

## Union Calendar No. 410

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# 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.

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### 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

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## A BILL

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

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

8                                   TITLE I

9                                   AGRICULTURAL PROGRAMS

10                           PRODUCTION, PROCESSING, AND MARKETING

11                                   OFFICE OF THE SECRETARY

12   (INCLUDING TRANSFERS OF FUNDS)

13       For necessary expenses of the Office of the Secretary,  
14 \$44,555,000, of which not to exceed \$5,051,000 shall be  
15 available for the immediate Office of the Secretary; not  
16 to exceed \$502,000 shall be available for the Office of  
17 Tribal Relations; not to exceed \$1,496,000 shall be avail-  
18 able for the Office of Homeland Security and Emergency  
19 Coordination; not to exceed \$1,209,000 shall be available  
20 for the Office of Advocacy and Outreach; not to exceed  
21 \$24,928,000 shall be available for the Office of the Assist-  
22 ant Secretary for Administration, of which \$24,124,000  
23 shall be available for Departmental Administration to pro-  
24 vide for necessary expenses for management support serv-  
25 ices to offices of the Department and for general adminis-

1 tration, security, repairs and alterations, and other mis-  
2 cellaneous supplies and expenses not otherwise provided  
3 for and necessary for the practical and efficient work of  
4 the Department; not to exceed \$3,869,000 shall be avail-  
5 able for the Office of Assistant Secretary for Congres-  
6 sional Relations to carry out the programs funded by this  
7 Act, including programs involving intergovernmental af-  
8 fairs and liaison within the executive branch; and not to  
9 exceed \$7,500,000 shall be available for the Office of Com-  
10 munications: *Provided*, That the Secretary of Agriculture  
11 is authorized to transfer funds appropriated for any office  
12 of the Office of the Secretary to any other office of the  
13 Office of the Secretary: *Provided further*, That no appro-  
14 priation for any office shall be increased or decreased by  
15 more than 5 percent: *Provided further*, That not to exceed  
16 \$11,000 of the amount made available under this para-  
17 graph for the immediate Office of the Secretary shall be  
18 available for official reception and representation ex-  
19 penses, not otherwise provided for, as determined by the  
20 Secretary: *Provided further*, That the amount made avail-  
21 able under this heading for Departmental Administration  
22 shall be reimbursed from applicable appropriations in this  
23 Act for travel expenses incident to the holding of hearings  
24 as required by 5 U.S.C. 551–558: *Provided further*, That  
25 funds made available under this heading for the Office of

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

#### 11 EXECUTIVE OPERATIONS

##### 12 OFFICE OF THE CHIEF ECONOMIST

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

##### 17 NATIONAL APPEALS DIVISION

18 For necessary expenses of the National Appeals Divi-  
19 sion, \$13,317,000.

##### 20 OFFICE OF BUDGET AND PROGRAM ANALYSIS

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

##### 23 OFFICE OF THE CHIEF INFORMATION OFFICER

24 For necessary expenses of the Office of the Chief In-  
25 formation Officer, \$44,538,000, of which not less than

1 \$28,000,000 is for cybersecurity requirements of the De-  
2 partment.

3 OFFICE OF THE CHIEF FINANCIAL OFFICER

4 For necessary expenses of the Office of the Chief Fi-  
5 nancial Officer, \$6,028,000.

6 OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL

7 RIGHTS

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

10 OFFICE OF CIVIL RIGHTS

11 For necessary expenses of the Office of Civil Rights,  
12 \$24,070,000.

13 AGRICULTURE BUILDINGS AND FACILITIES

14 (INCLUDING TRANSFERS OF FUNDS)

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

1 ties, and for related costs, \$84,189,000, to remain avail-  
2 able until expended, for buildings operations and mainte-  
3 nance expenses.

#### 4 HAZARDOUS MATERIALS MANAGEMENT

5 (INCLUDING TRANSFERS OF FUNDS)

6 For necessary expenses of the Department of Agri-  
7 culture, to comply with the Comprehensive Environmental  
8 Response, Compensation, and Liability Act (42 U.S.C.  
9 9601 et seq.) and the Resource Conservation and Recovery  
10 Act (42 U.S.C. 6901 et seq.), \$3,618,000, to remain avail-  
11 able until expended: *Provided*, That appropriations and  
12 funds available herein to the Department for Hazardous  
13 Materials Management may be transferred to any agency  
14 of the Department for its use in meeting all requirements  
15 pursuant to the above Acts on Federal and non-Federal  
16 lands.

#### 17 OFFICE OF INSPECTOR GENERAL

18 For necessary expenses of the Office of Inspector  
19 General, including employment pursuant to the Inspector  
20 General Act of 1978, \$96,040,000, including such sums  
21 as may be necessary for contracting and other arrange-  
22 ments with public agencies and private persons pursuant  
23 to section 6(a)(9) of the Inspector General Act of 1978,  
24 and including not to exceed \$125,000 for certain confiden-  
25 tial operational expenses, including the payment of inform-

1 ants, to be expended under the direction of the Inspector  
2 General pursuant to Public Law 95–452 and section 1337  
3 of Public Law 97–98.

4 OFFICE OF THE GENERAL COUNSEL

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

7 OFFICE OF ETHICS

8 For necessary expenses of the Office of Ethics,  
9 \$4,556,000.

10 OFFICE OF THE UNDER SECRETARY FOR RESEARCH,  
11 EDUCATION, AND ECONOMICS

12 For necessary expenses of the Office of the Under  
13 Secretary for Research, Education, and Economics,  
14 \$893,000.

15 ECONOMIC RESEARCH SERVICE

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

18 NATIONAL AGRICULTURAL STATISTICS SERVICE

19 For necessary expenses of the National Agricultural  
20 Statistics Service, \$168,443,000, of which up to  
21 \$41,871,000 shall be available until expended for the Cen-  
22 sus of Agriculture: *Provided*, That amounts made available  
23 for the Census of Agriculture may be used to conduct Cur-  
24 rent Industrial Report surveys subject to 7 U.S.C.  
25 2204g(d) and (f).

## 1                   AGRICULTURAL RESEARCH SERVICE

## 2                                 SALARIES AND EXPENSES

3           For necessary expenses of the Agricultural Research  
4 Service and for acquisition of lands by donation, exchange,  
5 or purchase at a nominal cost not to exceed \$100, and  
6 for land exchanges where the lands exchanged shall be of  
7 equal value or shall be equalized by a payment of money  
8 to the grantor which shall not exceed 25 percent of the  
9 total value of the land or interests transferred out of Fed-  
10 eral ownership, \$1,151,825,000: *Provided*, That appro-  
11 priations hereunder shall be available for the operation  
12 and maintenance of aircraft and the purchase of not to  
13 exceed one for replacement only: *Provided further*, That  
14 appropriations hereunder shall be available pursuant to 7  
15 U.S.C. 2250 for the construction, alteration, and repair  
16 of buildings and improvements, but unless otherwise pro-  
17 vided, the cost of constructing any one building shall not  
18 exceed \$500,000, except for headhouses or greenhouses  
19 which shall each be limited to \$1,800,000, and except for  
20 10 buildings to be constructed or improved at a cost not  
21 to exceed \$1,100,000 each, and the cost of altering any  
22 one building during the fiscal year shall not exceed 10 per-  
23 cent of the current replacement value of the building or  
24 \$500,000, whichever is greater: *Provided further*, That the  
25 limitations on alterations contained in this Act shall not



1 apply to modernization or replacement of existing facilities  
2 at Beltsville, Maryland: *Provided further*, That appropria-  
3 tions hereunder shall be available for granting easements  
4 at the Beltsville Agricultural Research Center: *Provided*  
5 *further*, That the foregoing limitations shall not apply to  
6 replacement of buildings needed to carry out the Act of  
7 April 24, 1948 (21 U.S.C. 113a): *Provided further*, That  
8 appropriations hereunder shall be available for granting  
9 easements at any Agricultural Research Service location  
10 for the construction of a research facility by a non-Federal  
11 entity for use by, and acceptable to, the Agricultural Re-  
12 search Service and a condition of the easements shall be  
13 that upon completion the facility shall be accepted by the  
14 Secretary, subject to the availability of funds herein, if the  
15 Secretary finds that acceptance of the facility is in the  
16 interest of the United States: *Provided further*, That funds  
17 may be received from any State, other political subdivi-  
18 sion, organization, or individual for the purpose of estab-  
19 lishing or operating any research facility or research  
20 project of the Agricultural Research Service, as authorized  
21 by law.

22 BUILDINGS AND FACILITIES

23 For the acquisition of land, construction, repair, im-  
24 provement, extension, alteration, and purchase of fixed  
25 equipment or facilities as necessary to carry out the agri-

1 cultural research programs of the Department of Agri-  
2 culture, where not otherwise provided, \$99,600,000 to re-  
3 main available until expended.

4 NATIONAL INSTITUTE OF FOOD AND AGRICULTURE  
5 RESEARCH AND EDUCATION ACTIVITIES

6 For payments to agricultural experiment stations, for  
7 cooperative forestry and other research, for facilities, and  
8 for other expenses, \$832,860,000, which shall be for the  
9 purposes, and in the amounts, specified in the table titled  
10 “National Institute of Food and Agriculture, Research  
11 and Education Activities” in the report accompanying this  
12 Act: *Provided*, That funds for research grants for 1994  
13 institutions, education grants for 1890 institutions, the  
14 agriculture and food research initiative, veterinary medi-  
15 cine loan repayment, multicultural scholars, graduate fel-  
16 lowship and institution challenge grants, and grants man-  
17 agement systems shall remain available until expended:  
18 *Provided further*, That each institution eligible to receive  
19 funds under the Evans-Allen program receives no less  
20 than \$1,000,000: *Provided further*, That funds for edu-  
21 cation grants for Alaska Native and Native Hawaiian-  
22 serving institutions be made available to individual eligible  
23 institutions or consortia of eligible institutions with funds  
24 awarded equally to each of the States of Alaska and Ha-  
25 waii: *Provided further*, That funds for education grants for

1 1890 institutions shall be made available to institutions  
2 eligible to receive funds under 7 U.S.C. 3221 and 3222:  
3 *Provided further*, That not more than 5 percent of the  
4 amounts made available by this or any other Act to carry  
5 out the Agriculture and Food Research Initiative under  
6 7 U.S.C. 450i(b) may be retained by the Secretary of Ag-  
7 riculture to pay administrative costs incurred by the Sec-  
8 retary in carrying out that authority.

9 NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

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

13 EXTENSION ACTIVITIES

14 For payments to States, the District of Columbia,  
15 Puerto Rico, Guam, the Virgin Islands, Micronesia, the  
16 Northern Marianas, and American Samoa, \$477,391,000,  
17 which shall be for the purposes, and in the amounts, speci-  
18 fied in the table titled “National Institute of Food and  
19 Agriculture, Extension Activities” in the report accom-  
20 panying this Act: *Provided*, That funds for facility im-  
21 provements at 1890 institutions shall remain available  
22 until expended: *Provided further*, That institutions eligible  
23 to receive funds under 7 U.S.C. 3221 for cooperative ex-  
24 tension receive no less than \$1,000,000: *Provided further*,  
25 That funds for cooperative extension under sections 3(b)

1 and (c) of the Smith-Lever Act (7 U.S.C. 343(b) and (c))  
2 and section 208(e) of Public Law 93–471 shall be avail-  
3 able for retirement and employees’ compensation costs for  
4 extension agents.

5 INTEGRATED ACTIVITIES

6 For the integrated research, education, and extension  
7 grants programs, including necessary administrative ex-  
8 penses, \$30,900,000, which shall be for the purposes, and  
9 in the amounts, specified in the table titled “National In-  
10 stitute of Food and Agriculture, Integrated Activities” in  
11 the report accompanying this Act: *Provided*, That funds  
12 for the Food and Agriculture Defense Initiative shall re-  
13 main available until September 30, 2018: *Provided further*,  
14 That notwithstanding any other provision of law, indirect  
15 costs shall not be charged against any Extension Imple-  
16 mentation Program Area grant awarded under the Crop  
17 Protection/Pest Management Program (7 U.S.C. 7626).

18 OFFICE OF THE UNDER SECRETARY FOR MARKETING

19 AND REGULATORY PROGRAMS

20 For necessary expenses of the Office of the Under  
21 Secretary for Marketing and Regulatory Programs,  
22 \$893,000.

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

4 For necessary expenses of the Animal and Plant  
5 Health Inspection Service, including up to \$30,000 for  
6 representation allowances and for expenses pursuant to  
7 the Foreign Service Act of 1980 (22 U.S.C. 4085),  
8 \$930,831,000, of which \$470,000, to remain available  
9 until expended, shall be available for the control of out-  
10 breaks of insects, plant diseases, animal diseases and for  
11 control of pest animals and birds (“contingency fund”) to  
12 the extent necessary to meet emergency conditions; of  
13 which \$11,520,000, to remain available until expended,  
14 shall be used for the cotton pests program for cost share  
15 purposes or for debt retirement for active eradication  
16 zones; of which \$36,857,000, to remain available until ex-  
17 pended, shall be for Animal Health Technical Services; of  
18 which \$697,000 shall be for activities under the authority  
19 of the Horse Protection Act of 1970, as amended (15  
20 U.S.C. 1831); of which \$55,340,000, to remain available  
21 until expended, shall be used to support avian health; of  
22 which \$4,251,000, to remain available until expended,  
23 shall be for information technology infrastructure; of  
24 which \$167,500,000, to remain available until expended,  
25 shall be for specialty crop pests; of which, \$8,826,000, to

1 remain available until expended, shall be for field crop and  
2 rangeland ecosystem pests; of which \$45,933,000, to re-  
3 main available until expended, shall be for tree and wood  
4 pests; of which \$5,723,000, to remain available until ex-  
5 pended, shall be for the National Veterinary Stockpile; of  
6 which up to \$1,500,000, to remain available until ex-  
7 pended, shall be for the scrapie program for indemnities;  
8 of which \$2,500,000, to remain available until expended,  
9 shall be for the wildlife damage management program for  
10 aviation safety: *Provided*, That of amounts available under  
11 this heading for wildlife services methods development,  
12 \$1,000,000 shall remain available until expended: *Pro-*  
13 *vided further*, That of amounts available under this head-  
14 ing for the screwworm program, \$4,990,000 shall remain  
15 available until expended: *Provided further*, That no funds  
16 shall be used to formulate or administer a brucellosis  
17 eradication program for the current fiscal year that does  
18 not require minimum matching by the States of at least  
19 40 percent: *Provided further*, That this appropriation shall  
20 be available for the operation and maintenance of aircraft  
21 and the purchase of not to exceed five, of which two shall  
22 be for replacement only: *Provided further*, That in addi-  
23 tion, in emergencies which threaten any segment of the  
24 agricultural production industry of this country, the Sec-  
25 retary may transfer from other appropriations or funds

1 available to the agencies or corporations of the Depart-  
2 ment such sums as may be deemed necessary, to be avail-  
3 able only in such emergencies for the arrest and eradi-  
4 cation of contagious or infectious disease or pests of ani-  
5 mals, poultry, or plants, and for expenses in accordance  
6 with sections 10411 and 10417 of the Animal Health Pro-  
7 tection Act (7 U.S.C. 8310 and 8316) and sections 431  
8 and 442 of the Plant Protection Act (7 U.S.C. 7751 and  
9 7772), and any unexpended balances of funds transferred  
10 for such emergency purposes in the preceding fiscal year  
11 shall be merged with such transferred amounts: *Provided*  
12 *further*, That appropriations hereunder shall be available  
13 pursuant to law (7 U.S.C. 2250) for the repair and alter-  
14 ation of leased buildings and improvements, but unless  
15 otherwise provided the cost of altering any one building  
16 during the fiscal year shall not exceed 10 percent of the  
17 current replacement value of the building.

