget or the Balanced Budget and Emer-
12 gency Deficit Control Act of 1985.

13 SEC. 743. The unobligated balances resulting from
14 offsetting collections identified by Treasury Appropriation
15 Fund Symbols 12X1951, 12X2002, 12X2006, 12X1902,
16 12X1900, 12X1232, and 12X1980, respectively, are here-
17 by rescinded: *Provided*, That no amounts may be re-
18 scinded from amounts that were designated by the Con-
19 gress as an emergency or disaster relief requirement pur-
20 suant to a concurrent resolution on the budget or the Bal-
21 anced Budget and Emergency Deficit Control Act of 1985.

22 SEC. 744. Beginning on the date of enactment of this
23 Act, in fiscal year 2017 and each fiscal year hereafter,
24 notwithstanding any other provision of law, a household
25 certified to participate in the Supplemental Nutrition As-

1 sistance Program is required to report in a manner pre-
2 scribed by the Secretary if the household no longer resides
3 in the State in which it is certified.

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

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

16 SEC. 747. (a) Of the unobligated balances from
17 amounts made available in fiscal year 2015 for the Com-
18 prehensive Loan Accounting System under the heading
19 “Rural Development Salaries and Expenses”,
20 \$15,000,000 are hereby rescinded.

21 (b) For an additional amount for fiscal year 2016 for
22 “Rural Development Salaries and Expenses”,
23 \$15,000,000, to remain available until September 30,
24 2017, is provided for Information Technology moderniza-
25 tion activities.

1 (c) This section shall become effective immediately
2 upon enactment of this Act.

3 SEC. 748. (a) Of the unobligated balances from
4 amounts made available in fiscal year 2016 for the Com-
5 prehensive Loan Accounting System under the heading
6 “Rural Development, Salaries and Expenses”,
7 \$19,500,000 are hereby rescinded.

8 (b) For an additional amount for “Rural Develop-
9 ment, Salaries and Expenses”, \$19,500,000, to remain
10 available until September 30, 2018, is provided for Infor-
11 mation Technology modernization activities.

12 SEC. 749. There is hereby appropriated \$1,000,000
13 for a pilot program for the Secretary to provide grants
14 to qualified non-profit organizations and public housing
15 authorities to provide technical assistance, including finan-
16 cial and legal services, to RHS multi-family housing bor-
17 rowers to facilitate the acquisition of RHS multi-family
18 housing properties in areas where the Secretary deter-
19 mines a risk of loss of affordable housing, by non-profit
20 housing organizations and public housing authorities as
21 authorized by law that commit to keep such properties in
22 the RHS multi-family housing program for a period of
23 time as determined by the Secretary.

24 SEC. 750. Notwithstanding any language to the con-
25 trary, state agricultural experiment stations and state co-

1 operative extension services are eligible entities under 7
2 U.S.C. 3125a–1(a).

3 SEC. 751. (a) The Secretary of Agriculture (referred
4 to in this section as the “Secretary”) shall carry out a
5 pilot program during fiscal year 2017 with respect to the
6 2016 crop year for county-level agriculture risk coverage
7 payments under section 1117(b)(1) of the Agricultural Act
8 of 2014 (7 U.S.C. 9017(b)(1)), that provides all or some
9 of the State Farm Service Agency offices in each State
10 the opportunity to provide agricultural producers in the
11 State a supplemental payment described in subsection (c)
12 based on the alternate calculation method described in
13 subsection (b) for 1 or more counties in a State if the
14 office for that State determines that the alternate calcula-
15 tion method is necessary to ensure that, to the maximum
16 extent practicable, there are not significant yield calcula-
17 tion disparities between comparable counties in the State.

