H. R. 5054

[Report No. 114-531]

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 HOUSE OF REPRESENTATIVES

APRIL 26, 2016

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

A BILL

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2017, and for other purposes.
Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,
That the following sums are appropriated, out of any
money in the Treasury not otherwise appropriated, for Ag-
riculture, Rural Development, Food and Drug Administra-
tion, and Related Agencies programs for fiscal year ending
September 30, 2017, and for other purposes, namely:

TITLE I

AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING, AND MARKETING

Office of the Secretary

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Secretary,
$44,555,000, of which not to exceed $5,051,000 shall be
available for the immediate Office of the Secretary; not
to exceed $502,000 shall be available for the Office of
Tribal Relations; not to exceed $1,496,000 shall be avail-
able for the Office of Homeland Security and Emergency
Coordination; not to exceed $1,209,000 shall be available
for the Office of Advocacy and Outreach; not to exceed
$24,928,000 shall be available for the Office of the Assist-
ant Secretary for Administration, of which $24,124,000
shall be available for Departmental Administration to pro-
vide for necessary expenses for management support serv-
ices to offices of the Department and for general adminis-
tration, security, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department; not to exceed $3,869,000 shall be available for the Office of Assistant Secretary for Congressional Relations to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch; and not to exceed $7,500,000 shall be available for the Office of Communications: Provided, That the Secretary of Agriculture is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: Provided further, That no appropriation for any office shall be increased or decreased by more than 5 percent: Provided further, That not to exceed $11,000 of the amount made available under this paragraph for the immediate Office of the Secretary shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary: Provided further, That the amount made available under this heading for Departmental Administration shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551–558: Provided further, That funds made available under this heading for the Office of
the Assistant Secretary for Congressional Relations may be transferred to agencies of the Department of Agriculture funded by this Act to maintain personnel at the agency level: Provided further, That no funds made available under this heading for the Office of Assistant Secretary for Congressional Relations may be obligated after 30 days from the date of enactment of this Act, unless the Secretary has notified the Committees on Appropriations of both Houses of Congress on the allocation of these funds by USDA agency.

Executive Operations

Office of the Chief Economist

For necessary expenses of the Office of the Chief Economist, $16,777,000, of which $4,000,000 shall be for grants or cooperative agreements for policy research under 7 U.S.C. 3155.

National Appeals Division

For necessary expenses of the National Appeals Division, $13,317,000.

Office of Budget and Program Analysis

For necessary expenses of the Office of Budget and Program Analysis, $9,392,000.

Office of the Chief Information Officer

For necessary expenses of the Office of the Chief Information Officer, $44,538,000, of which not less than
$28,000,000 is for cybersecurity requirements of the Department.

**Office of the Chief Financial Officer**

For necessary expenses of the Office of the Chief Financial Officer, $6,028,000.

**Office of the Assistant Secretary for Civil Rights**

For necessary expenses of the Office of the Assistant Secretary for Civil Rights, $898,000.

**Office of Civil Rights**

For necessary expenses of the Office of Civil Rights, $24,070,000.

**Agriculture Buildings and Facilities**

(including transfers of funds)

For payment of space rental and related costs pursuant to Public Law 92–313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 121, for programs and activities of the Department which are included in this Act, and for alterations and other actions needed for the Department and its agencies to consolidate unneeded space into configurations suitable for release to the Administrator of General Services, and for the operation, maintenance, improvement, and repair of Agriculture buildings and facili-
ties, and for related costs, $84,189,000, to remain available until expended, for buildings operations and maintenance expenses.

HAZARDOUS MATERIALS MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.) and the Resource Conservation and Recovery Act (42 U.S.C. 6901 et seq.), $3,618,000, to remain available until expended: Provided, That appropriations and funds available herein to the Department for Hazardous Materials Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, including employment pursuant to the Inspector General Act of 1978, $96,040,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978, and including not to exceed $125,000 for certain confidential operational expenses, including the payment of inform-
ants, to be expended under the direction of the Inspector General pursuant to Public Law 95–452 and section 1337 of Public Law 97–98.

Office of the General Counsel
For necessary expenses of the Office of the General Counsel, $44,383,000.

Office of Ethics
For necessary expenses of the Office of Ethics, $4,556,000.

Office of the Under Secretary for Research, Education, and Economics
For necessary expenses of the Office of the Under Secretary for Research, Education, and Economics, $893,000.

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

National Agricultural Statistics Service
For necessary expenses of the National Agricultural Statistics Service, $168,443,000, of which up to $41,871,000 shall be available until expended for the Census of Agriculture: Provided, That amounts made available for the Census of Agriculture may be used to conduct Current Industrial Report surveys subject to 7 U.S.C. 2204g(d) and (f).
Agricultural Research Service

Salaries and Expenses

For necessary expenses of the Agricultural Research Service and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed $100, and for land exchanges where the lands exchanged shall be of equal value or shall be equalized by a payment of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership, $1,151,825,000: Provided, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: Provided further, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed $500,000, except for headhouses or greenhouses which shall each be limited to $1,800,000, and except for 10 buildings to be constructed or improved at a cost not to exceed $1,100,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or $500,000, whichever is greater: Provided further, That the limitations on alterations contained in this Act shall not
apply to modernization or replacement of existing facilities at Beltsville, Maryland: Provided further, That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center: Provided further, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): Provided further, That appropriations hereunder shall be available for granting easements at any Agricultural Research Service location for the construction of a research facility by a non-Federal entity for use by, and acceptable to, the Agricultural Research Service and a condition of the easements shall be that upon completion the facility shall be accepted by the Secretary, subject to the availability of funds herein, if the Secretary finds that acceptance of the facility is in the interest of the United States: Provided further, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law.

BUILDINGS AND FACILITIES

For the acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agri-
cultural research programs of the Department of Agriculture, where not otherwise provided, $99,600,000 to remain available until expended.

**NATIONAL INSTITUTE OF FOOD AND AGRICULTURE**

**RESEARCH AND EDUCATION ACTIVITIES**

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, $832,860,000, which shall be for the purposes, and in the amounts, specified in the table titled “National Institute of Food and Agriculture, Research and Education Activities” in the report accompanying this Act: *Provided*, That funds for research grants for 1994 institutions, education grants for 1890 institutions, the agriculture and food research initiative, veterinary medicine loan repayment, multicultural scholars, graduate fellowship and institution challenge grants, and grants management systems shall remain available until expended: *Provided further*, That each institution eligible to receive funds under the Evans-Allen program receives no less than $1,000,000: *Provided further*, That funds for education grants for Alaska Native and Native Hawaiian-serving institutions be made available to individual eligible institutions or consortia of eligible institutions with funds awarded equally to each of the States of Alaska and Hawaii: *Provided further*, That funds for education grants for
1890 institutions shall be made available to institutions eligible to receive funds under 7 U.S.C. 3221 and 3222: Provided further, That not more than 5 percent of the amounts made available by this or any other Act to carry out the Agriculture and Food Research Initiative under 7 U.S.C. 450i(b) may be retained by the Secretary of Agriculture to pay administrative costs incurred by the Secretary in carrying out that authority.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

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

EXTENSION ACTIVITIES

For payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, the Northern Marianas, and American Samoa, $477,391,000, which shall be for the purposes, and in the amounts, specified in the table titled “National Institute of Food and Agriculture, Extension Activities” in the report accompanying this Act: Provided, That funds for facility improvements at 1890 institutions shall remain available until expended: Provided further, That institutions eligible to receive funds under 7 U.S.C. 3221 for cooperative extension receive no less than $1,000,000: Provided further, That funds for cooperative extension under sections 3(b)
and (c) of the Smith-Lever Act (7 U.S.C. 343(b) and (c)) and section 208(e) of Public Law 93–471 shall be available for retirement and employees’ compensation costs for extension agents.

INTEGRATED ACTIVITIES

For the integrated research, education, and extension grants programs, including necessary administrative expenses, $30,900,000, which shall be for the purposes, and in the amounts, specified in the table titled “National Institute of Food and Agriculture, Integrated Activities” in the report accompanying this Act: Provided, That funds for the Food and Agriculture Defense Initiative shall remain available until September 30, 2018: Provided further, That notwithstanding any other provision of law, indirect costs shall not be charged against any Extension Implementation Program Area grant awarded under the Crop Protection/Pest Management Program (7 U.S.C. 7626).