18       In fiscal year 2017, the agency is authorized to collect  
19 fees to cover the total costs of providing technical assist-  
20 ance, goods, or services requested by States, other political  
21 subdivisions, domestic and international organizations,  
22 foreign governments, or individuals, provided that such  
23 fees are structured such that any entity's liability for such  
24 fees is reasonably based on the technical assistance, goods,  
25 or services provided to the entity by the agency, and such

1 fees shall be reimbursed to this account, to remain avail-  
2 able until expended, without further appropriation, for  
3 providing such assistance, goods, or services.

4 BUILDINGS AND FACILITIES

5 For plans, construction, repair, preventive mainte-  
6 nance, environmental support, improvement, extension, al-  
7 teration, and purchase of fixed equipment or facilities, as  
8 authorized by 7 U.S.C. 2250, and acquisition of land as  
9 authorized by 7 U.S.C. 428a, \$3,175,000, to remain avail-  
10 able until expended.

11 AGRICULTURAL MARKETING SERVICE

12 MARKETING SERVICES

13 For necessary expenses of the Agricultural Marketing  
14 Service, \$82,223,000: *Provided*, That of the funds pro-  
15 vided herein, \$1,000,000 shall be used for the transpor-  
16 tation services division: *Provided further*, That this appro-  
17 priation shall be available pursuant to law (7 U.S.C. 2250)  
18 for the alteration and repair of buildings and improve-  
19 ments, but the cost of altering any one building during  
20 the fiscal year shall not exceed 10 percent of the current  
21 replacement value of the building.

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



## 1           LIMITATION ON ADMINISTRATIVE EXPENSES

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

9           FUNDS FOR STRENGTHENING MARKETS, INCOME, AND  
10                                   SUPPLY (SECTION 32)  
11                                   (INCLUDING TRANSFERS OF FUNDS)

12           Funds available under section 32 of the Act of Au-  
13 gust 24, 1935 (7 U.S.C. 612c), shall be used only for com-  
14 modity program expenses as authorized therein, and other  
15 related operating expenses, except for: (1) transfers to the  
16 Department of Commerce as authorized by the Fish and  
17 Wildlife Act of August 8, 1956; (2) transfers otherwise  
18 provided in this Act; and (3) not more than \$20,489,000  
19 for formulation and administration of marketing agree-  
20 ments and orders pursuant to the Agricultural Marketing  
21 Agreement Act of 1937 and the Agricultural Act of 1961.

## 22           PAYMENTS TO STATES AND POSSESSIONS

23           For payments to departments of agriculture, bureaus  
24 and departments of markets, and similar agencies for  
25 marketing activities under section 204(b) of the Agricul-

1 tural Marketing Act of 1946 (7 U.S.C. 1623(b)),  
2 \$1,235,000.

3 GRAIN INSPECTION, PACKERS AND STOCKYARDS

4 ADMINISTRATION

5 SALARIES AND EXPENSES

6 For necessary expenses of the Grain Inspection,  
7 Packers and Stockyards Administration, \$43,057,000:  
8 *Provided*, That this appropriation shall be available pursu-  
9 ant to law (7 U.S.C. 2250) for the alteration and repair  
10 of buildings and improvements, but the cost of altering  
11 any one building during the fiscal year shall not exceed  
12 10 percent of the current replacement value of the build-  
13 ing.

14 LIMITATION ON INSPECTION AND WEIGHING SERVICES

15 EXPENSES

16 Not to exceed \$55,000,000 (from fees collected) shall  
17 be obligated during the current fiscal year for inspection  
18 and weighing services: *Provided*, That if grain export ac-  
19 tivities require additional supervision and oversight, or  
20 other uncontrollable factors occur, this limitation may be  
21 exceeded by up to 10 percent with notification to the Com-  
22 mittees on Appropriations of both Houses of Congress.

23 OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

24 For necessary expenses of the Office of the Under  
25 Secretary for Food Safety, \$816,000.

## 1 FOOD SAFETY AND INSPECTION SERVICE

2 For necessary expenses to carry out services author-  
3 ized by the Federal Meat Inspection Act, the Poultry  
4 Products Inspection Act, and the Egg Products Inspection  
5 Act, including not to exceed \$50,000 for representation  
6 allowances and for expenses pursuant to section 8 of the  
7 Act approved August 3, 1956 (7 U.S.C. 1766),  
8 \$1,030,405,000; and in addition, \$1,000,000 may be cred-  
9 ited to this account from fees collected for the cost of lab-  
10 oratory accreditation as authorized by section 1327 of the  
11 Food, Agriculture, Conservation and Trade Act of 1990  
12 (7 U.S.C. 138f): *Provided*, That funds provided for the  
13 Public Health Data Communication Infrastructure system  
14 shall remain available until expended: *Provided further*,  
15 That no fewer than 148 full-time equivalent positions shall  
16 be employed during fiscal year 2017 for purposes dedi-  
17 cated solely to inspections and enforcement related to the  
18 Humane Methods of Slaughter Act: *Provided further*, That  
19 the Food Safety and Inspection Service shall continue im-  
20 plementation of section 11016 of Public Law 110–246 as  
21 further clarified by the amendments made in section  
22 12106 of Public Law 113–79: *Provided further*, That this  
23 appropriation shall be available pursuant to law (7 U.S.C.  
24 2250) for the alteration and repair of buildings and im-  
25 provements, but the cost of altering any one building dur-

1 ing the fiscal year shall not exceed 10 percent of the cur-  
2 rent replacement value of the building.

3 OFFICE OF THE UNDER SECRETARY FOR FARM AND  
4 FOREIGN AGRICULTURAL SERVICES

5 For necessary expenses of the Office of the Under  
6 Secretary for Farm and Foreign Agricultural Services,  
7 \$898,000.

8 FARM SERVICE AGENCY

9 SALARIES AND EXPENSES

10 (INCLUDING TRANSFERS OF FUNDS)

11 For necessary expenses of the Farm Service Agency,  
12 \$1,200,180,000: *Provided*, That not more than 50 percent  
13 of the \$100,851,000 made available under this heading  
14 for information technology related to farm program deliv-  
15 ery, including the Modernize and Innovate the Delivery of  
16 Agricultural Systems and other farm program delivery  
17 systems, may be obligated until the Secretary submits to  
18 the Committees on Appropriations of both Houses of Con-  
19 gress, and receives written or electronic notification of re-  
20 ceipt from such Committees of, a plan for expenditure that  
21 (1) identifies for each project/investment over \$25,000 (a)  
22 the functional and performance capabilities to be delivered  
23 and the mission benefits to be realized, (b) the estimated  
24 lifecycle cost, including estimates for development as well  
25 as maintenance and operations, and (c) key milestones to

1 be met and (2) demonstrates that each project/investment  
2 is (a) consistent with the Farm Service Agency Informa-  
3 tion Technology Roadmap, (b) being managed in accord-  
4 ance with applicable lifecycle management policies and  
5 guidance, and (c) subject to the applicable Department's  
6 capital planning and investment control requirements:  
7 *Provided further*, That the agency shall submit a report  
8 by the end of the fourth quarter of fiscal year 2017 to  
9 the Committees on Appropriations and the Government  
10 Accountability Office, that identifies for each project/in-  
11 vestment that is operational (a) current performance  
12 against key indicators of customer satisfaction, (b) current  
13 performance of service level agreements or other technical  
14 metrics, (c) current performance against a pre-established  
15 cost baseline, (d) a detailed breakdown of current and  
16 planned spending on operational enhancements or up-  
17 grades, and (e) an assessment of whether the investment  
18 continues to meet business needs as intended as well as  
19 alternatives to the investment: *Provided further*, That the  
20 Secretary is authorized to use the services, facilities, and  
21 authorities (but not the funds) of the Commodity Credit  
22 Corporation to make program payments for all programs  
23 administered by the Agency: *Provided further*, That other  
24 funds made available to the Agency for authorized activi-  
25 ties may be advanced to and merged with this account:

1 *Provided further*, That funds made available to county  
2 committees shall remain available until expended: *Pro-*  
3 *vided further*, That none of the funds available to the  
4 Farm Service Agency shall be used to close Farm Service  
5 Agency county offices: *Provided further*, That none of the  
6 funds available to the Farm Service Agency shall be used  
7 to permanently relocate county based employees that  
8 would result in an office with two or fewer employees with-  
9 out prior notification and approval of the Committees on  
10 Appropriations of both Houses of Congress.

11 STATE MEDIATION GRANTS

12 For grants pursuant to section 502(b) of the Agricul-  
13 tural Credit Act of 1987, as amended (7 U.S.C. 5101-  
14 5106), \$3,404,000.

15 GRASSROOTS SOURCE WATER PROTECTION PROGRAM

16 For necessary expenses to carry out wellhead or  
17 groundwater protection activities under section 12400 of  
18 the Food Security Act of 1985 (16 U.S.C. 3839bb-2),  
19 \$6,500,000, to remain available until expended.

20 DAIRY INDEMNITY PROGRAM

21 (INCLUDING TRANSFER OF FUNDS)

22 For necessary expenses involved in making indemnity  
23 payments to dairy farmers and manufacturers of dairy  
24 products under a dairy indemnity program, such sums as  
25 may be necessary, to remain available until expended: *Pro-*

1 *vided*, That such program is carried out by the Secretary  
 2 in the same manner as the dairy indemnity program de-  
 3 scribed in the Agriculture, Rural Development, Food and  
 4 Drug Administration, and Related Agencies Appropria-  
 5 tions Act, 2001 (Public Law 106–387, 114 Stat. 1549A–  
 6 12).

7 AGRICULTURAL CREDIT INSURANCE FUND PROGRAM

8 ACCOUNT

9 (INCLUDING TRANSFERS OF FUNDS)

10 For gross obligations for the principal amount of di-  
 11 rect and guaranteed farm ownership (7 U.S.C. 1922 et  
 12 seq.) and operating (7 U.S.C. 1941 et seq.) loans, emer-  
 13 gency loans (7 U.S.C. 1961 et seq.), Indian tribe land ac-  
 14 quisition loans (25 U.S.C. 488), boll weevil loans (7  
 15 U.S.C. 1989), guaranteed conservation loans (7 U.S.C.  
 16 1924 et seq.), and Indian highly fractionated land loans  
 17 (25 U.S.C. 488) to be available from funds in the Agricul-  
 18 tural Credit Insurance Fund, as follows: \$2,000,000,000  
 19 for guaranteed farm ownership loans and \$1,500,000,000  
 20 for farm ownership direct loans; \$1,432,430,000 for un-  
 21 subsidized guaranteed operating loans and  
 22 \$1,460,047,000 for direct operating loans; emergency  
 23 loans, \$34,667,000; Indian tribe land acquisition loans,  
 24 \$20,000,000; guaranteed conservation loans,  
 25 \$150,000,000; Indian highly fractionated land loans,

1 \$10,000,000; and for boll weevil eradication program  
2 loans, \$60,000,000: *Provided*, That the Secretary shall  
3 deem the pink bollworm to be a boll weevil for the purpose  
4 of boll weevil eradication program loans.

5 For the cost of direct and guaranteed loans and  
6 grants, including the cost of modifying loans as defined  
7 in section 502 of the Congressional Budget Act of 1974,  
8 as follows: farm operating loans, \$62,198,000 for direct  
9 operating loans, \$15,327,000 for unsubsidized guaranteed  
10 operating loans, and emergency loans, \$1,938,000, to re-  
11 main available until expended, and \$2,550,000 for Indian  
12 highly fractionated land loans.

13 In addition, for administrative expenses necessary to  
14 carry out the direct and guaranteed loan programs,  
15 \$314,918,000, of which \$306,998,000 shall be transferred  
16 to and merged with the appropriation for “Farm Service  
17 Agency, Salaries and Expenses”.

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



## 1 RISK MANAGEMENT AGENCY

## 2 SALARIES AND EXPENSES

3 For necessary expenses of the Risk Management  
4 Agency, \$74,829,000: *Provided*, That not to exceed  
5 \$1,000 shall be available for official reception and rep-  
6 resentation expenses, as authorized by 7 U.S.C. 1506(i).

## 7 CORPORATIONS

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

## 18 FEDERAL CROP INSURANCE CORPORATION FUND

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

1           COMMODITY CREDIT CORPORATION FUND  
2           REIMBURSEMENT FOR NET REALIZED LOSSES  
3           (INCLUDING TRANSFERS OF FUNDS)

4           For the current fiscal year, such sums as may be nec-  
5   essary to reimburse the Commodity Credit Corporation for  
6   net realized losses sustained, but not previously reim-  
7   bursed, pursuant to section 2 of the Act of August 17,  
8   1961 (15 U.S.C. 713a–11): *Provided*, That of the funds  
9   available to the Commodity Credit Corporation under sec-  
10   tion 11 of the Commodity Credit Corporation Charter Act  
11   (15 U.S.C. 714i) for the conduct of its business with the  
12   Foreign Agricultural Service, up to \$5,000,000 may be  
13   transferred to and used by the Foreign Agricultural Serv-  
14   ice for information resource management activities of the  
15   Foreign Agricultural Service that are not related to Com-  
16   modity Credit Corporation business.