18 (b) The alternate calculation method referred to in
19 subsection (a) is a method of calculating the actual yield
20 for the 2016 crop year for county-level agriculture risk
21 coverage payments under section 1117(b)(1) of the Agri-
22 cultural Act of 2014 (7 U.S.C. 9017(b)(1)), under
23 which—

1 (1) county data of the National Agricultural
2 Statistics Service (referred to in this section as
3 “NASS data”) is used for the calculations;

4 (2) if there is insufficient NASS data for a
5 county (as determined under standards of the Sec-
6 retary in effect as of the date of enactment of this
7 Act) or the available NASS data produces a sub-
8 stantially disparate result, the calculation of the
9 county yield is determined using comparable contig-
10 uous county NASS data as determined by the Farm
11 Service Agency office in the applicable State; and

12 (3) if there is insufficient NASS data for a
13 comparable contiguous county (as determined under
14 standards of the Secretary in effect as of the date
15 of enactment of this Act), the calculation of the
16 county yield is determined using reliable yield data
17 from other sources, such as Risk Management Agen-
18 cy data, National Agricultural Statistics Service dis-
19 trict data, National Agricultural Statistics Service
20 State yield data, or other data as determined by the
21 Farm Service Agency office in the applicable State.

22 (c)(1) A supplemental payment made under the pilot
23 program established under this section may be made to
24 an agricultural producer who is subject to the alternate
25 calculation method described in subsection (b) if that agri-

1 cultural producer would otherwise receive a county-level
2 agriculture risk coverage payment for the 2016 crop year
3 in an amount that is less than the payment that the agri-
4 cultural producer would receive under the alternate cal-
5 culation method.

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

9 (A) the payment that the agricultural pro-
10 ducer would have received without the alternate
11 calculation method described in subsection (b);
12 and

13 (B) the payment that the agricultural pro-
14 ducer would receive using the alternate calcula-
15 tion method.

16 (d)(1) There is appropriated to the Secretary, out of
17 funds of the Treasury not otherwise appropriated,
18 \$5,000,000 to carry out the pilot program described in
19 this section.

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

23 (e)(1) To the maximum extent practicable, the Sec-
24 retary shall select States to participate in the pilot pro-

1 gram under this section so the cost of the pilot program
2 equals the amount provided under subsection (d).

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

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

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

19 SEC. 752. None of the funds appropriated in this Act
20 shall be used to write, prepare, or publish an interim final
21 rule or final rule in furtherance of, or otherwise to imple-
22 ment or enforce, any portion of the proposed rule entitled
23 “Enhancing Retailer Standards in the Supplemental Nu-
24 trition Assistance Program (SNAP)” (81 Fed. Reg. 8015
25 (February 17, 2016)), that would—

1 (a) alter the definition of a retail food store by estab-
2 lishing a threshold for the amount of an entity’s total food
3 sales that must be for items that are not cooked or heated
4 on-site before or after purchase;

5 (b) establish a minimum number of stocking units re-
6 quired for each food item in a staple food category; or

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

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

11 (2) expanding the scope of accessory food items
12 beyond the list of food items described in 7 U.S.C.
13 2012(q)(2).

14 SEC. 753. Notwithstanding any other provision of
15 law, for purposes of applying the Federal Food, Drug, and
16 Cosmetic Act (21 U.S.C. 301 et seq.), the acceptable mar-
17 ket name of *Lithodes aequispinus* is “golden king crab.”

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

24 (b) For purposes of this section, salmon is genetically
25 engineered if it has been modified by recombinant DNA

1 (rDNA) techniques, including the entire lineage of salmon
2 that contain the rDNA modification.

3 SEC. 755. None of the funds made available in this
4 Act may be used to pay the salary or expenses of per-
5 sonnel—

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

8 (2) to inspect horses under section 903 of the
9 Federal Agriculture Improvement and Reform Act of
10 1996 (7 U.S.C. 1901 note; Public Law 104–127); or

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

14 This Act may be cited as the “Agriculture, Rural De-
15 velopment, Food and Drug Administration, and Related
16 Agencies Appropriations Act, 2017”.

Calendar No. 474

114TH CONGRESS
2^D SESSION

S. 2956

[Report No. 114-259]

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