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary expenses of the Office of the Under Secretary for Marketing and Regulatory Programs, $893,000.
For necessary expenses of the Animal and Plant Health Inspection Service, including up to $30,000 for representation allowances and for expenses pursuant to the Foreign Service Act of 1980 (22 U.S.C. 4085), $930,831,000, of which $470,000, to remain available until expended, shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds ("contingency fund") to the extent necessary to meet emergency conditions; of which $11,520,000, to remain available until expended, shall be used for the cotton pests program for cost share purposes or for debt retirement for active eradication zones; of which $36,857,000, to remain available until expended, shall be for Animal Health Technical Services; of which $697,000 shall be for activities under the authority of the Horse Protection Act of 1970, as amended (15 U.S.C. 1831); of which $55,340,000, to remain available until expended, shall be used to support avian health; of which $4,251,000, to remain available until expended, shall be for information technology infrastructure; of which $167,500,000, to remain available until expended, shall be for specialty crop pests; of which, $8,826,000, to
remain available until expended, shall be for field crop and
rangeland ecosystem pests; of which $45,933,000, to re-
main available until expended, shall be for tree and wood
pests; of which $5,723,000, to remain available until ex-
pended, shall be for the National Veterinary Stockpile; of
which up to $1,500,000, to remain available until ex-
pended, shall be for the scrapie program for indemnities;
of which $2,500,000, to remain available until expended,
shall be for the wildlife damage management program for
aviation safety: Provided, That of amounts available under
this heading for wildlife services methods development,
$1,000,000 shall remain available until expended: Pro-
vided further, That of amounts available under this head-
ing for the screwworm program, $4,990,000 shall remain
available until expended: Provided further, That no funds
shall be used to formulate or administer a brucellosis
eradication program for the current fiscal year that does
not require minimum matching by the States of at least
40 percent: Provided further, That this appropriation shall
be available for the operation and maintenance of aircraft
and the purchase of not to exceed five, of which two shall
be for replacement only: Provided further, That in addi-
tion, in emergencies which threaten any segment of the
agricultural production industry of this country, the Sec-
retary may transfer from other appropriations or funds

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available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with sections 10411 and 10417 of the Animal Health Protection Act (7 U.S.C. 8310 and 8316) and sections 431 and 442 of the Plant Protection Act (7 U.S.C. 7751 and 7772), and any unexpended balances of funds transferred for such emergency purposes in the preceding fiscal year shall be merged with such transferred amounts: Provided further, That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

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

BUILDINGS AND FACILITIES

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

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

For necessary expenses of the Agricultural Marketing Service, $82,223,000: Provided, That of the funds provided herein, $1,000,000 shall be used for the transportation services division: Provided further, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

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

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

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; and (3) not more than $20,489,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937 and the Agricultural Act of 1961.

PAYMENTS TO STATES AND POSSESSIONS

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

GRAIN INSPECTION, PACKERS AND STOCKYARDS
ADMINISTRATION

For necessary expenses of the Grain Inspection, Packers and Stockyards Administration, $43,057,000:

Provided, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

LIMITATION ON INSPECTION AND WEIGHING SERVICES

Expenses

Not to exceed $55,000,000 (from fees collected) shall be obligated during the current fiscal year for inspection and weighing services: Provided, That if grain export activities require additional supervision and oversight, or other uncontrollable factors occur, this limitation may be exceeded by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

For necessary expenses of the Office of the Under Secretary for Food Safety, $816,000.
FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, including not to exceed $50,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $1,030,405,000; and in addition, $1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1327 of the Food, Agriculture, Conservation and Trade Act of 1990 (7 U.S.C. 138f): Provided, That funds provided for the Public Health Data Communication Infrastructure system shall remain available until expended: Provided further, That no fewer than 148 full-time equivalent positions shall be employed during fiscal year 2017 for purposes dedicated solely to inspections and enforcement related to the Humane Methods of Slaughter Act: Provided further, That the Food Safety and Inspection Service shall continue implementation of section 11016 of Public Law 110–246 as further clarified by the amendments made in section 12106 of Public Law 113–79: Provided further, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building dur-
ing the fiscal year shall not exceed 10 percent of the cur-
rent replacement value of the building.

Office of the Under Secretary for Farm and
Foreign Agricultural Services

For necessary expenses of the Office of the Under
Secretary for Farm and Foreign Agricultural Services,
$898,000.

Farm Service Agency
Salaries and Expenses
(including transfers of funds)

For necessary expenses of the Farm Service Agency,
$1,200,180,000: Provided, That not more than 50 percent
of the $100,851,000 made available under this heading
for information technology related to farm program deliv-
ery, including the Modernize and Innovate the Delivery of
Agricultural Systems and other farm program delivery
systems, may be obligated until the Secretary submits to
the Committees on Appropriations of both Houses of Con-
gress, and receives written or electronic notification of re-
ceipt from such Committees of, a plan for expenditure that
(1) identifies for each project/investment over $25,000 (a)
the functional and performance capabilities to be delivered
and the mission benefits to be realized, (b) the estimated
lifecycle cost, including estimates for development as well
as maintenance and operations, and (c) key milestones to
be met and (2) demonstrates that each project/investment
is (a) consistent with the Farm Service Agency Information Technology Roadmap, (b) being managed in accordance with applicable lifecycle management policies and guidance, and (c) subject to the applicable Department’s capital planning and investment control requirements:

Provided further, That the agency shall submit a report by the end of the fourth quarter of fiscal year 2017 to the Committees on Appropriations and the Government Accountability Office, that identifies for each project/investment that is operational (a) current performance against key indicators of customer satisfaction, (b) current performance of service level agreements or other technical metrics, (c) current performance against a pre-established cost baseline, (d) a detailed breakdown of current and planned spending on operational enhancements or upgrades, and (e) an assessment of whether the investment continues to meet business needs as intended as well as alternatives to the investment: Provided further, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: Provided further, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account:
Provided further, That funds made available to county committees shall remain available until expended: Provided further, That none of the funds available to the Farm Service Agency shall be used to close Farm Service Agency county offices: Provided further, That none of the funds available to the Farm Service Agency shall be used to permanently relocate county based employees that would result in an office with two or fewer employees without prior notification and approval of the Committees on Appropriations of both Houses of Congress.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987, as amended (7 U.S.C. 5101–5106), $3,404,000.

GRASSROOTS SOURCE WATER PROTECTION PROGRAM

For necessary expenses to carry out wellhead or groundwater protection activities under section 1240O of the Food Security Act of 1985 (16 U.S.C. 3839bb–2), $6,500,000, to remain available until expended.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers and manufacturers of dairy products under a dairy indemnity program, such sums as may be necessary, to remain available until expended: Provided further, That none of the funds available to the Farm Service Agency shall be used to close Farm Service Agency county offices: Provided further, That none of the funds available to the Farm Service Agency shall be used to permanently relocate county based employees that would result in an office with two or fewer employees without prior notification and approval of the Committees on Appropriations of both Houses of Congress.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987, as amended (7 U.S.C. 5101–5106), $3,404,000.

GRASSROOTS SOURCE WATER PROTECTION PROGRAM

For necessary expenses to carry out wellhead or groundwater protection activities under section 1240O of the Food Security Act of 1985 (16 U.S.C. 3839bb–2), $6,500,000, to remain available until expended.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers and manufacturers of dairy products under a dairy indemnity program, such sums as may be necessary, to remain available until expended: Provided further, That funds made available to county committees shall remain available until expended: Provided further, That none of the funds available to the Farm Service Agency shall be used to close Farm Service Agency county offices: Provided further, That none of the funds available to the Farm Service Agency shall be used to permanently relocate county based employees that would result in an office with two or fewer employees without prior notification and approval of the Committees on Appropriations of both Houses of Congress.
vided, That such program is carried out by the Secretary in the same manner as the dairy indemnity program described in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387, 114 Stat. 1549A–12).

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM

ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed farm ownership (7 U.S.C. 1922 et seq.) and operating (7 U.S.C. 1941 et seq.) loans, emergency loans (7 U.S.C. 1961 et seq.), Indian tribe land acquisition loans (25 U.S.C. 488), boll weevil loans (7 U.S.C. 1989), guaranteed conservation loans (7 U.S.C. 1924 et seq.), and Indian highly fractionated land loans (25 U.S.C. 488) to be available from funds in the Agricultural Credit Insurance Fund, as follows: $2,000,000,000 for guaranteed farm ownership loans and $1,500,000,000 for farm ownership direct loans; $1,432,430,000 for unsubsidized guaranteed operating loans and $1,460,047,000 for direct operating loans; emergency loans, $34,667,000; Indian tribe land acquisition loans, $20,000,000; guaranteed conservation loans, $150,000,000; Indian highly fractionated land loans,
$10,000,000; and for boll weevil eradication program loans, $60,000,000: Provided, That the Secretary shall deem the pink bollworm to be a boll weevil for the purpose of boll weevil eradication program loans.

For the cost of direct and guaranteed loans and grants, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm operating loans, $62,198,000 for direct operating loans, $15,327,000 for unsubsidized guaranteed operating loans, and emergency loans, $1,938,000, to remain available until expended, and $2,550,000 for Indian highly fractionated land loans.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $314,918,000, of which $306,998,000 shall be transferred to and merged with the appropriation for “Farm Service Agency, Salaries and Expenses”.