17           HAZARDOUS WASTE MANAGEMENT  
18           (LIMITATION ON EXPENSES)

19           For the current fiscal year, the Commodity Credit  
20   Corporation shall not expend more than \$5,000,000 for  
21   site investigation and cleanup expenses, and operations  
22   and maintenance expenses to comply with the requirement  
23   of section 107(g) of the Comprehensive Environmental  
24   Response, Compensation, and Liability Act (42 U.S.C.

1 9607(g)), and section 6001 of the Resource Conservation  
2 and Recovery Act (42 U.S.C. 6961).

3 TITLE II

4 CONSERVATION PROGRAMS

5 OFFICE OF THE UNDER SECRETARY FOR NATURAL  
6 RESOURCES AND ENVIRONMENT

7 For necessary expenses of the Office of the Under  
8 Secretary for Natural Resources and Environment,  
9 \$898,000.

10 NATURAL RESOURCES CONSERVATION SERVICE

11 CONSERVATION OPERATIONS

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

1 ation or improvement of permanent and temporary build-  
2 ings; and operation and maintenance of aircraft,  
3 \$855,256,000, to remain available until September 30,  
4 2018: *Provided*, That appropriations hereunder shall be  
5 available pursuant to 7 U.S.C. 2250 for construction and  
6 improvement of buildings and public improvements at  
7 plant materials centers, except that the cost of alterations  
8 and improvements to other buildings and other public im-  
9 provements shall not exceed \$250,000: *Provided further*,  
10 That when buildings or other structures are erected on  
11 non-Federal land, that the right to use such land is ob-  
12 tained as provided in 7 U.S.C. 2250a.

13                   WATERSHED REHABILITATION PROGRAM

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

17                                   TITLE III

18                   RURAL DEVELOPMENT PROGRAMS

19           OFFICE OF THE UNDER SECRETARY FOR RURAL  
20                                   DEVELOPMENT

21           For necessary expenses of the Office of the Under  
22 Secretary for Rural Development, \$893,000.

1                   RURAL DEVELOPMENT  
2                   SALARIES AND EXPENSES  
3                   (INCLUDING TRANSFERS OF FUNDS)

4           For necessary expenses for carrying out the adminis-  
5 tration and implementation of programs in the Rural De-  
6 velopment mission area, including activities with institu-  
7 tions concerning the development and operation of agricul-  
8 tural cooperatives; and for cooperative agreements;  
9 \$225,835,000: *Provided*, That notwithstanding any other  
10 provision of law, funds appropriated under this heading  
11 may be used for advertising and promotional activities  
12 that support the Rural Development mission area.

13                   RURAL HOUSING SERVICE  
14   RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT  
15                   (INCLUDING TRANSFERS OF FUNDS)

16           For gross obligations for the principal amount of di-  
17 rect and guaranteed loans as authorized by title V of the  
18 Housing Act of 1949, to be available from funds in the  
19 rural housing insurance fund, as follows: \$1,000,000,000  
20 shall be for direct loans and \$24,000,000,000 shall be for  
21 unsubsidized guaranteed loans; \$26,277,000 for section  
22 504 housing repair loans; \$35,000,000 for section 515  
23 rental housing; \$200,000,000 for section 538 guaranteed  
24 multi-family housing loans; \$10,000,000 for credit sales  
25 of single family housing acquired property; \$5,000,000 for

1 section 523 self-help housing land development loans; and  
2 \$5,000,000 for section 524 site development loans.

3 For the cost of direct and guaranteed loans, including  
4 the cost of modifying loans, as defined in section 502 of  
5 the Congressional Budget Act of 1974, as follows: section  
6 502 loans, \$67,700,000 shall be for direct loans; section  
7 504 housing repair loans, \$3,663,000; section 523 self-  
8 help housing land development loans, \$417,000; section  
9 524 site development loans, \$111,000; and repair, reha-  
10 bilitation, and new construction of section 515 rental  
11 housing, \$10,360,000: *Provided*, That to support the loan  
12 program level for section 538 guaranteed loans made  
13 available under this heading the Secretary may charge or  
14 adjust any fees to cover the projected cost of such loan  
15 guarantees pursuant to the provisions of the Credit Re-  
16 form Act of 1990 (2 U.S.C. 661 et seq.), and the interest  
17 on such loans may not be subsidized: *Provided further*,  
18 That applicants in communities that have a current rural  
19 area waiver under section 541 of the Housing Act of 1949  
20 (42 U.S.C. 1490q) shall be treated as living in a rural  
21 area for purposes of section 502 guaranteed loans pro-  
22 vided under this heading: *Provided further*, That of the  
23 amounts available under this paragraph for section 502  
24 direct loans, no less than \$5,000,000 shall be available for  
25 direct loans for individuals whose homes will be built pur-

1 suant to a program funded with a mutual and self-help  
2 housing grant authorized by section 523 of the Housing  
3 Act of 1949 until June 1, 2017.

4 In addition, for the cost of direct loans, grants, and  
5 contracts, as authorized by 42 U.S.C. 1484 and 1486,  
6 \$15,387,000, to remain available until expended, for direct  
7 farm labor housing loans and domestic farm labor housing  
8 grants and contracts: *Provided*, That any balances avail-  
9 able for the Farm Labor Program Account shall be trans-  
10 ferred to and merged with this account.

11 In addition, for administrative expenses necessary to  
12 carry out the direct and guaranteed loan programs,  
13 \$410,086,000 shall be transferred to and merged with the  
14 appropriation for “Rural Development, Salaries and Ex-  
15 penses”.

16 RENTAL ASSISTANCE PROGRAM

17 (INCLUDING TRANSFER OF FUNDS)

18 For rental assistance agreements entered into or re-  
19 newed pursuant to the authority under section 521(a)(2)  
20 or agreements entered into in lieu of debt forgiveness or  
21 payments for eligible households as authorized by section  
22 502(c)(5)(D) of the Housing Act of 1949,  
23 \$1,405,033,000; and in addition such sums as may be nec-  
24 essary, as authorized by section 521(c) of the Act, to liq-  
25 uidate debt incurred prior to fiscal year 1992 to carry out

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



1 to fiscal year 2017 for a project that the Secretary deter-  
2 mines no longer needs rental assistance and use such re-  
3 captured funds for current needs.

4 MULTI-FAMILY HOUSING REVITALIZATION PROGRAM  
5 ACCOUNT

6 For the rural housing voucher program as authorized  
7 under section 542 of the Housing Act of 1949, but not-  
8 withstanding subsection (b) of such section, and for addi-  
9 tional costs to conduct a demonstration program for the  
10 preservation and revitalization of multi-family rental hous-  
11 ing properties described in this paragraph, \$40,000,000,  
12 to remain available until expended: *Provided*, That of the  
13 funds made available under this heading, \$18,000,000,  
14 shall be available for rural housing vouchers to any low-  
15 income household (including those not receiving rental as-  
16 sistance) residing in a property financed with a section  
17 515 loan which has been prepaid after September 30,  
18 2005, or that is otherwise paying off or has paid off the  
19 section 515 financing as based on prioritization as deter-  
20 mined by the Secretary: *Provided further*, That the  
21 amount of such voucher shall be the difference between  
22 comparable market rent for the section 515 unit and the  
23 tenant paid rent for such unit: *Provided further*, That  
24 funds made available for such vouchers shall be subject  
25 to the availability of annual appropriations: *Provided fur-*

1 *ther*, That the Secretary shall, to the maximum extent  
2 practicable, administer such vouchers with current regula-  
3 tions and administrative guidance applicable to section 8  
4 housing vouchers administered by the Secretary of the De-  
5 partment of Housing and Urban Development: *Provided*  
6 *further*, That if the Secretary determines that the amount  
7 made available for vouchers in this or any other Act is  
8 not needed for vouchers, the Secretary may use such funds  
9 for the demonstration program for the preservation and  
10 revitalization of multi-family rental housing properties de-  
11 scribed in this paragraph: *Provided further*, That of the  
12 funds made available under this heading, \$22,000,000  
13 shall be available for a demonstration program for the  
14 preservation and revitalization of the sections 514, 515,  
15 and 516 multi-family rental housing properties to restruc-  
16 ture existing USDA multi-family housing loans, as the  
17 Secretary deems appropriate, expressly for the purposes  
18 of ensuring the project has sufficient resources to preserve  
19 the project for the purpose of providing safe and afford-  
20 able housing for low-income residents and farm laborers  
21 including reducing or eliminating interest; deferring loan  
22 payments, subordinating, reducing or reamortizing loan  
23 debt; and other financial assistance including advances,  
24 payments and incentives (including the ability of owners  
25 to obtain reasonable returns on investment) required by

1 the Secretary: *Provided further*, That the Secretary shall  
2 as part of the preservation and revitalization agreement  
3 obtain a restrictive use agreement consistent with the  
4 terms of the restructuring: *Provided further*, That if the  
5 Secretary determines that additional funds for vouchers  
6 described in this paragraph are needed, funds for the pres-  
7 ervation and revitalization demonstration program may be  
8 used for such vouchers: *Provided further*, That if Congress  
9 enacts legislation to permanently authorize a multi-family  
10 rental housing loan restructuring program similar to the  
11 demonstration program described herein, the Secretary  
12 may use funds made available for the demonstration pro-  
13 gram under this heading to carry out such legislation with  
14 the prior approval of the Committees on Appropriations  
15 of both Houses of Congress: *Provided further*, That in ad-  
16 dition to any other available funds, the Secretary may ex-  
17 pend not more than \$1,000,000 total, from the program  
18 funds made available under this heading, for administra-  
19 tive expenses for activities funded under this heading.

20 MUTUAL AND SELF-HELP HOUSING GRANTS

21 For grants and contracts pursuant to section  
22 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C.  
23 1490c), \$30,000,000, to remain available until expended.

## 1 RURAL HOUSING ASSISTANCE GRANTS

2 For grants for very low-income housing repair and  
3 rural housing preservation made by the Rural Housing  
4 Service, as authorized by 42 U.S.C. 1474, and 1490m,  
5 \$33,701,000, to remain available until expended.

## 6 RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

7 (INCLUDING TRANSFERS OF FUNDS)

8 For gross obligations for the principal amount of di-  
9 rect and guaranteed loans as authorized by section 306  
10 and described in section 381E(d)(1) of the Consolidated  
11 Farm and Rural Development Act, \$2,200,000,000 for di-  
12 rect loans and \$148,305,000 for guaranteed loans.

13 For the cost of guaranteed loans, including the cost  
14 of modifying loans, as defined in section 502 of the Con-  
15 gressional Budget Act of 1974, \$3,322,000, to remain  
16 available until expended.

17 For the cost of grants for rural community facilities  
18 programs as authorized by section 306 and described in  
19 section 381E(d)(1) of the Consolidated Farm and Rural  
20 Development Act, \$43,778,000, to remain available until  
21 expended: *Provided*, That \$4,000,000 of the amount ap-  
22 propriated under this heading shall be available for a  
23 Rural Community Development Initiative: *Provided fur-*  
24 *ther*, That such funds shall be used solely to develop the  
25 capacity and ability of private, nonprofit community-based

1 housing and community development organizations, low-  
2 income rural communities, and Federally Recognized Na-  
3 tive American Tribes to undertake projects to improve  
4 housing, community facilities, community and economic  
5 development projects in rural areas: *Provided further*,  
6 That such funds shall be made available to qualified pri-  
7 vate, nonprofit and public intermediary organizations pro-  
8 posing to carry out a program of financial and technical  
9 assistance: *Provided further*, That such intermediary orga-  
10 nizations shall provide matching funds from other sources,  
11 including Federal funds for related activities, in an  
12 amount not less than funds provided: *Provided further*,  
13 That \$5,778,000 of the amount appropriated under this  
14 heading shall be to provide grants for facilities in rural  
15 communities with extreme unemployment and severe eco-  
16 nomic depression (Public Law 106–387), with up to 5 per-  
17 cent for administration and capacity building in the State  
18 rural development offices: *Provided further*, That  
19 \$4,000,000 of the amount appropriated under this head-  
20 ing shall be available for community facilities grants to  
21 tribal colleges, as authorized by section 306(a)(19) of such  
22 Act: *Provided further*, That sections 381E–H and 381N  
23 of the Consolidated Farm and Rural Development Act are  
24 not applicable to the funds made available under this  
25 heading.

1           RURAL BUSINESS—COOPERATIVE SERVICE  
2                   RURAL BUSINESS PROGRAM ACCOUNT  
3                   (INCLUDING TRANSFERS OF FUNDS)

4           For the cost of loan guarantees and grants, for the  
5 rural business development programs authorized by sec-  
6 tion 310B and described in subsections (a), (c), (f) and  
7 (g) of section 310B of the Consolidated Farm and Rural  
8 Development Act, \$76,883,000, to remain available until  
9 expended: *Provided*, That of the amount appropriated  
10 under this heading, not to exceed \$500,000 shall be made  
11 available for one grant to a qualified national organization  
12 to provide technical assistance for rural transportation in  
13 order to promote economic development and \$5,000,000  
14 shall be for grants to the Delta Regional Authority and  
15 the Appalachian Regional Commission (7 U.S.C. 2009aa  
16 et seq.) for any Rural Community Advancement Program  
17 purpose as described in section 381E(d) of the Consoli-  
18 dated Farm and Rural Development Act, of which not  
19 more than 5 percent may be used for administrative ex-  
20 penses: *Provided further*, That \$4,000,000 of the amount  
21 appropriated under this heading shall be for business  
22 grants to benefit Federally Recognized Native American  
23 Tribes, including \$250,000 for a grant to a qualified na-  
24 tional organization to provide technical assistance for  
25 rural transportation in order to promote economic develop-

1 ment: *Provided further*, That sections 381E–H and 381N  
2 of the Consolidated Farm and Rural Development Act are  
3 not applicable to funds made available under this heading:  
4 *Provided further*, That \$10,000,000 of the amount appro-  
5 priated under this heading shall be for grants to assist  
6 small and emerging businesses that have identified a mar-  
7 ket problem or need that technology investments could ad-  
8 dress if the investments will complement other recent in-  
9 vestments in technology infrastructure.

10 INTERMEDIARY RELENDING PROGRAM  
11 (INCLUDING TRANSFER OF FUNDS)

12 For the principal amount of direct loans, as author-  
13 ized by the Intermediary Relending Program (7 U.S.C.  
14 1936b), \$18,889,000.

15 For the cost of direct loans, \$5,476,000, as author-  
16 ized by the Intermediary Relending Program (7 U.S.C.  
17 1936b), of which \$557,000 shall be available through  
18 June 30, 2017, for Federally Recognized Native American  
19 Tribes; and of which \$1,072,000 shall be available through  
20 June 30, 2017, for Mississippi Delta Region counties (as  
21 determined in accordance with Public Law 100–460): *Pro-*  
22 *vided*, That such costs, including the cost of modifying  
23 such loans, shall be as defined in section 502 of the Con-  
24 gressional Budget Act of 1974.

1 In addition, for administrative expenses to carry out  
2 the direct loan programs, \$3,495,000 shall be transferred  
3 to and merged with the appropriation for “Rural Develop-  
4 ment, Salaries and Expenses”.

5 RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM

6 ACCOUNT

7 (INCLUDING RESCISSION OF FUNDS)

8 For the principal amount of direct loans, as author-  
9 ized under section 313 of the Rural Electrification Act,  
10 for the purpose of promoting rural economic development  
11 and job creation projects, \$50,000,000.

12 Of the funds derived from interest on the cushion of  
13 credit payments, as authorized by section 313 of the Rural  
14 Electrification Act of 1936, \$151,487,000 shall not be ob-  
15 ligated and \$151,487,000 are rescinded.

16 RURAL COOPERATIVE DEVELOPMENT GRANTS

17 For rural cooperative development grants authorized  
18 under section 310B(e) of the Consolidated Farm and  
19 Rural Development Act (7 U.S.C. 1932), \$26,550,000, of  
20 which \$2,750,000 shall be for cooperative agreements for  
21 the appropriate technology transfer for rural areas pro-  
22 gram: *Provided*, That not to exceed \$3,000,000 shall be  
23 for grants for cooperative development centers, individual  
24 cooperatives, or groups of cooperatives that serve socially  
25 disadvantaged groups and a majority of the boards of di-



1 rectors or governing boards of which are comprised of in-  
2 dividuals who are members of socially disadvantaged  
3 groups; and of which \$15,000,000, to remain available  
4 until expended, shall be for value-added agricultural prod-  
5 uct market development grants, as authorized by section  
6 231 of the Agricultural Risk Protection Act of 2000 (7  
7 U.S.C. 1632a).

8                   RURAL ENERGY FOR AMERICA PROGRAM

9           For the cost of a program of loan guarantees, under  
10 the same terms and conditions as authorized by section  
11 9007 of the Farm Security and Rural Investment Act of  
12 2002 (7 U.S.C. 8107), \$464,000: *Provided*, That the cost  
13 of loan guarantees, including the cost of modifying such  
14 loans, shall be as defined in section 502 of the Congres-  
15 sional Budget Act of 1974.

16                   RURAL UTILITIES SERVICE

17 RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT  
18                   (INCLUDING TRANSFERS OF FUNDS)

19           For the cost of direct loans, loan guarantees, and  
20 grants for the rural water, waste water, waste disposal,  
21 and solid waste management programs authorized by sec-  
22 tions 306, 306A, 306C, 306D, 306E, and 310B and de-  
23 scribed in sections 306C(a)(2), 306D, 306E, and  
24 381E(d)(2) of the Consolidated Farm and Rural Develop-  
25 ment Act, \$533,210,000, to remain available until ex-

1 pending, of which not to exceed \$1,000,000 shall be avail-  
2 able for the rural utilities program described in section  
3 306(a)(2)(B) of such Act, and of which not to exceed  
4 \$993,000 shall be available for the rural utilities program  
5 described in section 306E of such Act: *Provided*, That not  
6 to exceed \$10,000,000 of the amount appropriated under  
7 this heading shall be for grants authorized by section  
8 306A(i)(2) of the Consolidated Farm and Rural Develop-  
9 ment Act in addition to funding authorized by section  
10 306A(i)(1) of such Act: *Provided further*, That  
11 \$53,000,000 of the amount appropriated under this head-  
12 ing shall be for loans and grants including water and  
13 waste disposal systems grants authorized by section  
14 306C(a)(2)(B) and section 306D of the Consolidated  
15 Farm and Rural Development Act, and Federally Recog-  
16 nized Native American Tribes authorized by section  
17 306C(a)(1) of such Act: *Provided further*, That funding  
18 provided for section 306D of the Consolidated Farm and  
19 Rural Development Act may be provided to a consortium  
20 formed pursuant to section 325 of Public Law 105–83:  
21 *Provided further*, That not more than 2 percent of the  
22 funding provided for section 306D of the Consolidated  
23 Farm and Rural Development Act may be used by the  
24 State of Alaska for training and technical assistance pro-  
25 grams and not more than 2 percent of the funding pro-

1 vided for section 306D of the Consolidated Farm and  
2 Rural Development Act may be used by a consortium  
3 formed pursuant to section 325 of Public Law 105–83 for  
4 training and technical assistance programs: *Provided fur-*  
5 *ther*, That not to exceed \$20,000,000 of the amount ap-  
6 propriated under this heading shall be for technical assist-  
7 ance grants for rural water and waste systems pursuant  
8 to section 306(a)(14) of such Act, unless the Secretary  
9 makes a determination of extreme need, of which  
10 \$6,500,000 shall be made available for a grant to a quali-  
11 fied nonprofit multi-State regional technical assistance or-  
12 ganization, with experience in working with small commu-  
13 nities on water and waste water problems, the principal  
14 purpose of such grant shall be to assist rural communities  
15 with populations of 3,300 or less, in improving the plan-  
16 ning, financing, development, operation, and management  
17 of water and waste water systems, and of which not less  
18 than \$800,000 shall be for a qualified national Native  
19 American organization to provide technical assistance for  
20 rural water systems for tribal communities: *Provided fur-*  
21 *ther*, That not to exceed \$16,897,000 of the amount ap-  
22 propriated under this heading shall be for contracting with  
23 qualified national organizations for a circuit rider program  
24 to provide technical assistance for rural water systems:  
25 *Provided further*, That not to exceed \$4,000,000 shall be

1 for solid waste management grants: *Provided further*, That  
2 sections 381E–H and 381N of the Consolidated Farm and  
3 Rural Development Act are not applicable to the funds  
4 made available under this heading.

5 RURAL ELECTRIFICATION AND TELECOMMUNICATIONS

6 LOANS PROGRAM ACCOUNT

7 (INCLUDING TRANSFER OF FUNDS)

8 The principal amount of direct and guaranteed loans  
9 as authorized by sections 305 and 306 of the Rural Elec-  
10 trification Act of 1936 (7 U.S.C. 935 and 936) shall be  
11 made as follows: loans made pursuant to section 306 of  
12 that Act, rural electric, \$5,500,000,000; guaranteed un-  
13 derwriting loans pursuant to section 313A, \$750,000,000;  
14 5 percent rural telecommunications loans, cost of money  
15 rural telecommunications loans, and for loans made pursu-  
16 ant to section 306 of that Act, rural telecommunications  
17 loans, \$690,000,000: *Provided*, That up to  
18 \$2,000,000,000 shall be used for the construction, acquisi-  
19 tion, or improvement of fossil-fueled electric generating  
20 plants (whether new or existing) that utilize carbon se-  
21 questration systems.

22 For the cost of direct loans as authorized by section  
23 305 of the Rural Electrification Act of 1936 (7 U.S.C.  
24 935), including the cost of modifying loans, as defined in

1 section 502 of the Congressional Budget Act of 1974, cost  
2 of money rural telecommunications loans, \$3,071,000.

3 In addition, for administrative expenses necessary to  
4 carry out the direct and guaranteed loan programs,  
5 \$33,414,000, which shall be transferred to and merged  
6 with the appropriation for “Rural Development, Salaries  
7 and Expenses”.

8 DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND  
9 PROGRAM

10 For the principal amount of broadband telecommuni-  
11 cation loans, \$20,000,000.

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

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

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

1 TITLE IV  
2 DOMESTIC FOOD PROGRAMS  
3 OFFICE OF THE UNDER SECRETARY FOR FOOD,  
4 NUTRITION, AND CONSUMER SERVICES  
5 For necessary expenses of the Office of the Under  
6 Secretary for Food, Nutrition, and Consumer Services,  
7 \$811,000.

8 FOOD AND NUTRITION SERVICE  
9 CHILD NUTRITION PROGRAMS  
10 (INCLUDING TRANSFERS OF FUNDS)  
11 For necessary expenses to carry out the Richard B.  
12 Russell National School Lunch Act (42 U.S.C. 1751 et  
13 seq.), except section 21, and the Child Nutrition Act of  
14 1966 (42 U.S.C. 1771 et seq.), except sections 17 and  
15 21; \$23,175,679,000 to remain available through Sep-  
16 tember 30, 2018, of which such sums as are made avail-  
17 able under section 14222(b)(1) of the Food, Conservation,  
18 and Energy Act of 2008 (Public Law 110–246) shall be  
19 merged with and available for the same time period and  
20 purposes as provided herein: *Provided*, That of the total  
21 amount available, \$17,004,000 shall be available to carry  
22 out section 19 of the Child Nutrition Act of 1966 (42  
23 U.S.C. 1771 et seq.): *Provided further*, That of the total  
24 amount available, \$25,000,000 shall be available to pro-  
25 vide competitive grants to State agencies for subgrants to

1 local educational agencies and schools to purchase the  
2 equipment needed to serve healthier meals, improve food  
3 safety, and to help support the establishment, mainte-  
4 nance, or expansion of the school breakfast program: *Pro-*  
5 *vided further*, That of the total amount available,  
6 \$21,000,000 shall remain available until expended to carry  
7 out section 749(g) of the Agriculture Appropriations Act  
8 of 2010 (Public Law 111–80): *Provided further*, That sec-  
9 tion 26(d) of the Richard B. Russell National School  
10 Lunch Act (42 U.S.C. 1769g(d)) is amended in the first  
11 sentence by striking “2010 through 2016” and inserting  
12 “2010 through 2017”.

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

15 For necessary expenses to carry out the special sup-  
16 plemental nutrition program as authorized by section 17  
17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786),  
18 \$6,350,000,000, to remain available through September  
19 30, 2018: *Provided*, That notwithstanding section  
20 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C.  
21 1786(h)(10)), not less than \$60,000,000 shall be used for  
22 breastfeeding peer counselors and other related activities,  
23 \$14,000,000 shall be used for infrastructure: *Provided*  
24 *further*, That none of the funds provided in this account  
25 shall be available for the purchase of infant formula except

1 in accordance with the cost containment and competitive  
2 bidding requirements specified in section 17 of such Act:  
3 *Provided further*, That none of the funds provided shall  
4 be available for activities that are not fully reimbursed by  
5 other Federal Government departments or agencies unless  
6 authorized by section 17 of such Act: *Provided further*,  
7 That upon termination of a federally mandated vendor  
8 moratorium and subject to terms and conditions estab-  
9 lished by the Secretary, the Secretary may waive the re-  
10 quirement at 7 CFR 246.12(g)(6) at the request of a  
11 State agency.

12 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

13 For necessary expenses to carry out the Food and  
14 Nutrition Act of 2008 (7 U.S.C. 2011 et seq.),  
15 \$79,673,277,000, of which \$3,000,000,000, to remain  
16 available through December 31, 2018, shall be placed in  
17 reserve for use only in such amounts and at such times  
18 as may become necessary to carry out program operations:  
19 *Provided*, That funds provided herein shall be expended  
20 in accordance with section 16 of the Food and Nutrition  
21 Act of 2008: *Provided further*, That of the funds made  
22 available under this heading, \$998,000 may be used to  
23 provide nutrition education services to State agencies and  
24 Federally Recognized Tribes participating in the Food  
25 Distribution Program on Indian Reservations: *Provided*



1 *further*, That this appropriation shall be subject to any  
2 work registration or workfare requirements as may be re-  
3 quired by law: *Provided further*, That funds made available  
4 for Employment and Training under this heading shall re-  
5 main available through September 30, 2018: *Provided fur-*  
6 *ther*, That funds made available under this heading for  
7 section 28(d)(1) and section 27(a) of the Food and Nutri-  
8 tion Act of 2008 shall remain available through September  
9 30, 2018: *Provided further*, That none of the funds made  
10 available under this heading may be obligated or expended  
11 in contravention of section 213A of the Immigration and  
12 Nationality Act (8 U.S.C. 1183A): *Provided further*, That,  
13 subject to section 732 of this Act, funds made available  
14 under this heading may be used to enter into contracts  
15 and employ staff to conduct studies, evaluations, or to con-  
16 duct activities related to program integrity provided that  
17 such activities are authorized by the Food and Nutrition  
18 Act of 2008.

19 COMMODITY ASSISTANCE PROGRAM

20 For necessary expenses to carry out disaster assist-  
21 ance and the Commodity Supplemental Food Program as  
22 authorized by section 4(a) of the Agriculture and Con-  
23 sumer Protection Act of 1973 (7 U.S.C. 612c note); the  
24 Emergency Food Assistance Act of 1983; special assist-  
25 ance for the nuclear affected islands, as authorized by sec-

1 tion 103(f)(2) of the Compact of Free Association Amend-  
2 ments Act of 2003 (Public Law 108–188); and the Farm-  
3 ers’ Market Nutrition Program, as authorized by section  
4 17(m) of the Child Nutrition Act of 1966, \$315,139,000,  
5 to remain available through September 30, 2018: *Pro-*  
6 *vided*, That none of these funds shall be available to reim-  
7 burse the Commodity Credit Corporation for commodities  
8 donated to the program: *Provided further*, That notwith-  
9 standing any other provision of law, effective with funds  
10 made available in fiscal year 2017 to support the Seniors  
11 Farmers’ Market Nutrition Program, as authorized by  
12 section 4402 of the Farm Security and Rural Investment  
13 Act of 2002, such funds shall remain available through  
14 September 30, 2018: *Provided further*, That of the funds  
15 made available under section 27(a) of the Food and Nutri-  
16 tion Act of 2008 (7 U.S.C. 2036(a)), the Secretary may  
17 use up to 10 percent for costs associated with the distribu-  
18 tion of commodities.