Funds appropriated by this Act to the Agricultural Credit Insurance Program Account for farm ownership, operating and conservation direct loans and guaranteed loans may be transferred among these programs: Provided, That the Committees on Appropriations of both Houses of Congress are notified at least 15 days in advance of any transfer.
For necessary expenses of the Risk Management Agency, $74,829,000: Provided, That not to exceed $1,000 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

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

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

REIMBURSEMENT FOR NET REALIZED LOSSES

(INCLUDING TRANSFERS OF FUNDS)

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

HAZARDOUS WASTE MANAGEMENT

(LIMITATION ON EXPENSES)

For the current fiscal year, the Commodity Credit Corporation shall not expend more than $5,000,000 for site investigation and cleanup expenses, and operations and maintenance expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C.
27
1 9607(g)), and section 6001 of the Resource Conservation
3
4 TITLE II
5 CONSERVATION PROGRAMS
6 OFFICE OF THE UNDER SECRETARY FOR NATURAL
7 RESOURCES AND ENVIRONMENT
8
9 For necessary expenses of the Office of the Under
10 Secretary for Natural Resources and Environment,
11 $898,000.
12
13 NATURAL RESOURCES CONSERVATION SERVICE
14 CONSERVATION OPERATIONS
15
16 For necessary expenses for carrying out the provi-
17 sions of the Act of April 27, 1935 (16 U.S.C. 590a–f),
18 including preparation of conservation plans and establish-
19 ment of measures to conserve soil and water (including
20 farm irrigation and land drainage and such special meas-
21 ures for soil and water management as may be necessary
22 to prevent floods and the siltation of reservoirs and to con-
23 trol agricultural related pollutants); operation of conserva-
24 tion plant materials centers; classification and mapping of
25 soil; dissemination of information; acquisition of lands,
26 water, and interests therein for use in the plant materials
27 program by donation, exchange, or purchase at a nominal
28 cost not to exceed $100 pursuant to the Act of August
29 3, 1956 (7 U.S.C. 428a); purchase and erection or alter-
ation or improvement of permanent and temporary build-
ings; and operation and maintenance of aircraft,

$855,256,000, to remain available until September 30,

2018: Provided, That appropriations hereunder shall be

available pursuant to 7 U.S.C. 2250 for construction and

improvement of buildings and public improvements at

plant materials centers, except that the cost of alterations

and improvements to other buildings and other public im-

provements shall not exceed $250,000: Provided further,

That when buildings or other structures are erected on

non-Federal land, that the right to use such land is ob-
tained as provided in 7 U.S.C. 2250a.

WATERSHED REHABILITATION PROGRAM

Under the authorities of section 14 of the Watershed
Protection and Flood Prevention Act, $12,000,000 is pro-
vided.

TITLE III

RURAL DEVELOPMENT PROGRAMS

Office of the Under Secretary for Rural
Development

For necessary expenses of the Office of the Under
Secretary for Rural Development, $893,000.
RURAL DEVELOPMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs in the Rural Development mission area, including activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements; $225,835,000: Provided, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that support the Rural Development mission area.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: $1,000,000,000 shall be for direct loans and $24,000,000,000 shall be for unsubsidized guaranteed loans; $26,277,000 for section 504 housing repair loans; $35,000,000 for section 515 rental housing; $200,000,000 for section 538 guaranteed multi-family housing loans; $10,000,000 for credit sales of single family housing acquired property; $5,000,000 for
section 523 self-help housing land development loans; and $5,000,000 for section 524 site development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, $67,700,000 shall be for direct loans; section 504 housing repair loans, $3,663,000; section 523 self-help housing land development loans, $417,000; section 524 site development loans, $111,000; and repair, rehabilitation, and new construction of section 515 rental housing, $10,360,000: Provided, That to support the loan program level for section 538 guaranteed loans made available under this heading the Secretary may charge or adjust any fees to cover the projected cost of such loan guarantees pursuant to the provisions of the Credit Reform Act of 1990 (2 U.S.C. 661 et seq.), and the interest on such loans may not be subsidized: Provided further, That applicants in communities that have a current rural area waiver under section 541 of the Housing Act of 1949 (42 U.S.C. 1490q) shall be treated as living in a rural area for purposes of section 502 guaranteed loans provided under this heading: Provided further, That of the amounts available under this paragraph for section 502 direct loans, no less than $5,000,000 shall be available for direct loans for individuals whose homes will be built pur-
suant to a program funded with a mutual and self-help housing grant authorized by section 523 of the Housing Act of 1949 until June 1, 2017.

In addition, for the cost of direct loans, grants, and contracts, as authorized by 42 U.S.C. 1484 and 1486, $15,387,000, to remain available until expended, for direct farm labor housing loans and domestic farm labor housing grants and contracts: Provided, That any balances available for the Farm Labor Program Account shall be transferred to and merged with this account.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $410,086,000 shall be transferred to and merged with the appropriation for “Rural Development, Salaries and Expenses”.

RENTAL ASSISTANCE PROGRAM

(INCLUDING TRANSFER OF FUNDS)

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

MULTI-FAMILY HOUSING REVITALIZATION PROGRAM ACCOUNT

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

**MUTUAL AND SELF-HELP HOUSING GRANTS**

For grants and contracts pursuant to section
523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C.
1490e), $30,000,000, to remain available until expended.
RURAL HOUSING ASSISTANCE GRANTS

For grants for very low-income housing repair and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, and 1490m, $33,701,000, to remain available until expended.

RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, $2,200,000,000 for direct loans and $148,305,000 for guaranteed loans.

For the cost of guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, $3,322,000, to remain available until expended.

For the cost of grants for rural community facilities programs as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, $43,778,000, to remain available until expended: Provided, That $4,000,000 of the amount appropriated under this heading shall be available for a Rural Community Development Initiative: Provided further, That such funds shall be used solely to develop the capacity and ability of private, nonprofit community-based
housing and community development organizations, low-income rural communities, and Federally Recognized Native American Tribes to undertake projects to improve housing, community facilities, community and economic development projects in rural areas: Provided further, That such funds shall be made available to qualified private, nonprofit and public intermediary organizations proposing to carry out a program of financial and technical assistance: Provided further, That such intermediary organizations shall provide matching funds from other sources, including Federal funds for related activities, in an amount not less than funds provided: Provided further, That $5,778,000 of the amount appropriated under this heading shall be to provide grants for facilities in rural communities with extreme unemployment and severe economic depression (Public Law 106–387), with up to 5 percent for administration and capacity building in the State rural development offices: Provided further, That $4,000,000 of the amount appropriated under this heading shall be available for community facilities grants to tribal colleges, as authorized by section 306(a)(19) of such Act: Provided further, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading.
Rural Business—Cooperative Service

RURAL BUSINESS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of loan guarantees and grants, for the rural business development programs authorized by section 310B and described in subsections (a), (c), (f) and (g) of section 310B of the Consolidated Farm and Rural Development Act, $76,883,000, to remain available until expended: Provided, That of the amount appropriated under this heading, not to exceed $500,000 shall be made available for one grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development and $5,000,000 shall be for grants to the Delta Regional Authority and the Appalachian Regional Commission (7 U.S.C. 2009aa et seq.) for any Rural Community Advancement Program purpose as described in section 381E(d) of the Consolidated Farm and Rural Development Act, of which not more than 5 percent may be used for administrative expenses: Provided further, That $4,000,000 of the amount appropriated under this heading shall be for business grants to benefit Federally Recognized Native American Tribes, including $250,000 for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic develop-
ment: Provided further, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to funds made available under this heading: Provided further, That $10,000,000 of the amount appropriated under this heading shall be for grants to assist small and emerging businesses that have identified a market problem or need that technology investments could address if the investments will complement other recent investments in technology infrastructure.

INTERMEDIARY RELENDING PROGRAM

(INCLUDING TRANSFER OF FUNDS)

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

For the cost of direct loans, $5,476,000, as authorized by the Intermediary Relending Program (7 U.S.C. 1936b), of which $557,000 shall be available through June 30, 2017, for Federally Recognized Native American Tribes; and of which $1,072,000 shall be available through June 30, 2017, for Mississippi Delta Region counties (as determined in accordance with Public Law 100–460): Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.
In addition, for administrative expenses to carry out the direct loan programs, $3,495,000 shall be transferred to and merged with the appropriation for “Rural Development, Salaries and Expenses”.

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

(INCLUDING RESCISSION OF FUNDS)

For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, $50,000,000.

Of the funds derived from interest on the cushion of credit payments, as authorized by section 313 of the Rural Electrification Act of 1936, $151,487,000 shall not be obligated and $151,487,000 are rescinded.

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932), $26,550,000, of which $2,750,000 shall be for cooperative agreements for the appropriate technology transfer for rural areas program: Provided, That not to exceed $3,000,000 shall be for grants for cooperative development centers, individual cooperatives, or groups of cooperatives that serve socially disadvantaged groups and a majority of the boards of di-
rectors or governing boards of which are comprised of individuals who are members of socially disadvantaged groups; and of which $15,000,000, to remain available until expended, shall be for value-added agricultural product market development grants, as authorized by section 231 of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1632a).

RURAL ENERGY FOR AMERICA PROGRAM

For the cost of a program of loan guarantees, under the same terms and conditions as authorized by section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107), $464,000: Provided, That the cost of loan guarantees, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

RURAL UTILITIES SERVICE

RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, and grants for the rural water, waste water, waste disposal, and solid waste management programs authorized by sections 306, 306A, 306C, 306D, 306E, and 310B and described in sections 306C(a)(2), 306D, 306E, and 381E(d)(2) of the Consolidated Farm and Rural Development Act, $533,210,000, to remain available until ex-
pended, of which not to exceed $1,000,000 shall be available for the rural utilities program described in section 306(a)(2)(B) of such Act, and of which not to exceed $993,000 shall be available for the rural utilities program described in section 306E of such Act: Provided, That not to exceed $10,000,000 of the amount appropriated under this heading shall be for grants authorized by section 306A(i)(2) of the Consolidated Farm and Rural Development Act in addition to funding authorized by section 306A(i)(1) of such Act: Provided further, That $53,000,000 of the amount appropriated under this heading shall be for loans and grants including water and waste disposal systems grants authorized by section 306C(a)(2)(B) and section 306D of the Consolidated Farm and Rural Development Act, and Federally Recognized Native American Tribes authorized by section 306C(a)(1) of such Act: Provided further, That funding provided for section 306D of the Consolidated Farm and Rural Development Act may be provided to a consortium formed pursuant to section 325 of Public Law 105–83: Provided further, That not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by the State of Alaska for training and technical assistance programs and not more than 2 percent of the funding pro-
vided for section 306D of the Consolidated Farm and Rural Development Act may be used by a consortium formed pursuant to section 325 of Public Law 105–83 for training and technical assistance programs: Provided further, That not to exceed $20,000,000 of the amount appropriated under this heading shall be for technical assistance grants for rural water and waste systems pursuant to section 306(a)(14) of such Act, unless the Secretary makes a determination of extreme need, of which $6,500,000 shall be made available for a grant to a qualified nonprofit multi-State regional technical assistance organization, with experience in working with small communities on water and waste water problems, the principal purpose of such grant shall be to assist rural communities with populations of 3,300 or less, in improving the planning, financing, development, operation, and management of water and waste water systems, and of which not less than $800,000 shall be for a qualified national Native American organization to provide technical assistance for rural water systems for tribal communities: Provided further, That not to exceed $16,897,000 of the amount appropriated under this heading shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: Provided further, That not to exceed $4,000,000 shall be
for solid waste management grants: *Provided further*, That
sections 381E–H and 381N of the Consolidated Farm and
Rural Development Act are not applicable to the funds
made available under this heading.

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS

LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

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

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

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $33,414,000, which shall be transferred to and merged with the appropriation for “Rural Development, Salaries and Expenses”.

DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM

For the principal amount of broadband telecommunication loans, $20,000,000.

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

For the cost of broadband loans, as authorized by section 601 of the Rural Electrification Act, $4,560,000, to remain available until expended: Provided, That the cost of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, $33,000,000, to remain available until expended, for a grant program to finance broadband transmission in rural areas eligible for Distance Learning and Telemedicine Program benefits authorized by 7 U.S.C. 950aaa.
TITLE IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD,
NUTRITION, AND CONSUMER SERVICES

For necessary expenses of the Office of the Under
Secretary for Food, Nutrition, and Consumer Services,
$811,000.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Richard B.
Russell National School Lunch Act (42 U.S.C. 1751 et
seq.), except section 21, and the Child Nutrition Act of
1966 (42 U.S.C. 1771 et seq.), except sections 17 and
21; $23,175,679,000 to remain available through Sep-
tember 30, 2018, of which such sums as are made avail-
able under section 14222(b)(1) of the Food, Conservation,
and Energy Act of 2008 (Public Law 110–246) shall be
merged with and available for the same time period and
purposes as provided herein: Provided, That of the total
amount available, $17,004,000 shall be available to carry
out section 19 of the Child Nutrition Act of 1966 (42
U.S.C. 1771 et seq.): Provided further, That of the total
amount available, $25,000,000 shall be available to pro-
vide competitive grants to State agencies for subgrants to
local educational agencies and schools to purchase the
equipment needed to serve healthier meals, improve food
safety, and to help support the establishment, mainte-
nance, or expansion of the school breakfast program: Pro-
vided further, That of the total amount available,
$21,000,000 shall remain available until expended to carry
out section 749(g) of the Agriculture Appropriations Act
of 2010 (Public Law 111–80): Provided further, That sec-
tion 26(d) of the Richard B. Russell National School
Lunch Act (42 U.S.C. 1769g(d)) is amended in the first
sentence by striking “2010 through 2016” and inserting
“2010 through 2017”.

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

For necessary expenses to carry out the special sup-
plemental nutrition program as authorized by section 17
of the Child Nutrition Act of 1966 (42 U.S.C. 1786),
$6,350,000,000, to remain available through September
30, 2018: Provided, That notwithstanding section
17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C.
1786(h)(10)), not less than $60,000,000 shall be used for
breastfeeding peer counselors and other related activities,
$14,000,000 shall be used for infrastructure: Provided
further, That none of the funds provided in this account
shall be available for the purchase of infant formula except
in accordance with the cost containment and competitive bidding requirements specified in section 17 of such Act: Provided further, That none of the funds provided shall be available for activities that are not fully reimbursed by other Federal Government departments or agencies unless authorized by section 17 of such Act: Provided further, That upon termination of a federally mandated vendor moratorium and subject to terms and conditions established by the Secretary, the Secretary may waive the requirement at 7 CFR 246.12(g)(6) at the request of a State agency.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

For necessary expenses to carry out the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), $79,673,277,000, of which $3,000,000,000, to remain available through December 31, 2018, shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: Provided, That funds provided herein shall be expended in accordance with section 16 of the Food and Nutrition Act of 2008: Provided further, That of the funds made available under this heading, $998,000 may be used to provide nutrition education services to State agencies and Federally Recognized Tribes participating in the Food Distribution Program on Indian Reservations: Provided
further, That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: Provided further, That funds made available for Employment and Training under this heading shall remain available through September 30, 2018: Provided further, That funds made available under this heading for section 28(d)(1) and section 27(a) of the Food and Nutrition Act of 2008 shall remain available through September 30, 2018: Provided further, That none of the funds made available under this heading may be obligated or expended in contravention of section 213A of the Immigration and Nationality Act (8 U.S.C. 1183A): Provided further, That, subject to section 732 of this Act, funds made available under this heading may be used to enter into contracts and employ staff to conduct studies, evaluations, or to conduct activities related to program integrity provided that such activities are authorized by the Food and Nutrition Act of 2008.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out disaster assistance and the Commodity Supplemental Food Program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note); the Emergency Food Assistance Act of 1983; special assistance for the nuclear affected islands, as authorized by sec-
tion 103(f)(2) of the Compact of Free Association Amendments Act of 2003 (Public Law 108–188); and the Farmers’ Market Nutrition Program, as authorized by section 17(m) of the Child Nutrition Act of 1966, $315,139,000, to remain available through September 30, 2018: Provided, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program: Provided further, That notwithstanding any other provision of law, effective with funds made available in fiscal year 2017 to support the Seniors Farmers’ Market Nutrition Program, as authorized by section 4402 of the Farm Security and Rural Investment Act of 2002, such funds shall remain available through September 30, 2018: Provided further, That of the funds made available under section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)), the Secretary may use up to 10 percent for costs associated with the distribution of commodities.

NUTRITION PROGRAMS ADMINISTRATION

For necessary administrative expenses of the Food and Nutrition Service for carrying out any domestic nutrition assistance program, $168,524,000: Provided, That of the funds provided herein, $2,000,000 shall be used for the purposes of section 4404 of Public Law 107–171, as amended by section 4401 of Public Law 110–246: Provided further, That none of the funds made available under section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)) may be used for the purposes of section 4404 of Public Law 107–171, as amended by section 4401 of Public Law 110–246.
vided further, That of the funds provided herein, $1,000,000 shall be used to contract for an independent study to identify the best means of consolidating and coordinating reporting requirements under Child Nutrition Programs to eliminate redundancy, increase efficiency, and reduce the reporting burden on school food authorities and State agencies.

TITLE V
FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE

SALARIES AND EXPENSES
(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including not to exceed $250,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $194,566,000: Provided, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1737) and the foreign assistance programs of the United States Agency for International Development: Provided further, That funds made
available for middle-income country training programs, funds made available for the Borlaug International Agricultural Science and Technology Fellowship program, and up to $2,000,000 of the Foreign Agricultural Service appropriation solely for the purpose of offsetting fluctuations in international currency exchange rates, subject to documentation by the Foreign Agricultural Service, shall remain available until expended.

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

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

FOOD FOR PEACE TITLE II GRANTS

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years’ costs, including interest thereon, under the Food for Peace Act (Public Law 83–480), for commodities supplied in connection with dispositions abroad under title II of said Act, $1,466,000,000, to remain available until expended: Provided, That notwithstanding any other provision of law, including section 202(a) of the Food for Peace Act (7
U.S.C. 1722(a)), amounts made available under this heading shall be used to provide not less than the minimum level of funding required by section 412(e)(2) of the Food for Peace Act (7 U.S.C. 1736f(e)(2)) to carry out non-emergency food assistance programs under title II of such Act.

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

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

COMMODITY CREDIT CORPORATION EXPORT (LOANS)

CREDIT GUARANTEE PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation’s Export Guarantee Program, GSM 102 and GSM 103, $8,537,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which
$6,074,000 shall be transferred to and merged with the appropriation for “Foreign Agricultural Service, Salaries and Expenses”, and of which $2,463,000 shall be transferred to and merged with the appropriation for “Farm Service Agency, Salaries and Expenses”.