19 NUTRITION PROGRAMS ADMINISTRATION

20 For necessary administrative expenses of the Food  
21 and Nutrition Service for carrying out any domestic nutri-  
22 tion assistance program, \$168,524,000: *Provided*, That of  
23 the funds provided herein, \$2,000,000 shall be used for  
24 the purposes of section 4404 of Public Law 107–171, as  
25 amended by section 4401 of Public Law 110–246: *Pro-*

1 *vided further*, That of the funds provided herein,  
2 \$1,000,000 shall be used to contract for an independent  
3 study to identify the best means of consolidating and co-  
4 ordinating reporting requirements under Child Nutrition  
5 Programs to eliminate redundancy, increase efficiency,  
6 and reduce the reporting burden on school food authorities  
7 and State agencies.

8 TITLE V

9 FOREIGN ASSISTANCE AND RELATED

10 PROGRAMS

11 FOREIGN AGRICULTURAL SERVICE

12 SALARIES AND EXPENSES

13 (INCLUDING TRANSFERS OF FUNDS)

14 For necessary expenses of the Foreign Agricultural  
15 Service, including not to exceed \$250,000 for representa-  
16 tion allowances and for expenses pursuant to section 8 of  
17 the Act approved August 3, 1956 (7 U.S.C. 1766),  
18 \$194,566,000: *Provided*, That the Service may utilize ad-  
19 vances of funds, or reimburse this appropriation for ex-  
20 penditures made on behalf of Federal agencies, public and  
21 private organizations and institutions under agreements  
22 executed pursuant to the agricultural food production as-  
23 sistance programs (7 U.S.C. 1737) and the foreign assist-  
24 ance programs of the United States Agency for Inter-  
25 national Development: *Provided further*, That funds made

1 available for middle-income country training programs,  
2 funds made available for the Borlaug International Agri-  
3 cultural Science and Technology Fellowship program, and  
4 up to \$2,000,000 of the Foreign Agricultural Service ap-  
5 propriation solely for the purpose of offsetting fluctuations  
6 in international currency exchange rates, subject to docu-  
7 mentation by the Foreign Agricultural Service, shall re-  
8 main available until expended.

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

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

17                       FOOD FOR PEACE TITLE II GRANTS

18       For expenses during the current fiscal year, not oth-  
19 erwise recoverable, and unrecovered prior years’ costs, in-  
20 cluding interest thereon, under the Food for Peace Act  
21 (Public Law 83-480), for commodities supplied in connec-  
22 tion with dispositions abroad under title II of said Act,  
23 \$1,466,000,000, to remain available until expended: *Pro-*  
24 *vided*, That notwithstanding any other provision of law,  
25 including section 202(a) of the Food for Peace Act (7

1 U.S.C. 1722(a)), amounts made available under this head-  
2 ing shall be used to provide not less than the minimum  
3 level of funding required by section 412(e)(2) of the Food  
4 for Peace Act (7 U.S.C. 1736f(e)(2)) to carry out non-  
5 emergency food assistance programs under title II of such  
6 Act.

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

9 For necessary expenses to carry out the provisions  
10 of section 3107 of the Farm Security and Rural Invest-  
11 ment Act of 2002 (7 U.S.C. 1736o-1), \$201,626,000, to  
12 remain available until expended: *Provided*, That the Com-  
13 modity Credit Corporation is authorized to provide the  
14 services, facilities, and authorities for the purpose of im-  
15 plementing such section, subject to reimbursement from  
16 amounts provided herein.

17 COMMODITY CREDIT CORPORATION EXPORT (LOANS)

18 CREDIT GUARANTEE PROGRAM ACCOUNT

19 (INCLUDING TRANSFERS OF FUNDS)

20 For administrative expenses to carry out the Com-  
21 modity Credit Corporation's Export Guarantee Program,  
22 GSM 102 and GSM 103, \$8,537,000; to cover common  
23 overhead expenses as permitted by section 11 of the Com-  
24 modity Credit Corporation Charter Act and in conformity  
25 with the Federal Credit Reform Act of 1990, of which

1 \$6,074,000 shall be transferred to and merged with the  
2 appropriation for “Foreign Agricultural Service, Salaries  
3 and Expenses”, and of which \$2,463,000 shall be trans-  
4 ferred to and merged with the appropriation for “Farm  
5 Service Agency, Salaries and Expenses”.

6

## TITLE VI

7

## RELATED AGENCIES AND FOOD AND DRUG

8

## ADMINISTRATION

9

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

10

## FOOD AND DRUG ADMINISTRATION

11

## SALARIES AND EXPENSES

12

For necessary expenses of the Food and Drug Ad-

13

ministration, including hire and purchase of passenger

14

motor vehicles; for payment of space rental and related

15

costs pursuant to Public Law 92–313 for programs and

16

activities of the Food and Drug Administration which are

17

included in this Act; for rental of special purpose space

18

in the District of Columbia or elsewhere; for miscellaneous

19

and emergency expenses of enforcement activities, author-

20

ized and approved by the Secretary and to be accounted

21

for solely on the Secretary’s certificate, not to exceed

22

\$25,000; and notwithstanding section 521 of Public Law

23

107–188; \$4,778,875,000: *Provided*, That of the amount

24

provided under this heading, \$865,653,000 shall be de-

25

rived from prescription drug user fees authorized by 21

1 U.S.C. 379h, and shall be credited to this account and  
2 remain available until expended; \$144,859,000 shall be de-  
3 rived from medical device user fees authorized by 21  
4 U.S.C. 379j, and shall be credited to this account and re-  
5 main available until expended; \$324,085,000 shall be de-  
6 rived from human generic drug user fees authorized by  
7 21 U.S.C. 379j-42, and shall be credited to this account  
8 and remain available until expended; \$22,079,000 shall be  
9 derived from biosimilar biological product user fees au-  
10 thorized by 21 U.S.C. 379j-52, and shall be credited to  
11 this account and remain available until expended;  
12 \$22,977,000 shall be derived from animal drug user fees  
13 authorized by 21 U.S.C. 379j-12, and shall be credited  
14 to this account and remain available until expended;  
15 \$10,367,000 shall be derived from animal generic drug  
16 user fees authorized by 21 U.S.C. 379j-21, and shall be  
17 credited to this account and remain available until ex-  
18 pended; \$635,000,000 shall be derived from tobacco prod-  
19 uct user fees authorized by 21 U.S.C. 387s, and shall be  
20 credited to this account and remain available until ex-  
21 pended: *Provided further*, That in addition to and notwith-  
22 standing any other provision under this heading, amounts  
23 collected for prescription drug user fees, medical device  
24 user fees, human generic drug user fees, biosimilar biologi-  
25 cal product user fees, animal drug user fees, and animal

1 generic drug user fees that exceed the respective fiscal  
2 year 2017 limitations are appropriated and shall be cred-  
3 ited to this account and remain available until expended:  
4 *Provided further*, That fees derived from prescription drug,  
5 medical device, human generic drug, biosimilar biological  
6 product, animal drug, and animal generic drug assess-  
7 ments for fiscal year 2017, including any such fees col-  
8 lected prior to fiscal year 2017 but credited for fiscal year  
9 2017, shall be subject to the fiscal year 2017 limitations:  
10 *Provided further*, That the Secretary may accept payment  
11 during fiscal year 2017 of user fees specified under this  
12 heading and authorized for fiscal year 2018, prior to the  
13 due date for such fees, and that amounts of such fees as-  
14 sessed for fiscal year 2018 for which the Secretary accepts  
15 payment in fiscal year 2017 shall not be included in  
16 amounts under this heading: *Provided further*, That none  
17 of these funds shall be used to develop, establish, or oper-  
18 ate any program of user fees authorized by 31 U.S.C.  
19 9701: *Provided further*, That of the total amount appro-  
20 priated: (1) \$1,023,480,000 shall be for the Center for  
21 Food Safety and Applied Nutrition and related field activi-  
22 ties in the Office of Regulatory Affairs; (2)  
23 \$1,411,281,000 shall be for the Center for Drug Evalua-  
24 tion and Research and related field activities in the Office  
25 of Regulatory Affairs; (3) \$359,989,000 shall be for the



1 Center for Biologics Evaluation and Research and for re-  
2 lated field activities in the Office of Regulatory Affairs;  
3 (4) \$190,757,000 shall be for the Center for Veterinary  
4 Medicine and for related field activities in the Office of  
5 Regulatory Affairs; (5) \$439,232,000 shall be for the Cen-  
6 ter for Devices and Radiological Health and for related  
7 field activities in the Office of Regulatory Affairs; (6)  
8 \$63,331,000 shall be for the National Center for Toxi-  
9 cological Research; (7) \$596,338,000 shall be for the Cen-  
10 ter for Tobacco Products and for related field activities  
11 in the Office of Regulatory Affairs; (8) not to exceed  
12 \$168,552,000 shall be for Rent and Related activities, of  
13 which \$47,461,000 is for White Oak Consolidation, other  
14 than the amounts paid to the General Services Adminis-  
15 tration for rent; (9) not to exceed \$235,277,000 shall be  
16 for payments to the General Services Administration for  
17 rent; and (10) \$290,638,000 shall be for other activities,  
18 including the Office of the Commissioner of Food and  
19 Drugs, the Office of Foods and Veterinary Medicine, the  
20 Office of Medical and Tobacco Products, the Office of  
21 Global and Regulatory Policy, the Office of Operations,  
22 the Office of the Chief Scientist, and central services for  
23 these offices: *Provided further*, That not to exceed \$25,000  
24 of this amount shall be for official reception and represen-  
25 tation expenses, not otherwise provided for, as determined

1 by the Commissioner: *Provided further*, That any transfer  
2 of funds pursuant to section 770(n) of the Federal Food,  
3 Drug, and Cosmetic Act (21 U.S.C. 379dd(n)) shall only  
4 be from amounts made available under this heading for  
5 other activities: *Provided further*, That of the amounts  
6 that are made available under this heading for “other ac-  
7 tivities”, and that are not derived from user fees,  
8 \$1,500,000 shall be transferred to and merged with the  
9 appropriation for “Department of Health and Human  
10 Services—Office of Inspector General” for oversight of the  
11 programs and operations of the Food and Drug Adminis-  
12 tration and shall be in addition to funds otherwise made  
13 available for oversight of the Food and Drug Administra-  
14 tion: *Provided further*, That notwithstanding any other  
15 provision of law, for the Office of Legislation, none of the  
16 funds made available under this heading shall be used to  
17 provide or maintain a staffing level in excess of 25 perma-  
18 nent positions or to incur obligations for more than 25  
19 full-time equivalent work years: *Provided further*, That of  
20 the total amount made available under this heading,  
21 \$3,000,000 shall be used by the Commissioner of Food  
22 and Drugs, in coordination with the Secretary of Agri-  
23 culture, for consumer outreach to promote understanding  
24 and acceptance of agricultural biotechnology and bio-  
25 technology-derived food products and animal feed, includ-

1 ing through publication and distribution of science-based  
2 educational information on the environmental, nutritional,  
3 food safety, economic, and humanitarian benefits of such  
4 biotechnology, food products, and feed: *Provided further*,  
5 That funds may be transferred from one specified activity  
6 to another with the prior approval of the Committees on  
7 Appropriations of both Houses of Congress.

8 In addition, mammography user fees authorized by  
9 42 U.S.C. 263b, export certification user fees authorized  
10 by 21 U.S.C. 381, priority review user fees authorized by  
11 21 U.S.C. 360n and 360ff, food and feed recall fees, food  
12 reinspection fees, and voluntary qualified importer pro-  
13 gram fees authorized by 21 U.S.C. 379j–31, outsourcing  
14 facility fees authorized by 21 U.S.C. 379j–62, prescription  
15 drug wholesale distributor licensing and inspection fees  
16 authorized by 21 U.S.C. 353(e)(3), and third-party logis-  
17 ties provider licensing and inspection fees authorized by  
18 21 U.S.C. 360eee–3(c)(1), and third-party auditor fees  
19 authorized by 21 U.S.C. 384d(c)(8), shall be credited to  
20 this account, to remain available until expended.

21 BUILDINGS AND FACILITIES

22 For plans, construction, repair, improvement, exten-  
23 sion, alteration, and purchase of fixed equipment or facili-  
24 ties of or used by the Food and Drug Administration,

1 where not otherwise provided, \$11,788,000, to remain  
2 available until expended.

### 3 INDEPENDENT AGENCIES

#### 4 COMMODITY FUTURES TRADING COMMISSION

5 For necessary expenses to carry out the provisions  
6 of the Commodity Exchange Act (7 U.S.C. 1 et seq.), in-  
7 cluding the purchase and hire of passenger motor vehicles,  
8 and the rental of space (to include multiple year leases),  
9 in the District of Columbia and elsewhere, \$250,000,000,  
10 including not to exceed \$3,000 for official reception and  
11 representation expenses, and not to exceed \$25,000 for the  
12 expenses for consultations and meetings hosted by the  
13 Commission with foreign governmental and other regu-  
14 latory officials, of which not less than \$50,000,000, to re-  
15 main available until September 30, 2018, shall be for the  
16 purchase of information technology and of which not less  
17 than \$3,000,000 shall be for expenses of the Office of the  
18 Inspector General: *Provided*, That notwithstanding the  
19 limitations in 31 U.S.C. 1553, amounts provided under  
20 this heading are available for the liquidation of obligations  
21 equal to current year payments on leases entered into  
22 prior to the date of enactment of this Act: *Provided fur-*  
23 *ther*, That for the purpose of recording any obligations  
24 that should have been recorded against accounts closed  
25 pursuant to 31 U.S.C. 1552, these accounts may be re-

1 opened solely for the purpose of correcting any violations  
2 of 31 U.S.C. 1501(a)(1), and balances canceled pursuant  
3 to 31 U.S.C. 1552(a) in any accounts reopened pursuant  
4 to this authority shall remain unavailable to liquidate any  
5 outstanding obligations: *Provided further*, That, notwith-  
6 standing any other provision of the Commodity Exchange  
7 Act, the Commission may make and enter into contracts  
8 for the sole purpose of subleasing excess space at its exist-  
9 ing office locations under leases entered into prior to De-  
10 cember 18, 2015, for the duration of such leases for the  
11 sole purpose of achieving a reduction in overall leasing ex-  
12 penditures by the Commission: *Provided further*, That  
13 amounts the Commission receives through such subleases  
14 shall not be available for new obligations and, notwith-  
15 standing 31 U.S.C. 1552, 1553, and 3302, such amounts  
16 shall be available for one year after receipt only for the  
17 liquidation of the Commission's obligation under the lease  
18 corresponding to the subleased space: *Provided further*,  
19 That none of the funds otherwise available under this or  
20 any other Act to liquidate a lease obligation of the Com-  
21 mission may be used for such purpose unless sublease rev-  
22 enue available for such obligation under the preceding pro-  
23 viso has been exhausted.