TITLE VI

RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92–313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary’s certificate, not to exceed $25,000; and notwithstanding section 521 of Public Law 107–188; $4,778,875,000: Provided, That of the amount provided under this heading, $865,653,000 shall be derived from prescription drug user fees authorized by 21
U.S.C. 379h, and shall be credited to this account and remain available until expended; $144,859,000 shall be derived from medical device user fees authorized by 21 U.S.C. 379j, and shall be credited to this account and remain available until expended; $324,085,000 shall be derived from human generic drug user fees authorized by 21 U.S.C. 379j–42, and shall be credited to this account and remain available until expended; $22,079,000 shall be derived from biosimilar biological product user fees authorized by 21 U.S.C. 379j–52, and shall be credited to this account and remain available until expended; $22,977,000 shall be derived from animal drug user fees authorized by 21 U.S.C. 379j–12, and shall be credited to this account and remain available until expended; $10,367,000 shall be derived from animal generic drug user fees authorized by 21 U.S.C. 379j–21, and shall be credited to this account and remain available until expended; $635,000,000 shall be derived from tobacco product user fees authorized by 21 U.S.C. 387s, and shall be credited to this account and remain available until expended: Provided further, That in addition to and notwithstanding any other provision under this heading, amounts collected for prescription drug user fees, medical device user fees, human generic drug user fees, biosimilar biological product user fees, animal drug user fees, and animal
generic drug user fees that exceed the respective fiscal
ty year 2017 limitations are appropriated and shall be cred-
ted to this account and remain available until expended:
Provided further, That fees derived from prescription drug,
medical device, human generic drug, biosimilar biological
product, animal drug, and animal generic drug assess-
ments for fiscal year 2017, including any such fees col-
lected prior to fiscal year 2017 but credited for fiscal year
2017, shall be subject to the fiscal year 2017 limitations:
Provided further, That the Secretary may accept payment
during fiscal year 2017 of user fees specified under this
heading and authorized for fiscal year 2018, prior to the
due date for such fees, and that amounts of such fees as-
shed for fiscal year 2018 for which the Secretary accepts
payment in fiscal year 2017 shall not be included in
amounts under this heading: Provided further, That none
of these funds shall be used to develop, establish, or oper-
ate any program of user fees authorized by 31 U.S.C.
9701: Provided further, That of the total amount appro-
piated: (1) $1,023,480,000 shall be for the Center for
Food Safety and Applied Nutrition and related field activi-
ties in the Office of Regulatory Affairs; (2) $1,411,281,000 shall be for the Center for Drug Evalua-
tion and Research and related field activities in the Office
of Regulatory Affairs; (3) $359,989,000 shall be for the
Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) $190,757,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) $439,232,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) $63,331,000 shall be for the National Center for Toxiological Research; (7) $596,338,000 shall be for the Center for Tobacco Products and for related field activities in the Office of Regulatory Affairs; (8) not to exceed $168,552,000 shall be for Rent and Related activities, of which $47,461,000 is for White Oak Consolidation, other than the amounts paid to the General Services Administration for rent; (9) not to exceed $235,277,000 shall be for payments to the General Services Administration for rent; and (10) $290,638,000 shall be for other activities, including the Office of the Commissioner of Food and Drugs, the Office of Foods and Veterinary Medicine, the Office of Medical and Tobacco Products, the Office of Global and Regulatory Policy, the Office of Operations, the Office of the Chief Scientist, and central services for these offices: Provided further, That not to exceed $25,000 of this amount shall be for official reception and representation expenses, not otherwise provided for, as determined
by the Commissioner: Provided further, That any transfer of funds pursuant to section 770(n) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379dd(n)) shall only be from amounts made available under this heading for other activities: Provided further, That of the amounts that are made available under this heading for “other activities”, and that are not derived from user fees, $1,500,000 shall be transferred to and merged with the appropriation for “Department of Health and Human Services—Office of Inspector General” for oversight of the programs and operations of the Food and Drug Administration and shall be in addition to funds otherwise made available for oversight of the Food and Drug Administration: Provided further, That notwithstanding any other provision of law, for the Office of Legislation, none of the funds made available under this heading shall be used to provide or maintain a staffing level in excess of 25 permanent positions or to incur obligations for more than 25 full-time equivalent work years: Provided further, That of the total amount made available under this heading, $3,000,000 shall be used by the Commissioner of Food and Drugs, in coordination with the Secretary of Agriculture, for consumer outreach to promote understanding and acceptance of agricultural biotechnology and biotechnology-derived food products and animal feed, includ-
ing through publication and distribution of science-based educational information on the environmental, nutritional, food safety, economic, and humanitarian benefits of such biotechnology, food products, and feed: Provided further, That funds may be transferred from one specified activity to another with the prior approval of the Committees on Appropriations of both Houses of Congress.


BUILDINGS AND FACILITIES

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

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

For necessary expenses to carry out the provisions of the Commodity Exchange Act (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles, and the rental of space (to include multiple year leases), in the District of Columbia and elsewhere, $250,000,000, including not to exceed $3,000 for official reception and representation expenses, and not to exceed $25,000 for the expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, of which not less than $50,000,000, to remain available until September 30, 2018, shall be for the purchase of information technology and of which not less than $3,000,000 shall be for expenses of the Office of the Inspector General: Provided, That notwithstanding the limitations in 31 U.S.C. 1553, amounts provided under this heading are available for the liquidation of obligations equal to current year payments on leases entered into prior to the date of enactment of this Act: Provided further, That for the purpose of recording any obligations that should have been recorded against accounts closed pursuant to 31 U.S.C. 1552, these accounts may be re-
opened solely for the purpose of correcting any violations
of 31 U.S.C. 1501(a)(1), and balances canceled pursuant
to 31 U.S.C. 1552(a) in any accounts reopened pursuant
to this authority shall remain unavailable to liquidate any
outstanding obligations: Provided further, That, notwith-
standing any other provision of the Commodity Exchange
Act, the Commission may make and enter into contracts
for the sole purpose of subleasing excess space at its exist-
ing office locations under leases entered into prior to De-
cember 18, 2015, for the duration of such leases for the
sole purpose of achieving a reduction in overall leasing ex-
penditures by the Commission: Provided further, That
amounts the Commission receives through such subleases
shall not be available for new obligations and, notwith-
standing 31 U.S.C. 1552, 1553, and 3302, such amounts
shall be available for one year after receipt only for the
liquidation of the Commission’s obligation under the lease
corresponding to the subleased space: Provided further,
That none of the funds otherwise available under this or
any other Act to liquidate a lease obligation of the Com-
mission may be used for such purpose unless sublease rev-
ue available for such obligation under the preceding pro-
viso has been exhausted.
FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

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

TITLE VII

GENERAL PROVISIONS

(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

Sec. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the current fiscal year under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 52 passenger motor vehicles of which 52 shall be for replacement only, and for the hire of such vehicles: Provided, That notwithstanding this section, the only purchase of new passenger vehicles shall be for those determined by the Secretary to be necessary for transportation safety, to reduce oper-
ational 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 remain available until expended: Provided, That none of the funds made available by this Act or any other Act shall be transferred to the Working Capital Fund without the prior approval of the agency administrator: Provided further, That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: Provided further, That none of the funds appropriated by this Act or made available to the Department’s Working Capital Fund shall be available for obligation or expenditure to make any changes to the Department’s National Finance Center without written noti-
fication to and prior approval of the Committees on Appropriations of both Houses of Congress as required by section 717 of this Act: Provided further, That of annual income amounts in the Working Capital Fund of the Department of Agriculture allocated for the National Finance Center, the Secretary may reserve not more than 4 percent for the replacement or acquisition of capital equipment, including equipment for the improvement and implementation of a financial management plan, information technology, and other systems of the National Finance Center or to pay any unforeseen, extraordinary cost of the National Finance Center: Provided further, That none of the amounts reserved shall be available for obligation unless the Secretary submits written notification of the obligation to the Committees on Appropriations of both Houses of Congress: Provided further, That the limitation on the obligation of funds pending notification to Congressional Committees shall not apply to any obligation that, as determined by the Secretary, is necessary to respond to a declared state of emergency that significantly impacts the operations of the National Finance Center; or to evacuate employees of the National Finance Center to a safe haven to continue operations of the National Finance Center.
SEC. 703. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 704. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 705. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year for the following accounts: the Rural Development Loan Fund program account, the Rural Electrification and Telecommunication Loans program account, and the Rural Housing Insurance Fund program account.

SEC. 706. None of the funds made available to the Department of Agriculture by this Act may be used to ac-
quire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: Provided, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: Provided further, That, notwithstanding section 11319 of title 40, United States Code, none of the funds available to the Department of Agriculture for information technology shall be obligated for projects, contracts, or other agreements over $25,000 prior to receipt of written approval by the Chief Information Officer: Provided further, That the Chief Information Officer may authorize an agency to obligate funds without written approval from the Chief Information Officer for projects, contracts, or other agreements up to $250,000 based upon the performance of an agency measured against the performance plan requirements described in the explanatory statement accompanying Public Law 113–235.
Sec. 707. Funds made available under section 524(b) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)) in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year.

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

Sec. 709. Except as otherwise specifically provided by law, not more than $20,000,000 in unobligated balances from appropriations made available for salaries and expenses in this Act for the Farm Service Agency shall remain available through September 30, 2018, for information technology expenses: Provided, That except as otherwise specifically provided by law, unobligated balances from appropriations made available for salaries and expenses in this Act for the Rural Development mission area shall remain available through September 30, 2018, for information technology expenses.
SEC. 710. None of the funds appropriated or other-
wise made available by this Act may be used for first-class
travel by the employees of agencies funded by this Act in
contravention of sections 301–10.122 through 301–10.124

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

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

(2) the use of such funds for such purpose shall
not be considered to be a fund transfer or allotment
for purposes of applying the limitation on the total
amount of allotments and fund transfers contained
in such section.
Sec. 712. Of the funds made available by this Act, not more than $2,000,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants.

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

Sec. 714. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out the following:
(1) The Watershed Rehabilitation program authorized by section 14(h)(1) of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012(h)(1)) in excess of $9,000,000;


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

(4) The Biorefinery, Renewable Chemical and Biobased Product Manufacturing Assistance program as authorized by section 9003 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8103) in excess of $155,000,000 of the funding
made available by subsection (g)(1)(A) of that section for all fiscal years;

(5) The Conservation Stewardship Program as authorized by sections 1238D–1238G of the Food Security Act of 1985 (16 U.S.C. 3838d–3838g) in excess of 8,000,000 acres; and

(6) A program authorized by section 524(b) of the Federal Crop Insurance Act, as amended (7 U.S.C. 1524(b)) in excess of $5,000,000 for fiscal year 2017.

Sec. 715. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out a program under subsection (b)(2)(A)(ix) of section 14222 of Public Law 110–246 in excess of $886,000,000, as follows: Child Nutrition Programs Entitlement Commodities—$465,000,000; State Option Contracts—$5,000,000; Removal of Defective Commodities—$2,500,000; Administration of Section 32 Commodity Purchases—$35,440,000: Provided, That none of the funds made available in this Act or any other Act shall be used for salaries and expenses to carry out in this fiscal year section 19(i)(1)(E) of the Richard B. Russell National School Lunch Act, as amended, except in an amount that excludes the transfer of $125,000,000 of the funds.
to be transferred under subsection (c) of section 14222 of Public Law 110–246, until October 1, 2017: Provided further, That $125,000,000 made available on October 1, 2017, to carry out section 19(i)(1)(E) of the Richard B. Russell National School Lunch Act, as amended, shall be excluded from the limitation described in subsection (b)(2)(A)(x) of section 14222 of Public Law 110–246: Provided further, That none of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries or expenses of any employee of the Department of Agriculture or officer of the Commodity Credit Corporation to carry out clause 3 of section 32 of the Agricultural Adjustment Act of 1935 (Public Law 74–320, 7 U.S.C. 612c, as amended), or for any surplus removal activities or price support activities under section 5 of the Commodity Credit Corporation Charter Act: Provided further, That the available unobligated balances under (b)(2)(A)(ix) of section 14222 of Public Law 110–246 in excess of the limitation set forth in this section, except for the amounts to be transferred pursuant to the first proviso, are hereby permanently rescinded.

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

Sec. 717. (a) None of the funds provided by this Act,
or provided by previous appropriations Acts to the agen-
cies funded by this Act that remain available for obligation
or expenditure in the current fiscal year, or provided from
any accounts in the Treasury derived by the collection of
fees available to the agencies funded by this Act, shall be
available for obligation or expenditure through a re-
programming, transfer of funds, or reimbursements as au-
thorized by the Economy Act, or in the case of the Depart-
ment of Agriculture, through use of the authority provided
by section 702(b) of the Department of Agriculture Or-
ganic Act of 1944 (7 U.S.C. 2257) or section 8 of Public
Law 89–106 (7 U.S.C. 2263), that—
(1) creates new programs;
(2) eliminates a program, project, or activity;

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

(4) relocates an office or employees;

(5) reorganizes offices, programs, or activities;

or

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

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

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

(1) augments existing programs, projects, or activities;

(2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or

(3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission (as the case may be) notifies in writing and receives approval from the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming or transfer of such funds or the use of such authority.

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

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

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

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

(3) carrying out activities or functions that
were not described in the budget request; unless the
agencies funded by this Act notify, in writing, the
Committees on Appropriations of both Houses of
Congress at least 30 days in advance of using the
funds for these purposes.
(e) As described in this section, no funds may be used for any activities unless the Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission receives from the Committee on Appropriations of both Houses of Congress written or electronic mail confirmation of receipt of the notification as required in this section.

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

SEC. 719. None of the funds appropriated or otherwise made available to the Department of Agriculture, the Food and Drug Administration, the Commodity Futures Trading Commission, or the Farm Credit Administration shall be used to transmit or otherwise make available reports, questions, or responses to questions that are a result of information requested for the appropriations hearing process to any non-Department of Agriculture, non-Department of Health and Human Services, non-Commodity Futures Trading Commission, or non-Farm Credit Administration employee.
Sec. 720. Unless otherwise authorized by existing law, none of the funds provided in this Act, may be used by an executive branch agency to produce any pre-packaged news story intended for broadcast or distribution in the United States unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

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

Sec. 722. None of the funds appropriated in this Act may be used to prepare, publish, or issue any new proposed rulemaking that does not comply with the requirements for cost-benefit analysis as set forth in Executive Order 13563.

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

Sec. 724. Funds made available under title II of the
Food for Peace Act (7 U.S.C. 1721 et seq.) may only be
used to provide assistance to recipient nations if adequate
monitoring and controls, as determined by the Secretary,
are in place to ensure that emergency food aid is received
by the intended beneficiaries in areas affected by food
shortages and not diverted for unauthorized or inappro-
priate purposes.

Sec. 725. The Secretary shall establish an inter-
mediary loan packaging program based on the pilot pro-
gram in effect for fiscal year 2013 for packaging and re-
viewing section 502 single family direct loans. The Sec-
retary shall enter into agreements with current inter-
mediary organizations and with additional qualified inter-
mediary organizations. The Secretary shall work with
these organizations to increase effectiveness of the section
502 single family direct loan program in rural commu-
nities and shall set aside and make available from the na-
tional reserve section 502 loans an amount necessary to
support the work of such intermediaries and provide a priority for review of such loans.

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

Sec. 727. None of the credit card refunds or rebates transferred to the Working Capital Fund pursuant to section 729 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2002 (7 U.S.C. 2235a; Public Law 107–76) shall be available for obligation without written notification to, and the prior approval of, the Committees on Appropriations of both Houses of Congress: Provided, That the refunds or rebates so transferred shall be available for obligation only for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture.
SEC. 728. None of the funds made available by this Act may be used to procure processed poultry products imported into the United States from the People’s Republic of China for use in the school lunch program under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), the Child and Adult Care Food Program under section 17 of such Act (42 U.S.C. 1766), the Summer Food Service Program for Children under section 13 of such Act (42 U.S.C. 1761), or the school breakfast program under the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.).

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

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

SEC. 731. (a) For the period beginning on the date of enactment of this Act through school year 2017–2018, with respect to the school lunch program established under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) or the school breakfast program established under the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.) and final regulations published by the Department of Agriculture in the Federal Register on January 26, 2012 (77 Fed. Reg. 4088 et seq.), the Secretary shall allow States to grant an exemption from the whole grain requirements that took effect on or after July 1, 2014, and the States shall establish a process for evaluating and responding, in a reasonable amount of time, to requests for an exemption: Provided, That school food authorities demonstrate hardship, including financial hardship, in procuring specific whole grain products which are acceptable to the students and compliant with the whole grain-rich requirements: Provided further, That school food authorities shall comply with the applicable grain component or standard with respect to the school lunch or school breakfast program that was in effect prior to July 1, 2014.
(b) None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to implement any regulations under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), the Healthy, Hunger-Free Kids Act of 2010 (Public Law 111–296), or any other law that would require a reduction in the quantity of sodium contained in federally reimbursed meals, foods, and snacks sold in schools below Target 1 (as described in section 220.8(f)(3) of title 7, Code of Federal Regulations (or successor regulations)) until the latest scientific research establishes the reduction is beneficial for children.

SEC. 732. None of the funds made available by this Act may be used by the Secretary of Agriculture, acting through the Food and Nutrition Service, to commence any new research and evaluation projects until the Secretary submits to the Committees on Appropriations of both Houses of Congress a research and evaluation plan for fiscal year 2017, prepared in coordination with the Research, Education, and Economics mission area of the Department of Agriculture, and a period of 30 days beginning on the date of the submission of the plan expires to permit Congressional review of the plan.
Sec. 733. In carrying out subsection (h) of section 502 of the Housing Act of 1949 (42 U.S.C. 1472), the Secretary of Agriculture shall have the same authority with respect to loans guaranteed under such section and eligible lenders for such loans as the Secretary has under subsections (h) and (j) of section 538 of such Act (42 U.S.C. 1490p–2) with respect to loans guaranteed under such section 538 and eligible lenders for such loans.

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

Sec. 735. None of the funds made available by this Act may be used to implement, administer, or enforce the final rule entitled “Food Labeling; Nutrition Labeling of Standard Menu Items in Restaurants and Similar Retail Food Establishments” published by the Food and Drug Administration in the Federal Register on December 1, 2014 (79 Fed. Reg. 71156 et seq.) until the later of—
(1) December 1, 2016; or

(2) the date that is one year after the date on
which the Secretary of Health and Human Services
publishes Level 1 guidance with respect to nutrition
labeling of standard menu items in restaurants and
similar retail food establishments in accordance with
paragraphs (g)(1)(i), (g)(1)(ii), (g)(1)(iii), and
(g)(1)(iv) of section 10.115 of title 21, Code of Fed-
eral Regulations.