1 FARM CREDIT ADMINISTRATION  
2 LIMITATION ON ADMINISTRATIVE EXPENSES  
3 Not to exceed \$65,600,000 (from assessments col-  
4 lected from farm credit institutions, including the Federal  
5 Agricultural Mortgage Corporation) shall be obligated  
6 during the current fiscal year for administrative expenses  
7 as authorized under 12 U.S.C. 2249: *Provided*, That this  
8 limitation shall not apply to expenses associated with re-  
9 ceiverships: *Provided further*, That the agency may exceed  
10 this limitation by up to 10 percent with notification to the  
11 Committees on Appropriations of both Houses of Con-  
12 gress.

13 TITLE VII  
14 GENERAL PROVISIONS  
15 (INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)  
16 SEC. 701. Within the unit limit of cost fixed by law,  
17 appropriations and authorizations made for the Depart-  
18 ment of Agriculture for the current fiscal year under this  
19 Act shall be available for the purchase, in addition to those  
20 specifically provided for, of not to exceed 52 passenger  
21 motor vehicles of which 52 shall be for replacement only,  
22 and for the hire of such vehicles: *Provided*, That notwith-  
23 standing this section, the only purchase of new passenger  
24 vehicles shall be for those determined by the Secretary to  
25 be necessary for transportation safety, to reduce oper-

1 ational costs, and for the protection of life, property, and  
2 public safety.

3       SEC. 702. Notwithstanding any other provision of  
4 this Act, the Secretary of Agriculture may transfer unobli-  
5 gated balances of discretionary funds appropriated by this  
6 Act or any other available unobligated discretionary bal-  
7 ances that are remaining available of the Department of  
8 Agriculture to the Working Capital Fund for the acquisi-  
9 tion of plant and capital equipment necessary for the deliv-  
10 ery of financial, administrative, and information tech-  
11 nology services of primary benefit to the agencies of the  
12 Department of Agriculture, such transferred funds to re-  
13 main available until expended: *Provided*, That none of the  
14 funds made available by this Act or any other Act shall  
15 be transferred to the Working Capital Fund without the  
16 prior approval of the agency administrator: *Provided fur-*  
17 *ther*, That none of the funds transferred to the Working  
18 Capital Fund pursuant to this section shall be available  
19 for obligation without written notification to and the prior  
20 approval of the Committees on Appropriations of both  
21 Houses of Congress: *Provided further*, That none of the  
22 funds appropriated by this Act or made available to the  
23 Department's Working Capital Fund shall be available for  
24 obligation or expenditure to make any changes to the De-  
25 partment's National Finance Center without written noti-

1 fication to and prior approval of the Committees on Ap-  
2 propriations of both Houses of Congress as required by  
3 section 717 of this Act: *Provided further*, That of annual  
4 income amounts in the Working Capital Fund of the De-  
5 partment of Agriculture allocated for the National Fi-  
6 nance Center, the Secretary may reserve not more than  
7 4 percent for the replacement or acquisition of capital  
8 equipment, including equipment for the improvement and  
9 implementation of a financial management plan, informa-  
10 tion technology, and other systems of the National Fi-  
11 nance Center or to pay any unforeseen, extraordinary cost  
12 of the National Finance Center: *Provided further*, That  
13 none of the amounts reserved shall be available for obliga-  
14 tion unless the Secretary submits written notification of  
15 the obligation to the Committees on Appropriations of  
16 both Houses of Congress: *Provided further*, That the limi-  
17 tation on the obligation of funds pending notification to  
18 Congressional Committees shall not apply to any obliga-  
19 tion that, as determined by the Secretary, is necessary to  
20 respond to a declared state of emergency that significantly  
21 impacts the operations of the National Finance Center;  
22 or to evacuate employees of the National Finance Center  
23 to a safe haven to continue operations of the National Fi-  
24 nance Center.



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

4       SEC. 704. No funds appropriated by this Act may be  
5 used to pay negotiated indirect cost rates on cooperative  
6 agreements or similar arrangements between the United  
7 States Department of Agriculture and nonprofit institu-  
8 tions in excess of 10 percent of the total direct cost of  
9 the agreement when the purpose of such cooperative ar-  
10 rangements is to carry out programs of mutual interest  
11 between the two parties. This does not preclude appro-  
12 priate payment of indirect costs on grants and contracts  
13 with such institutions when such indirect costs are com-  
14 puted on a similar basis for all agencies for which appro-  
15 priations are provided in this Act.

16       SEC. 705. Appropriations to the Department of Agri-  
17 culture for the cost of direct and guaranteed loans made  
18 available in the current fiscal year shall remain available  
19 until expended to disburse obligations made in the current  
20 fiscal year for the following accounts: the Rural Develop-  
21 ment Loan Fund program account, the Rural Electrifica-  
22 tion and Telecommunication Loans program account, and  
23 the Rural Housing Insurance Fund program account.

24       SEC. 706. None of the funds made available to the  
25 Department of Agriculture by this Act may be used to ac-

1 quire new information technology systems or significant  
2 upgrades, as determined by the Office of the Chief Infor-  
3 mation Officer, without the approval of the Chief Informa-  
4 tion Officer and the concurrence of the Executive Informa-  
5 tion Technology Investment Review Board: *Provided*, That  
6 notwithstanding any other provision of law, none of the  
7 funds appropriated or otherwise made available by this  
8 Act may be transferred to the Office of the Chief Informa-  
9 tion Officer without written notification to and the prior  
10 approval of the Committees on Appropriations of both  
11 Houses of Congress: *Provided further*, That, notwith-  
12 standing section 11319 of title 40, United States Code,  
13 none of the funds available to the Department of Agri-  
14 culture for information technology shall be obligated for  
15 projects, contracts, or other agreements over \$25,000  
16 prior to receipt of written approval by the Chief Informa-  
17 tion Officer: *Provided further*, That the Chief Information  
18 Officer may authorize an agency to obligate funds without  
19 written approval from the Chief Information Officer for  
20 projects, contracts, or other agreements up to \$250,000  
21 based upon the performance of an agency measured  
22 against the performance plan requirements described in  
23 the explanatory statement accompanying Public Law 113–  
24 235.

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

6        SEC. 708. Notwithstanding any other provision of  
7 law, any former RUS borrower that has repaid or prepaid  
8 an insured, direct or guaranteed loan under the Rural  
9 Electrification Act of 1936, or any not-for-profit utility  
10 that is eligible to receive an insured or direct loan under  
11 such Act, shall be eligible for assistance under section  
12 313(b)(2)(B) of such Act in the same manner as a bor-  
13 rower under such Act.

14        SEC. 709. Except as otherwise specifically provided  
15 by law, not more than \$20,000,000 in unobligated bal-  
16 ances from appropriations made available for salaries and  
17 expenses in this Act for the Farm Service Agency shall  
18 remain available through September 30, 2018, for infor-  
19 mation technology expenses: *Provided*, That except as oth-  
20 erwise specifically provided by law, unobligated balances  
21 from appropriations made available for salaries and ex-  
22 penses in this Act for the Rural Development mission area  
23 shall remain available through September 30, 2018, for  
24 information technology expenses.

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

6       SEC. 711. In the case of each program established  
7 or amended by the Agricultural Act of 2014 (Public Law  
8 113–79), other than by title I or subtitle A of title III  
9 of such Act, or programs for which indefinite amounts  
10 were provided in that Act, that is authorized or required  
11 to be carried out using funds of the Commodity Credit  
12 Corporation—

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

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

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

8       SEC. 713. None of the funds in this Act shall be avail-  
9 able to pay indirect costs charged against any agricultural  
10 research, education, or extension grant awards issued by  
11 the National Institute of Food and Agriculture that exceed  
12 30 percent of total Federal funds provided under each  
13 award: *Provided*, That notwithstanding section 1462 of  
14 the National Agricultural Research, Extension, and  
15 Teaching Policy Act of 1977 (7 U.S.C. 3310), funds pro-  
16 vided by this Act for grants awarded competitively by the  
17 National Institute of Food and Agriculture shall be avail-  
18 able to pay full allowable indirect costs for each grant  
19 awarded under section 9 of the Small Business Act (15  
20 U.S.C. 638).

21       SEC. 714. None of the funds appropriated or other-  
22 wise made available by this or any other Act shall be used  
23 to pay the salaries and expenses of personnel to carry out  
24 the following:

1           (1) The Watershed Rehabilitation program au-  
2           thorized by section 14(h)(1) of the Watershed Pro-  
3           tection and Flood Prevention Act (16 U.S.C.  
4           1012(h)(1)) in excess of \$9,000,000;

5           (2) The Environmental Quality Incentives Pro-  
6           gram as authorized by sections 1240–1240H of the  
7           Food Security Act of 1985 (16 U.S.C. 3839aa–  
8           3839aa–8) in excess of \$1,425,000,000: *Provided*,  
9           That this limitation shall apply only to funds pro-  
10          vided by section 1241(a)(5)(D) of the Food Security  
11          Act of 1985 (16 U.S.C. 3841(a)(5)(D)): *Provided*  
12          *further*, That of the funds made available under sec-  
13          tion 1241(a)(5)(C) of the Food Security Act of 1985  
14          (16 U.S.C. 3841(a)(5)(C)) for fiscal year 2017,  
15          \$98,000,000 are rescinded;

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

20          (4) The Biorefinery, Renewable Chemical and  
21          Biobased Product Manufacturing Assistance pro-  
22          gram as authorized by section 9003 of the Farm Se-  
23          curity and Rural Investment Act of 2002 (7 U.S.C.  
24          8103) in excess of \$155,000,000 of the funding

1 made available by subsection (g)(1)(A) of that sec-  
2 tion for all fiscal years;

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

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

11 SEC. 715. None of the funds appropriated or other-  
12 wise made available by this or any other Act shall be used  
13 to pay the salaries and expenses of personnel to carry out  
14 a program under subsection (b)(2)(A)(ix) of section 14222  
15 of Public Law 110–246 in excess of \$886,000,000, as fol-  
16 lows: Child Nutrition Programs Entitlement Commod-  
17 ities—\$465,000,000; State Option Contracts—  
18 \$5,000,000; Removal of Defective Commodities—  
19 \$2,500,000; Administration of Section 32 Commodity  
20 Purchases—\$35,440,000: *Provided*, That none of the  
21 funds made available in this Act or any other Act shall  
22 be used for salaries and expenses to carry out in this fiscal  
23 year section 19(i)(1)(E) of the Richard B. Russell Na-  
24 tional School Lunch Act, as amended, except in an amount  
25 that excludes the transfer of \$125,000,000 of the funds

1 to be transferred under subsection (c) of section 14222  
2 of Public Law 110–246, until October 1, 2017: *Provided*  
3 *further*, That \$125,000,000 made available on October 1,  
4 2017, to carry out section 19(i)(1)(E) of the Richard B.  
5 Russell National School Lunch Act, as amended, shall be  
6 excluded from the limitation described in subsection  
7 (b)(2)(A)(x) of section 14222 of Public Law 110–246:  
8 *Provided further*, That none of the funds appropriated or  
9 otherwise made available by this or any other Act shall  
10 be used to pay the salaries or expenses of any employee  
11 of the Department of Agriculture or officer of the Com-  
12 modity Credit Corporation to carry out clause 3 of section  
13 32 of the Agricultural Adjustment Act of 1935 (Public  
14 Law 74–320, 7 U.S.C. 612c, as amended), or for any sur-  
15 plus removal activities or price support activities under  
16 section 5 of the Commodity Credit Corporation Charter  
17 Act: *Provided further*, That the available unobligated bal-  
18 ances under (b)(2)(A)(ix) of section 14222 of Public Law  
19 110–246 in excess of the limitation set forth in this sec-  
20 tion, except for the amounts to be transferred pursuant  
21 to the first proviso, are hereby permanently rescinded.

22       SEC. 716. None of the funds appropriated by this or  
23 any other Act shall be used to pay the salaries and ex-  
24 penses of personnel who prepare or submit appropriations  
25 language as part of the President’s budget submission to



1 the Congress for programs under the jurisdiction of the  
2 Appropriations Subcommittees on Agriculture, Rural De-  
3 velopment, Food and Drug Administration, and Related  
4 Agencies that assumes revenues or reflects a reduction  
5 from the previous year due to user fees proposals that  
6 have not been enacted into law prior to the submission  
7 of the budget unless such budget submission identifies  
8 which additional spending reductions should occur in the  
9 event the user fees proposals are not enacted prior to the  
10 date of the convening of a committee of conference for  
11 the fiscal year 2018 appropriations Act.

12       SEC. 717. (a) None of the funds provided by this Act,  
13 or provided by previous appropriations Acts to the agen-  
14 cies funded by this Act that remain available for obligation  
15 or expenditure in the current fiscal year, or provided from  
16 any accounts in the Treasury derived by the collection of  
17 fees available to the agencies funded by this Act, shall be  
18 available for obligation or expenditure through a re-  
19 programming, transfer of funds, or reimbursements as au-  
20 thorized by the Economy Act, or in the case of the Depart-  
21 ment of Agriculture, through use of the authority provided  
22 by section 702(b) of the Department of Agriculture Or-  
23 ganic Act of 1944 (7 U.S.C. 2257) or section 8 of Public  
24 Law 89–106 (7 U.S.C. 2263), that—

25               (1) creates new programs;

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

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

5           (4) relocates an office or employees;

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

7       or

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

10 unless the Secretary of Agriculture, the Secretary of  
11 Health and Human Services, or the Chairman of the Com-  
12 modity Futures Trading Commission (as the case may be)  
13 notifies in writing and receives approval from the Commit-  
14 tees on Appropriations of both Houses of Congress at least  
15 30 days in advance of the reprogramming of such funds  
16 or the use of such authority.