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

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

SEC. 738. (a) The Secretary of Agriculture shall—

(1) within 4 months of the date of enactment of this Act, establish a prioritization process forAPHIS to conduct audits or reviews of countries or regions that have received animal health status recognitions by APHIS and provide a description of this process to the Committee on Appropriations of the House, Committee on Appropriations of the Senate, Committee on Agriculture of the House, and Committee on Agriculture, Nutrition, and Forestry of the Senate;

(2) conduct audits in a manner that evaluates the following factors in the country or region being audited, as applicable:

(A) veterinary control and oversight;

(B) disease history and vaccination practices;

(C) livestock demographics and traceability;

(D) epidemiological separation from potential sources of infection;

(E) surveillance practices;
(F) diagnostic laboratory capabilities; and

(G) emergency preparedness and response.

(3) promptly make publicly available the final
reports of any audits or reviews conducted pursuant
to subsection (2); and

(b) This section shall be applied in a manner con-
sistent with United States obligations under its inter-
national trade agreements.

SEC. 739. None of the funds made available by this
Act may be used to carry out any activities or incur any
expense related to the issuance of licenses under section
3 of the Animal Welfare Act (7 U.S.C. 2133), or the re-
newal of such licenses, to class B dealers who sell dogs
and cats for use in research, experiments, teaching, or
testing.

SEC. 740. No partially hydrogenated oils as defined
in the order published by the Food and Drug Administra-
tion in the Federal Register on June 17, 2015 (80 Fed.
Reg. 34650 et seq.) shall be deemed unsafe within the
meaning of section 409(a) of the Federal Food, Drug, and
Cosmetic Act (21 U.S.C. 348(a)) and no food that is intro-
duced or delivered for introduction into interstate com-
merce that bears or contains a partially hydrogenated oil
shall be deemed adulterated under sections 402(a)(1) or
402(a)(2)(C)(i) of this Act by virtue of bearing or con-
taining a partially hydrogenated oil until the compliance
date as specified in such order (June 18, 2018).

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

SEC. 742. (a) None of the funds made available in
this Act may be used to maintain or establish a computer
network unless such network blocks the viewing,
downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of
funds necessary for any Federal, State, tribal, or local law
enforcement agency or any other entity carrying out crimi-
nal investigations, prosecution, or adjudication activities.

SEC. 743. In addition to amounts otherwise made
available by this Act under the heading “Animal and Plant
Health Inspection Service—Buildings and Facilities”, there is appropriated $30,000,000, to remain available until expended, for fruit fly rearing facilities.

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

Sec. 745. Of the unobligated balances from amounts made available in fiscal year 2016 for the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $100,000,000 are rescinded.

Sec. 746. (a)(1) No Federal funds made available for this fiscal year for the rural water, waste water, waste disposal, and solid waste management programs authorized by sections 306, 306A, 306C, 306D, 306E, and 310B of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926 et seq.) shall be used for a project for the construction, alteration, maintenance, or repair of a public water or wastewater system unless all of the iron and steel products used in the project are produced in the United States.
(2) In this section, the term “iron and steel products” means the following products made primarily of iron or steel: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials.

(b) Subsection (a) shall not apply in any case or category of cases in which the Secretary of Agriculture (in this section referred to as the “Secretary”) or the designee of the Secretary finds that—

(1) applying subsection (a) would be inconsistent with the public interest;

(2) iron and steel products are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or

(3) inclusion of iron and steel products produced in the United States will increase the cost of the overall project by more than 25 percent.

(c) If the Secretary or the designee receives a request for a waiver under this section, the Secretary or the designee shall make available to the public on an informal basis a copy of the request and information available to the Secretary or the designee concerning the request, and shall allow for informal public input on the request for at least 15 days prior to making a finding based on the
request. The Secretary or the designee shall make the re-
quest and accompanying information available by elec-
tronic means, including on the official public Internet Web
site of the Department.

(d) This section shall be applied in a manner con-
sistent with United States obligations under international
agreements.

(e) The Secretary may retain up to 0.25 percent of
the funds appropriated in this Act for “Rural Utilities
Service—Rural Water and Waste Disposal Program Ac-
count” for carrying out the provisions described in sub-
section (a)(1) for management and oversight of the re-
quirements of this section.

(f) Subsection (a) shall not apply with respect to a
project for which the engineering plans and specifications
include use of iron and steel products otherwise prohibited
by such subsection if the plans and specifications have re-
ceived required approvals from State agencies prior to the
date of enactment of this Act.

(g) For purposes of this section, the terms “United
States” and “State” shall include each of the several
States, the District of Columbia, and each federally recog-
nized Indian tribe.

SEC. 747. None of the funds appropriated or other-
wise made available by this Act may be used by the Food

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and Drug Administration to finalize or implement the rule entitled “Supplemental Applications Proposing Labeling Changes for Approved Drugs and Biological Products” published November 13, 2013 (78 Fed. Reg. 67985) unless the final version of such rule requires that the Food and Drug Administration approve in advance via prior approval supplement on a timely basis any change to—

(1) the safety information in the labeling of a drug that is marketed pursuant to an abbreviated new drug application under section 505(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)); and

(2) the safety information in the labeling of the listed drug (as such term is used in section 505(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)) and any other drug that is marketed pursuant to an abbreviated new drug application under such section 505(j) citing the same listed drug.

Sec. 748. In addition to amounts otherwise made available under this Act to carry out section 27(a)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)(1)) for fiscal year 2017, there is appropriated $19,000,000 to carry out such section.
SEC. 749. None of the funds made available in this Act may be used to finalize, implement, administer, or enforce the proposed rule with the regulation identifier number 0910–AG38 published by the Food and Drug Administration in the Federal Register on April 25, 2014 (79 Fed. Reg. 23142) if such rule would apply to traditional large and premium cigars. For the purposes of this section, the term traditional large and premium cigar means—

(1) any roll of tobacco that is wrapped in 100 percent leaf tobacco, bunched with 100 percent tobacco filler, contains no filter, tip or non-tobacco mouthpiece, weighs at least 6 pounds per 1,000 count, and—

(A) has a 100 percent leaf tobacco binder and is hand rolled;

(B) has a 100 percent leaf tobacco binder and is made using human hands to lay the leaf tobacco wrapper or binder onto only one machine that bunches, wraps, and caps each individual cigar; or

(C) has a homogenized tobacco leaf binder and is made in the United States using human hands to lay the 100 percent leaf tobacco wrap-
per onto only one machine that bunches, wraps, and caps each individual cigar; and

(2) is not a cigarette or a little cigar (as such terms are defined in paragraphs (3) and (11), respectively, of section 900 of the Federal Food, Drug, and Cosmetic Act).

SEC. 750. Of the total amounts made available by this Act for direct loans in the second paragraph under the heading “Rural Housing Service—Rural Housing Insurance Fund Program Account” and, respectively, for “Rural Housing Service—Mutual and Self-Help Housing Grants”; “Rural Housing Service—Rural Housing Assistance Grants”; “Rural Housing Service—Rural Community Facilities Program Account”; “Rural Business-Cooperative Service—Rural Business Program Account”; “Rural Business-Cooperative Service—Rural Economic Development Loans Program Account”; “Rural Business-Cooperative Service—Rural Cooperative Development Grants”; “Rural Utilities Service—Rural Water and Waste Disposal Program Account”; “Rural Utilities Service—Rural Electrification and Telecommunications Loans Program Account”; and “Rural Utilities Service—Distance Learning, Telemedicine, and Broadband Program”, at least 10 percent of each total amount shall be allocated for assistance in persistent poverty counties: Provided,
That for purposes of this section, the term “persistent poverty counties” means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990, 2000, and 2010 decennial censuses.

SEC. 751. For the purposes of determining eligibility or level of program assistance for Rural Development mission area programs the Secretary shall not include incarcerated prison populations.

SEC. 752. For an additional amount for “Food and Drug Administration—Salaries and Expenses” to prevent, prepare for, and respond to the Ebola virus domestically and internationally and to develop necessary medical countermeasures and vaccines, including the review, regulation, and post market surveillance of vaccines and therapies, and for related administrative activities, $10,000,000, to remain available until expended.

SEC. 753. There is hereby appropriated for the “Emergency Watershed Protection Program” $5,000,000, to remain available until expended, for emergencies not declared as a major disaster or emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

SEC. 754. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence
congressional action on any legislation or appropriation
matters pending before Congress, other than to commu-
nicate to Members of Congress as described in 18 U.S.C.
1913.

SEC. 755. The provisions of subtitles A, D, and L
of title II of H.R. 6, One Hundred Fourteenth Congress
(the “21st Century Cures Act”), as passed by the House
of Representatives on July 10, 2015, are hereby enacted
into law.

SEC. 756. Consistent with section 1112(b) of the
Food and Drug Administration Safety and Innovation Act
(Public Law 112–144; commonly referred to as
“FDASIA”), the Secretary of Health and Human Serv-
ices, acting through the Commissioner of Food and Drugs,
shall issue final regulations revising the Federal drug reg-
ulations (as defined in section 1112(c) of such Act (21
U.S.C. 360dd note)) with respect to medical gases not
later than July 9, 2016. If the Secretary fails to issue
final regulations with respect to medical gases by such
date, the Secretary shall incorporate by reference vol-
untary consensus safety and labeling standards developed
by an American National Standards Institute-accredited
standard development organization until such time as the
Secretary issues final regulations revising the Federal
drug regulations with respect to medical gases.
SEC. 757. For an additional amount for “Animal and Plant Health Inspection Service—Salaries and Expenses”, $5,500,000, to remain available until September 30, 2018, for one-time control and management and associated activities directly related to the multiple-agency response to citrus greening.

SEC. 758. The following unobligated balances identified by the following Treasury Appropriation Fund Symbols are hereby rescinded: 12X1951, $620,161.89; 12X1953, $2,302,342.75; 12X1902, $352,323.31; 12X1900, $16,452.44; and 12X1232, $529,310.95: Provided, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency or disaster relief requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 759. The unobligated balances resulting from offsetting collections identified by Treasury Appropriation Fund Symbols 12X1951, 12X2002, 12X2006, 12X1902, 12X1900, 12X1232, and 12X1980, respectively, are hereby rescinded: Provided, that no amounts may be rescinded from amounts that were designated by the Congress as an emergency or disaster relief requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.
SEC. 760. None of the funds made available by this Act may be used to write, prepare, propose, or publish a proposed rule, a final rule, or an interim final rule in furtherance of, or otherwise to implement any regulations or other regulatory requirements or policies with respect to the importation into the United States of lemons from Argentina unless and until—

(1) the Secretary of Agriculture submits to the Committee on Agriculture and the Committee on Appropriations of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry and the Committee on Appropriations of the Senate a certification that the Secretary—

(A) has completed site visits of production areas of lemons in Argentina; and

(B) has conducted pest and disease risk assessments with respect to such lemons; and

(2) the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget submits to such Committees a certification that the Administrator has completed the assessments specified in section 6(a)(3)(C) of Executive Order 12866.

SEC. 761. (a) None of the funds appropriated or otherwise made available by this Act or any other Act with
respect to any fiscal year may, for each tobacco product which the Secretary of Health and Human Services by regulation under section 901(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387a(b)) deems to be subject to chapter IX of such Act, be used to treat—

(1) any reference in sections 905(j) or 910(a) of such Act (21 U.S.C. 387e(j), 387j(a)) to February 15, 2007, as other than a reference to the effective date of the regulation under which the tobacco product is deemed to be subject to the requirements of such chapter pursuant to section 901(b) of such Act (21 U.S.C. 387a(b)); and

(2) any reference in such sections to 21 months after the date of enactment of the Family Smoking Prevention and Tobacco Control Act as other than a reference to 21 months after the effective date of such deeming regulation.

(b)(1) Notwithstanding any other provision of law, not later than 12 months after the date on which vapor products are deemed to be subject to the Federal Food, Drug, and Cosmetic Act pursuant to section 901(b) of that Act (21 U.S.C. 387a), the Secretary of Health and Human Services shall issue a notice of proposed rule-making to establish a product standard for vapor product
batteries pursuant to section 907 of that Act (21 U.S.C. 387g).

(2) Notwithstanding any other provision of law, not later than 24 months after the date on which vapor products are deemed to be subject to the Federal Food, Drug, and Cosmetic Act pursuant to section 901(b) of that Act (21 U.S.C. 387a), the Secretary of Health and Human Services shall promulgate a final tobacco product standard for vapor product batteries pursuant to section 907 of that Act (21 U.S.C. 387g).

(c) A vapor product shall be deemed to be misbranded under section 903(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387c(a)) if the advertising with respect to the vapor product is disseminated by a manufacturer, distributor, or retailer of the product in a newspaper, magazine, periodical, or other publication (including any publication of periodic or limited distribution) other than an adult publication.

(d)(1) A retailer may only sell any vapor product in a direct face-to-face exchange without the assistance of any electronic or mechanical device (such as a vending machine).

(2) This subsection shall not apply with respect to sales of vapor products conducted through—

(A) mail-order; or
(B) a vending machine or self-service display if, with respect to the facility in which such vending machine or display is located, the retailer of such products ensures that no person under 18 years of age would be present or be permitted to enter.

(3) A violation of this section is deemed to constitute a violation of the Federal Food, Drug, and Cosmetic Act relating to a tobacco product for purposes of section 303(f)(9) of such Act (21 U.S.C. 333(f)(9)).

(e)(1) Not later than 12 months after the date of enactment of this Act, the Secretary of Health and Human Services shall promulgate final regulations to require that the labeling of vapor products contain—

(A) the phrase “Keep Out of Reach of Children”;

(B) the phrase “Underage Sale Prohibited”;

and

(C) an accurate statement of the nicotine content of the vapor product.

(2) A vapor product whose label is in violation of the regulations required by paragraph (1) is deemed to be misbranded under section 903 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387e).

(f)(1) Every person who owns or operates an establishment in any State engaged in the retail sale of a vapor
product shall register that establishment with the Secretary of Health and Human Services within the later of 60 days after the date of enactment of this Act, or 30 days after first engaging in such retail sale.

(2) The requirements of this subsection do not apply with respect to any establishment subject to an active registration under—

(A) any State law relating to tobacco products;

or


(3) The Secretary shall make available for inspection, to any person so requesting, any registration filed under this section.

(g) In this section:

(1) The term “adult publication” means a newspaper, magazine, periodical, or other publication—

(A) whose readers younger than 18 years of age constitute 15 percent or less of the total readership as measured by competent and reliable survey evidence; and

(B) that is read by fewer than 2 million persons younger than 18 years of age as measured by competent and reliable survey evidence.
(2) The terms “label” and “labeling” have the meanings given to such terms in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(3) The term “tobacco product” has the meaning given to such term in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(4) The term “vapor product”—

(A) means any non-combustible product that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, to produce vapor from nicotine in a solution or other form;

(B) includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device, and any vapor cartridge or other container of nicotine in a solution or other form; and

(C) does not include any product regulated as a drug or device by the Food and Drug Administration under chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 21 U.S.C. 351 et seq.).
Sec. 762. None of the funds made available in this Act may be used to pay the salary or expenses of personnel—

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

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

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

Sec. 763. None of the funds provided by this Act shall be used to write, prepare, or publish an interim final rule, or final rule, that would alter the definition of “staple food” or “retail food store” as defined in section 271.2 of title 7 of the Code of Federal Regulations (January 1, 2016), or the approval of retail food stores and wholesale food concerns in accordance with section 278.1 of title 7 of the Code of Federal Regulations (January 1, 2016), except to change the variety of foods required, or the number of perishable items, to comply with section 3 of the Food and Nutrition Act of 2008 as amended by sections 4002(a) and 4030(a)(4) of the Agricultural Act of 2014 (Public Law 113–79).
Sec. 764. None of the funds made available by this Act may be used by the Food and Drug Administration to develop, issue, promote, or advance any guidelines or regulations applicable to food manufacturers for population-wide sodium reduction actions until the Centers for Disease Control and Prevention or the National Academy of Medicine completes a dietary reference intake report with respect to sodium.

Sec. 765. None of the funds made available to the Commodity Futures Trading Commission by this Act or any other Act in the current fiscal year or any other fiscal year may be used to pay the salaries and expenses of personnel to lower the de minimis quantity of swap dealing established under section 1a(49)(D) of the Commodity Exchange Act (7 U.S.C. 1a(49)(D)) to less than $8,000,000,000.

Sec. 766. For necessary expenses of the Secretary of Agriculture to support projects that provide access to healthy food in underserved areas, to create and preserve quality jobs, and to revitalize low-income communities, $1,000,000, for the cost of loans and grants under the Healthy Food Financing Initiative consistent with section 243 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6953), as added by section 4206 of the Agricultural Act of 2014.
SEC. 767. None of the funds made available by this
or any other Act may be used to write, prepare, propose,
or publish a final rule or an interim final rule in further-
ance of, or otherwise to implement any regulations or
other regulatory requirements or policies that are identical
or similar in nature or application to the proposed rule
entitled “Implementation of Regulations Required Under
Title XI, of the Food, Conservation and Energy Act of
2008; Conduct in Violation of the Act” published by the
Department of Agriculture in the Federal Register on
June 22, 2010 (75 Fed. Reg. 35338 et seq.) unless the
combined annual cost to the economy of such rules does
not exceed $100,000,000: Provided, That none of the
funds made available by this or any other Act may be used
to propose or publish a final or interim final rule in fur-
therance of, or otherwise to implement any regulations or
other regulatory requirements or policies that are identical
or similar in nature or application to section 201.2(l),
201.2(t), 201.2(u), 201.3(c), 201.210, 201.211, 201.213,
or 201.214, as proposed to be added to title 9 of the Code
of Federal Regulations by such proposed rule.

TITLE VIII

SEC. 801. Unobligated balances of amounts appro-
priated under title VI of the Departments of Labor,
Health and Human Services, Education and Related
Agencies Appropriations Act, 2015 (division G of Public Law 113–235) and title IX of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235) shall also be available for necessary expenses to prevent, prepare for, and respond to Zika virus, domestically and internationally: Provided, That such amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amounts shall be available only if the President subsequently so designates such amounts and transmits such designation to the Congress.

SPENDING REDUCTION ACCOUNT

SEC. 802. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is $0.

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

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

APRIL 26, 2016

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

[Report No. 114-531]