17       (b) None of the funds provided by this Act, or pro-  
18 vided by previous Appropriations Acts to the agencies  
19 funded by this Act that remain available for obligation or  
20 expenditure in the current fiscal year, or provided from  
21 any accounts in the Treasury derived by the collection of  
22 fees available to the agencies funded by this Act, shall be  
23 available for obligation or expenditure for activities, pro-  
24 grams, or projects through a reprogramming or use of the  
25 authorities referred to in subsection (a) involving funds

1 in excess of \$500,000 or 10 percent, whichever is less,  
2 that—

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

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

8 (3) results from any general savings from a re-  
9 duction in personnel which would result in a change  
10 in existing programs, activities, or projects as ap-  
11 proved by Congress; unless the Secretary of Agri-  
12 culture, the Secretary of Health and Human Serv-  
13 ices, or the Chairman of the Commodity Futures  
14 Trading Commission (as the case may be) notifies in  
15 writing and receives approval from the Committees  
16 on Appropriations of both Houses of Congress at  
17 least 30 days in advance of the reprogramming or  
18 transfer of such funds or the use of such authority.

19 (c) The Secretary of Agriculture, the Secretary of  
20 Health and Human Services, or the Chairman of the Com-  
21 modity Futures Trading Commission shall notify in writ-  
22 ing and receive approval from the Committees on Appro-  
23 priations of both Houses of Congress before implementing  
24 any program or activity not carried out during the pre-

1 vious fiscal year unless the program or activity is funded  
2 by this Act or specifically funded by any other Act.

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

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

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

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

1 (e) As described in this section, no funds may be used  
2 for any activities unless the Secretary of Agriculture, the  
3 Secretary of Health and Human Services, or the Chair-  
4 man of the Commodity Futures Trading Commission re-  
5 ceives from the Committee on Appropriations of both  
6 Houses of Congress written or electronic mail confirma-  
7 tion of receipt of the notification as required in this sec-  
8 tion.

9 SEC. 718. Notwithstanding section 310B(g)(5) of the  
10 Consolidated Farm and Rural Development Act (7 U.S.C.  
11 1932(g)(5)), the Secretary may assess a one-time fee for  
12 any guaranteed business and industry loan in an amount  
13 that does not exceed 3 percent of the guaranteed principal  
14 portion of the loan.

15 SEC. 719. None of the funds appropriated or other-  
16 wise made available to the Department of Agriculture, the  
17 Food and Drug Administration, the Commodity Futures  
18 Trading Commission, or the Farm Credit Administration  
19 shall be used to transmit or otherwise make available re-  
20 ports, questions, or responses to questions that are a re-  
21 sult of information requested for the appropriations hear-  
22 ing process to any non-Department of Agriculture, non-  
23 Department of Health and Human Services, non-Com-  
24 modity Futures Trading Commission, or non-Farm Credit  
25 Administration employee.

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

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

17       SEC. 722. None of the funds appropriated in this Act  
18 may be used to prepare, publish, or issue any new pro-  
19 posed rulemaking that does not comply with the require-  
20 ments for cost-benefit analysis as set forth in Executive  
21 Order 13563.

22       SEC. 723. Not later than 30 days after the date of  
23 enactment of this Act, the Secretary of Agriculture, the  
24 Commissioner of the Food and Drug Administration, the  
25 Chairman of the Commodity Futures Trading Commis-

1 sion, and the Chairman of the Farm Credit Administra-  
2 tion shall submit to the Committees on Appropriations of  
3 both Houses of Congress a detailed spending plan by pro-  
4 gram, project, and activity for all the funds made available  
5 under this Act including appropriated user fees, as defined  
6 in the report accompanying this Act.

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

15       SEC. 725. The Secretary shall establish an inter-  
16 mediary loan packaging program based on the pilot pro-  
17 gram in effect for fiscal year 2013 for packaging and re-  
18 viewing section 502 single family direct loans. The Sec-  
19 retary shall enter into agreements with current inter-  
20 mediary organizations and with additional qualified inter-  
21 mediary organizations. The Secretary shall work with  
22 these organizations to increase effectiveness of the section  
23 502 single family direct loan program in rural commu-  
24 nities and shall set aside and make available from the na-  
25 tional reserve section 502 loans an amount necessary to

1 support the work of such intermediaries and provide a pri-  
2 ority for review of such loans.

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

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



1        SEC. 728. None of the funds made available by this  
2 Act may be used to procure processed poultry products  
3 imported into the United States from the People's Repub-  
4 lic of China for use in the school lunch program under  
5 the Richard B. Russell National School Lunch Act (42  
6 U.S.C. 1751 et seq.), the Child and Adult Care Food Pro-  
7 gram under section 17 of such Act (42 U.S.C. 1766), the  
8 Summer Food Service Program for Children under section  
9 13 of such Act (42 U.S.C. 1761), or the school breakfast  
10 program under the Child Nutrition Act of 1966 (42  
11 U.S.C. 1771 et seq.).

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

20        SEC. 730. Funds provided by this or any prior Appro-  
21 priations Act for the Agriculture and Food Research Ini-  
22 tiative under 7 U.S.C. 450i(b) shall be made available  
23 without regard to section 7128 of the Agricultural Act of  
24 2014 (7 U.S.C. 3371 note), under the matching require-  
25 ments in laws in effect on the date before the date of en-

1 actment of such section: *Provided*, That the requirements  
2 of 7 U.S.C. 450i(b)(9) shall continue to apply.

3       SEC. 731. (a) For the period beginning on the date  
4 of enactment of this Act through school year 2017–2018,  
5 with respect to the school lunch program established under  
6 the Richard B. Russell National School Lunch Act (42  
7 U.S.C. 1751 et seq.) or the school breakfast program es-  
8 tablished under the Child Nutrition Act of 1966 (42  
9 U.S.C. 1771 et seq.) and final regulations published by  
10 the Department of Agriculture in the Federal Register on  
11 January 26, 2012 (77 Fed. Reg. 4088 et seq.), the Sec-  
12 retary shall allow States to grant an exemption from the  
13 whole grain requirements that took effect on or after July  
14 1, 2014, and the States shall establish a process for evalu-  
15 ating and responding, in a reasonable amount of time, to  
16 requests for an exemption: *Provided*, That school food au-  
17 thorities demonstrate hardship, including financial hard-  
18 ship, in procuring specific whole grain products which are  
19 acceptable to the students and compliant with the whole  
20 grain-rich requirements: *Provided further*, That school  
21 food authorities shall comply with the applicable grain  
22 component or standard with respect to the school lunch  
23 or school breakfast program that was in effect prior to  
24 July 1, 2014.

1 (b) None of the funds appropriated or otherwise  
2 made available by this or any other Act shall be used to  
3 pay the salaries and expenses of personnel to implement  
4 any regulations under the Richard B. Russell National  
5 School Lunch Act (42 U.S.C. 1751 et seq.), the Child Nu-  
6 trition Act of 1966 (42 U.S.C. 1771 et seq.), the Healthy,  
7 Hunger-Free Kids Act of 2010 (Public Law 111–296), or  
8 any other law that would require a reduction in the quan-  
9 tity of sodium contained in federally reimbursed meals,  
10 foods, and snacks sold in schools below Target 1 (as de-  
11 scribed in section 220.8(f)(3) of title 7, Code of Federal  
12 Regulations (or successor regulations)) until the latest sci-  
13 entific research establishes the reduction is beneficial for  
14 children.

15 SEC. 732. None of the funds made available by this  
16 Act may be used by the Secretary of Agriculture, acting  
17 through the Food and Nutrition Service, to commence any  
18 new research and evaluation projects until the Secretary  
19 submits to the Committees on Appropriations of both  
20 Houses of Congress a research and evaluation plan for fis-  
21 cal year 2017, prepared in coordination with the Research,  
22 Education, and Economics mission area of the Depart-  
23 ment of Agriculture, and a period of 30 days beginning  
24 on the date of the submission of the plan expires to permit  
25 Congressional review of the plan.

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

9        SEC. 734. None of the funds made available by this  
10 Act may be used to propose, promulgate, or implement  
11 any rule, or take any other action with respect to, allowing  
12 or requiring information intended for a prescribing health  
13 care professional, in the case of a drug or biological prod-  
14 uct subject to section 503(b)(1) of the Federal Food,  
15 Drug, and Cosmetic Act (21 U.S.C. 353(b)(1)), to be dis-  
16 tributed to such professional electronically (in lieu of in  
17 paper form) unless and until a Federal law is enacted to  
18 allow or require such distribution.

19        SEC. 735. None of the funds made available by this  
20 Act may be used to implement, administer, or enforce the  
21 final rule entitled “Food Labeling; Nutrition Labeling of  
22 Standard Menu Items in Restaurants and Similar Retail  
23 Food Establishments” published by the Food and Drug  
24 Administration in the Federal Register on December 1,  
25 2014 (79 Fed. Reg. 71156 et seq.) until the later of—

- 1 (1) December 1, 2016; or
- 2 (2) the date that is one year after the date on
- 3 which the Secretary of Health and Human Services
- 4 publishes Level 1 guidance with respect to nutrition
- 5 labeling of standard menu items in restaurants and
- 6 similar retail food establishments in accordance with
- 7 paragraphs (g)(1)(i), (g)(1)(ii), (g)(1)(iii), and
- 8 (g)(1)(iv) of section 10.115 of title 21, Code of Fed-
- 9 eral Regulations.

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

21 SEC. 737. None of the funds made available by this  
22 or any other Act may be used to implement or enforce  
23 any provision of the FDA Food Safety Modernization Act  
24 (Public Law 111–353), including the amendments made  
25 thereby, with respect to the regulation of the distribution,

1 sale, or receipt of dried spent grain byproducts of the alco-  
2 holic beverage production process, irrespective of whether  
3 such byproducts are solely intended for use as animal feed.

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

5 (1) within 4 months of the date of enactment  
6 of this Act, establish a prioritization process for  
7 APHIS to conduct audits or reviews of countries or  
8 regions that have received animal health status rec-  
9 ognitions by APHIS and provide a description of  
10 this process to the Committee on Appropriations of  
11 the House, Committee on Appropriations of the Sen-  
12 ate, Committee on Agriculture of the House, and  
13 Committee on Agriculture, Nutrition, and Forestry  
14 of the Senate;

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

18 (A) veterinary control and oversight;

19 (B) disease history and vaccination prac-  
20 tices;

21 (C) livestock demographics and  
22 traceability;

23 (D) epidemiological separation from poten-  
24 tial sources of infection;

25 (E) surveillance practices;

1 (F) diagnostic laboratory capabilities; and

2 (G) emergency preparedness and response.

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

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

9 SEC. 739. None of the funds made available by this  
10 Act may be used to carry out any activities or incur any  
11 expense related to the issuance of licenses under section  
12 3 of the Animal Welfare Act (7 U.S.C. 2133), or the re-  
13 newal of such licenses, to class B dealers who sell dogs  
14 and cats for use in research, experiments, teaching, or  
15 testing.

16 SEC. 740. No partially hydrogenated oils as defined  
17 in the order published by the Food and Drug Administra-  
18 tion in the Federal Register on June 17, 2015 (80 Fed.  
19 Reg. 34650 et seq.) shall be deemed unsafe within the  
20 meaning of section 409(a) of the Federal Food, Drug, and  
21 Cosmetic Act (21 U.S.C. 348(a)) and no food that is intro-  
22 duced or delivered for introduction into interstate com-  
23 merce that bears or contains a partially hydrogenated oil  
24 shall be deemed adulterated under sections 402(a)(1) or  
25 402(a)(2)(C)(i) of this Act by virtue of bearing or con-

1 taining a partially hydrogenated oil until the compliance  
2 date as specified in such order (June 18, 2018).

3       SEC. 741. The Secretary may charge a fee for lenders  
4 to access Department loan guarantee systems in connec-  
5 tion with such lenders' participation in loan guarantee  
6 programs of the Rural Housing Service: *Provided*, That  
7 the funds collected from such fees shall be made available  
8 to the Secretary without further appropriation and such  
9 funds shall be deposited into the Rural Development Sala-  
10 ries and Expense Account and shall remain available until  
11 expended for obligation and expenditure by the Secretary  
12 for administrative expenses of the Rural Housing Service  
13 Loan Guarantee Program in addition to other available  
14 funds: *Provided further*, That such fees collected shall not  
15 exceed \$50 per loan.

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

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

24       SEC. 743. In addition to amounts otherwise made  
25 available by this Act under the heading "Animal and Plant



1 Health Inspection Service—Buildings and Facilities”,  
2 there is appropriated \$30,000,000, to remain available  
3 until expended, for fruit fly rearing facilities.

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

11       SEC. 745. Of the unobligated balances from amounts  
12 made available in fiscal year 2016 for the special supple-  
13 mental nutrition program as authorized by section 17 of  
14 the Child Nutrition Act of 1966 (42 U.S.C. 1786),  
15 \$100,000,000 are rescinded.

16       SEC. 746. (a)(1) No Federal funds made available for  
17 this fiscal year for the rural water, waste water, waste dis-  
18 posal, and solid waste management programs authorized  
19 by sections 306, 306A, 306C, 306D, 306E, and 310B of  
20 the Consolidated Farm and Rural Development Act (7  
21 U.S.C. 1926 et seq.) shall be used for a project for the  
22 construction, alteration, maintenance, or repair of a public  
23 water or wastewater system unless all of the iron and steel  
24 products used in the project are produced in the United  
25 States.

1           (2) In this section, the term “iron and steel products”  
2 means the following products made primarily of iron or  
3 steel: lined or unlined pipes and fittings, manhole covers  
4 and other municipal castings, hydrants, tanks, flanges,  
5 pipe clamps and restraints, valves, structural steel, rein-  
6 forced precast concrete, and construction materials.

7           (b) Subsection (a) shall not apply in any case or cat-  
8 egory of cases in which the Secretary of Agriculture (in  
9 this section referred to as the “Secretary” ) or the des-  
10 ignee of the Secretary finds that—

11                 (1) applying subsection (a) would be incon-  
12 sistent with the public interest;

13                 (2) iron and steel products are not produced in  
14 the United States in sufficient and reasonably avail-  
15 able quantities or of a satisfactory quality; or

16                 (3) inclusion of iron and steel products pro-  
17 duced in the United States will increase the cost of  
18 the overall project by more than 25 percent.

19           (c) If the Secretary or the designee receives a request  
20 for a waiver under this section, the Secretary or the des-  
21 ignee shall make available to the public on an informal  
22 basis a copy of the request and information available to  
23 the Secretary or the designee concerning the request, and  
24 shall allow for informal public input on the request for  
25 at least 15 days prior to making a finding based on the

1 request. The Secretary or the designee shall make the re-  
2 quest and accompanying information available by elec-  
3 tronic means, including on the official public Internet Web  
4 site of the Department.

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

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

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

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

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

1 and Drug Administration to finalize or implement the rule  
2 entitled “Supplemental Applications Proposing Labeling  
3 Changes for Approved Drugs and Biological Products”  
4 published November 13, 2013 (78 Fed. Reg. 67985) un-  
5 less the final version of such rule requires that the Food  
6 and Drug Administration approve in advance via prior ap-  
7 proval supplement on a timely basis any change to—

8 (1) the safety information in the labeling of a  
9 drug that is marketed pursuant to an abbreviated  
10 new drug application under section 505(j) of the  
11 Federal Food, Drug, and Cosmetic Act (21 U.S.C.  
12 355(j)); and

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

20 SEC. 748. In addition to amounts otherwise made  
21 available under this Act to carry out section 27(a)(1) of  
22 the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)(1))  
23 for fiscal year 2017, there is appropriated \$19,000,000  
24 to carry out such section.

1        SEC. 749. None of the funds made available in this  
2 Act may be used to finalize, implement, administer, or en-  
3 force the proposed rule with the regulation identifier num-  
4 ber 0910–AG38 published by the Food and Drug Admin-  
5 istration in the Federal Register on April 25, 2014 (79  
6 Fed. Reg. 23142) if such rule would apply to traditional  
7 large and premium cigars. For the purposes of this sec-  
8 tion, the term traditional large and premium cigar  
9 means—

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

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

17            (B) has a 100 percent leaf tobacco binder  
18        and is made using human hands to lay the leaf  
19        tobacco wrapper or binder onto only one ma-  
20        chine that bunches, wraps, and caps each indi-  
21        vidual cigar; or

22            (C) has a homogenized tobacco leaf binder  
23        and is made in the United States using human  
24        hands to lay the 100 percent leaf tobacco wrap-

1 per onto only one machine that bunches, wraps,  
2 and caps each individual cigar; and

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

7 SEC. 750. Of the total amounts made available by  
8 this Act for direct loans in the second paragraph under  
9 the heading “Rural Housing Service—Rural Housing In-  
10 surance Fund Program Account” and, respectively, for  
11 “Rural Housing Service—Mutual and Self-Help Housing  
12 Grants”; “Rural Housing Service—Rural Housing Assist-  
13 ance Grants”; “Rural Housing Service—Rural Commu-  
14 nity Facilities Program Account”; “Rural Business-Coop-  
15 erative Service—Rural Business Program Account”;  
16 “Rural Business-Cooperative Service—Rural Economic  
17 Development Loans Program Account”; “Rural Business-  
18 Cooperative Service—Rural Cooperative Development  
19 Grants”; “Rural Utilities Service—Rural Water and  
20 Waste Disposal Program Account”; “Rural Utilities Serv-  
21 ice—Rural Electrification and Telecommunications Loans  
22 Program Account”; and “Rural Utilities Service—Dis-  
23 tance Learning, Telemedicine, and Broadband Program”,  
24 at least 10 percent of each total amount shall be allocated  
25 for assistance in persistent poverty counties: *Provided,*

1 That for purposes of this section, the term “persistent  
2 poverty counties” means any county that has had 20 per-  
3 cent or more of its population living in poverty over the  
4 past 30 years, as measured by the 1990, 2000, and 2010  
5 decennial censuses.

6 SEC. 751. For the purposes of determining eligibility  
7 or level of program assistance for Rural Development mis-  
8 sion area programs the Secretary shall not include incar-  
9 cerated prison populations.

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

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

24 SEC. 754. None of the funds appropriated by this Act  
25 may be used in any way, directly or indirectly, to influence

1 congressional action on any legislation or appropriation  
2 matters pending before Congress, other than to commu-  
3 nicate to Members of Congress as described in 18 U.S.C.  
4 1913.

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

10       SEC. 756. Consistent with section 1112(b) of the  
11 Food and Drug Administration Safety and Innovation Act  
12 (Public Law 112–144; commonly referred to as  
13 “FDASIA”), the Secretary of Health and Human Serv-  
14 ices, acting through the Commissioner of Food and Drugs,  
15 shall issue final regulations revising the Federal drug reg-  
16 ulations (as defined in section 1112(c) of such Act (21  
17 U.S.C. 360dd note)) with respect to medical gases not  
18 later than July 9, 2016. If the Secretary fails to issue  
19 final regulations with respect to medical gases by such  
20 date, the Secretary shall incorporate by reference vol-  
21 untary consensus safety and labeling standards developed  
22 by an American National Standards Institute-accredited  
23 standard development organization until such time as the  
24 Secretary issues final regulations revising the Federal  
25 drug regulations with respect to medical gases.



1       SEC. 757. For an additional amount for “Animal and  
2 Plant Health Inspection Service—Salaries and Expenses”,  
3 \$5,500,000, to remain available until September 30, 2018,  
4 for one-time control and management and associated ac-  
5 tivities directly related to the multiple-agency response to  
6 citrus greening.

7       SEC. 758. The following unobligated balances identi-  
8 fied by the following Treasury Appropriation Fund Sym-  
9 bols are hereby rescinded: 12X1951, \$620,161.89;  
10 12X1953, \$2,302,342.75; 12X1902, \$352,323.31;  
11 12X1900, \$16,452.44; and 12X1232, \$529,310.95: *Pro-*  
12 *vided*, That no amounts may be rescinded from amounts  
13 that were designated by the Congress as an emergency or  
14 disaster relief requirement pursuant to a concurrent reso-  
15 lution on the budget or the Balanced Budget and Emer-  
16 gency Deficit Control Act of 1985.

17       SEC. 759. The unobligated balances resulting from  
18 offsetting collections identified by Treasury Appropriation  
19 Fund Symbols 12X1951, 12X2002, 12X2006, 12X1902,  
20 12X1900, 12X1232, and 12X1980, respectively, are here-  
21 by rescinded: *Provided*, that no amounts may be rescinded  
22 from amounts that were designated by the Congress as  
23 an emergency or disaster relief requirement pursuant to  
24 a concurrent resolution on the budget or the Balanced  
25 Budget and Emergency Deficit Control Act of 1985.

1       SEC. 760. None of the funds made available by this  
2 Act may be used to write, prepare, propose, or publish  
3 a proposed rule, a final rule, or an interim final rule in  
4 furtherance of, or otherwise to implement any regulations  
5 or other regulatory requirements or policies with respect  
6 to the importation into the United States of lemons from  
7 Argentina unless and until—

8           (1) the Secretary of Agriculture submits to the  
9 Committee on Agriculture and the Committee on  
10 Appropriations of the House of Representatives and  
11 the Committee on Agriculture, Nutrition, and For-  
12 estry and the Committee on Appropriations of the  
13 Senate a certification that the Secretary—

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

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

18           (2) the Administrator of the Office of Informa-  
19 tion and Regulatory Affairs of the Office of Manage-  
20 ment and Budget submits to such Committees a cer-  
21 tification that the Administrator has completed the  
22 assessments specified in section 6(a)(3)(C) of Execu-  
23 tive Order 12866.

24       SEC. 761. (a) None of the funds appropriated or oth-  
25 erwise made available by this Act or any other Act with

1 respect to any fiscal year may, for each tobacco product  
2 which the Secretary of Health and Human Services by  
3 regulation under section 901(b) of the Federal Food,  
4 Drug, and Cosmetic Act (21 U.S.C. 387a(b)) deems to  
5 be subject to chapter IX of such Act, be used to treat—

6           (1) any reference in sections 905(j) or 910(a)  
7           of such Act (21 U.S.C. 387e(j), 387j(a)) to Feb-  
8           ruary 15, 2007, as other than a reference to the ef-  
9           fective date of the regulation under which the to-  
10          bacco product is deemed to be subject to the require-  
11          ments of such chapter pursuant to section 901(b) of  
12          such Act (21 U.S.C. 387a(b)); and

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

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

1 batteries pursuant to section 907 of that Act (21 U.S.C.  
2 387g).

3       (2) Notwithstanding any other provision of law, not  
4 later than 24 months after the date on which vapor prod-  
5 ucts are deemed to be subject to the Federal Food, Drug,  
6 and Cosmetic Act pursuant to section 901(b) of that Act  
7 (21 U.S.C. 387a), the Secretary of Health and Human  
8 Services shall promulgate a final tobacco product standard  
9 for vapor product batteries pursuant to section 907 of that  
10 Act (21 U.S.C. 387g).

11       (c) A vapor product shall be deemed to be misbranded  
12 under section 903(a) of the Federal Food, Drug, and Cos-  
13 metic Act (21 U.S.C. 387c(a)) if the advertising with re-  
14 spect to the vapor product is disseminated by a manufac-  
15 turer, distributor, or retailer of the product in a news-  
16 paper, magazine, periodical, or other publication (includ-  
17 ing any publication of periodic or limited distribution)  
18 other than an adult publication.

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

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

25               (A) mail-order; or

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

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

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

14 (A) the phrase “Keep Out of Reach of Chil-  
15 dren”;

16 (B) the phrase “Underage Sale Prohibited”;  
17 and

18 (C) an accurate statement of the nicotine con-  
19 tent of the vapor product.

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

24 (f)(1) Every person who owns or operates an estab-  
25 lishment in any State engaged in the retail sale of a vapor

1 product shall register that establishment with the Sec-  
2 retary of Health and Human Services within the later of  
3 60 days after the date of enactment of this Act, or 30  
4 days after first engaging in such retail sale.

5 (2) The requirements of this subsection do not apply  
6 with respect to any establishment subject to an active reg-  
7 istration under—

8 (A) any State law relating to tobacco products;

9 or

10 (B) section 905 of the Federal Food, Drug, and  
11 Cosmetic Act (21 U.S.C. 387e).

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

15 (g) In this section:

16 (1) The term “adult publication” means a  
17 newspaper, magazine, periodical, or other publica-  
18 tion—

19 (A) whose readers younger than 18 years  
20 of age constitute 15 percent or less of the total  
21 readership as measured by competent and reli-  
22 able survey evidence; and

23 (B) that is read by fewer than 2 million  
24 persons younger than 18 years of age as meas-  
25 ured by competent and reliable survey evidence.

1           (2) The terms “label” and “labeling” have the  
2 meanings given to such terms in section 201 of the  
3 Federal Food, Drug, and Cosmetic Act (21 U.S.C.  
4 321).

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

8           (4) The term “vapor product”—

9           (A) means any non-combustible product  
10 that employs a heating element, power source,  
11 electronic circuit, or other electronic, chemical,  
12 or mechanical means, regardless of shape or  
13 size, to produce vapor from nicotine in a solu-  
14 tion or other form;

15           (B) includes any electronic cigarette, elec-  
16 tronic cigar, electronic cigarillo, electronic pipe,  
17 or similar product or device, and any vapor car-  
18 tridge or other container of nicotine in a solu-  
19 tion or other form; and

20           (C) does not include any product regulated  
21 as a drug or device by the Food and Drug Ad-  
22 ministration under chapter V of the Federal  
23 Food, Drug, and Cosmetic Act (21 U.S.C. 21  
24 U.S.C. 351 et seq.).

1       SEC. 762. None of the funds made available in this  
2 Act may be used to pay the salary or expenses of per-  
3 sonnel—

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

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

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

12       SEC. 763. None of the funds provided by this Act  
13 shall be used to write, prepare, or publish an interim final  
14 rule, or final rule, that would alter the definition of “staple  
15 food” or “retail food store” as defined in section 271.2  
16 of title 7 of the Code of Federal Regulations (January 1,  
17 2016), or the approval of retail food stores and wholesale  
18 food concerns in accordance with section 278.1 of title 7  
19 of the Code of Federal Regulations (January 1, 2016),  
20 except to change the variety of foods required, or the num-  
21 ber of perishable items, to comply with section 3 of the  
22 Food and Nutrition Act of 2008 as amended by sections  
23 4002(a) and 4030(a)(4) of the Agricultural Act of 2014  
24 (Public Law 113–79).



1        SEC. 764. None of the funds made available by this  
2 Act may be used by the Food and Drug Administration  
3 to develop, issue, promote, or advance any guidelines or  
4 regulations applicable to food manufacturers for popu-  
5 lation-wide sodium reduction actions until the Centers for  
6 Disease Control and Prevention or the National Academy  
7 of Medicine completes a dietary reference intake report  
8 with respect to sodium.

9        SEC. 765. None of the funds made available to the  
10 Commodity Futures Trading Commission by this Act or  
11 any other Act in the current fiscal year or any other fiscal  
12 year may be used to pay the salaries and expenses of per-  
13 sonnel to lower the de minimis quantity of swap dealing  
14 established under section 1a(49)(D) of the Commodity Ex-  
15 change Act (7 U.S.C. 1a(49)(D)) to less than  
16 \$8,000,000,000.

17        SEC. 766. For necessary expenses of the Secretary  
18 of Agriculture to support projects that provide access to  
19 healthy food in underserved areas, to create and preserve  
20 quality jobs, and to revitalize low-income communities,  
21 \$1,000,000, for the cost of loans and grants under the  
22 Healthy Food Financing Initiative consistent with section  
23 243 of the Department of Agriculture Reorganization Act  
24 of 1994 (7 U.S.C. 6953), as added by section 4206 of  
25 the Agricultural Act of 2014.



1 Agencies Appropriations Act, 2015 (division G of Public  
2 Law 113–235) and title IX of the Department of State,  
3 Foreign Operations, and Related Programs Appropria-  
4 tions Act, 2015 (division J of Public Law 113–235) shall  
5 also be available for necessary expenses to prevent, pre-  
6 pare for, and respond to Zika virus, domestically and  
7 internationally: *Provided*, That such amounts are des-  
8 ignated by the Congress as an emergency requirement  
9 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-  
10 et and Emergency Deficit Control Act of 1985, except that  
11 such amounts shall be available only if the President sub-  
12 sequently so designates such amounts and transmits such  
13 designation to the Congress.

14 SPENDING REDUCTION ACCOUNT

15 SEC. 802. The amount by which the applicable alloca-  
16 tion of new budget authority made by the Committee on  
17 Appropriations of the House of Representatives under sec-  
18 tion 302(b) of the Congressional Budget Act of 1974 ex-  
19 ceeds the amount of proposed new budget authority is \$0.

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

Union Calendar No. 410

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 5054**

[Report No. 114-531]

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## **A BILL**

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

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APRIL 26, 2016

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