

Union Calendar No. 165

115TH CONGRESS
1ST SESSION

H. R. 3268

[Report No. 115–232]

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2018, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 17, 2017

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

A BILL

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2018, 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, 2018, and for other purposes, namely:

8 TITLE I

9 AGRICULTURAL PROGRAMS

10 PROCESSING, RESEARCH, AND MARKETING

11 OFFICE OF THE SECRETARY

12 (INCLUDING TRANSFERS OF FUNDS)

13 For necessary expenses of the Office of the Secretary,
14 \$21,703,000, of which not to exceed \$4,850,000 shall be
15 available for the immediate Office of the Secretary; not
16 to exceed \$501,000 shall be available for the Office of
17 Tribal Relations; not to exceed \$800,000 shall be available
18 for the Assistant to the Secretary for Rural Development:
19 *Provided*, That funds made available by this Act to an
20 agency in the Rural Development mission area for salaries
21 and expenses are available to pay the salaries and ex-
22 penses of up to one administrative support staff for the
23 Assistant; not to exceed \$1,448,000 shall be available for
24 the Office of Homeland Security and Emergency Coordi-
25 nation; not to exceed \$1,171,000 shall be available for the

1 Office of Advocacy and Outreach; not to exceed
2 \$3,581,000 shall be available for the Office of the Assist-
3 ant Secretary for Administration, of which \$2,781,000
4 shall be available for Departmental Administration to pro-
5 vide for necessary expenses for management support serv-
6 ices to offices of the Department and for general adminis-
7 tration, security, repairs and alterations, and other mis-
8 cellaneous supplies and expenses not otherwise provided
9 for and necessary for the practical and efficient work of
10 the Department; not to exceed \$3,091,000 shall be avail-
11 able for the Office of Assistant Secretary for Congres-
12 sional Relations to carry out the programs funded by this
13 Act, including programs involving intergovernmental af-
14 fairs and liaison within the executive branch; and not to
15 exceed \$6,261,000 shall be available for the Office of Com-
16 munications: *Provided further*, That the Secretary of Agri-
17 culture is authorized to transfer funds appropriated for
18 any office of the Office of the Secretary to any other office
19 of the Office of the Secretary: *Provided further*, That no
20 appropriation for any office shall be increased or de-
21 creased by more than 5 percent: *Provided further*, That
22 not to exceed \$11,000 of the amount made available under
23 this paragraph for the immediate Office of the Secretary
24 shall be available for official reception and representation
25 expenses, not otherwise provided for, as determined by the

1 Secretary: *Provided further*, That the amount made avail-
 2 able under this heading for Departmental Administration
 3 shall be reimbursed from applicable appropriations in this
 4 Act for travel expenses incident to the holding of hearings
 5 as required by 5 U.S.C. 551–558: *Provided further*, That
 6 funds made available under this heading for the Office of
 7 the Assistant Secretary for Congressional Relations may
 8 be transferred to agencies of the Department of Agri-
 9 culture funded by this Act to maintain personnel at the
 10 agency level: *Provided further*, That no funds made avail-
 11 able under this heading for the Office of Assistant Sec-
 12 retary for Congressional Relations may be obligated after
 13 30 days from the date of enactment of this Act, unless
 14 the Secretary has notified the Committees on Appropria-
 15 tions of both Houses of Congress on the allocation of these
 16 funds by USDA agency.

17 EXECUTIVE OPERATIONS

18 OFFICE OF THE CHIEF ECONOMIST

19 For necessary expenses of the Office of the Chief
 20 Economist, \$16,777,000, of which \$4,000,000 shall be for
 21 grants or cooperative agreements for policy research under
 22 7 U.S.C. 3155.

23 OFFICE OF HEARINGS AND APPEALS

24 For necessary expenses of the Office of Hearings and
 25 Appeals, \$13,399,000.

4 OFFICE OF THE CHIEF INFORMATION OFFICER

9 OFFICE OF THE CHIEF FINANCIAL OFFICER

12 OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL

For necessary expenses of the Office of the Assistant Secretary for Civil Rights, \$800,000: *Provided*, That funds made available by this Act to an agency in the Civil Rights mission area for salaries and expenses are available to pay the salaries and expenses of up to one administrative support staff for the Office.

21 For necessary expenses of the Office of Civil Rights,
22 \$23,304,000.

HAZARDOUS MATERIALS MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.) and the Resource Conservation and Recovery Act (42 U.S.C. 6901 et seq.), \$3,503,000, to remain available until expended: *Provided*, That appropriations and funds available herein to the Department for Hazardous Materials Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, including employment pursuant to the Inspector General Act of 1978 (Public Law 95–452; 5 U.S.C. App.), \$95,628,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978 (Public Law 95–452; 5 U.S.C. App.), and including not to exceed \$125,000 for certain confidential operational expenses, including the payment of informants, to be expended under the direction of the Inspector General pursuant to the Inspector Gen-

1 eral Act of 1978 (Public Law 95–452; 5 U.S.C. App.) and
 2 section 1337 of the Agriculture and Food Act of 1981
 3 (Public Law 97–98).

4 OFFICE OF THE GENERAL COUNSEL

5 For necessary expenses of the Office of the General
 6 Counsel, \$42,970,000.

7 OFFICE OF ETHICS

8 For necessary expenses of the Office of Ethics,
 9 \$3,945,000.

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 \$800,000: *Provided*, That funds made available by this
 15 Act to an agency in the Research, Education, and Eco-
 16 nomics mission area for salaries and expenses are avail-
 17 able to pay the salaries and expenses of up to one adminis-
 18 trative support staff for the Office.

19 ECONOMIC RESEARCH SERVICE

20 For necessary expenses of the Economic Research
 21 Service, \$76,788,000.

22 NATIONAL AGRICULTURAL STATISTICS SERVICE

23 For necessary expenses of the National Agricultural
 24 Statistics Service, \$183,781,000, of which up to
 25 \$63,350,000 shall be available until expended for the Cen-

1 sus of Agriculture: *Provided*, That amounts made available
 2 for the Census of Agriculture may be used to conduct Cur-
 3 rent Industrial Report surveys subject to 7 U.S.C.
 4 2204g(d) and (f).

5 AGRICULTURAL RESEARCH SERVICE

6 SALARIES AND EXPENSES

7 For necessary expenses of the Agricultural Research
 8 Service and for acquisition of lands by donation, exchange,
 9 or purchase at a nominal cost not to exceed \$100, and
 10 for land exchanges where the lands exchanged shall be of
 11 equal value or shall be equalized by a payment of money
 12 to the grantor which shall not exceed 25 percent of the
 13 total value of the land or interests transferred out of Fed-
 14 eral ownership, \$1,132,625,000: *Provided*, That appro-
 15 priations hereunder shall be available for the operation
 16 and maintenance of aircraft and the purchase of not to
 17 exceed one for replacement only: *Provided further*, That
 18 appropriations hereunder shall be available pursuant to
 19 section 703 of the Act of September 21, 1944 (7 U.S.C.
 20 2250) for the construction, alteration, and repair of build-
 21 ings and improvements, but unless otherwise provided, the
 22 cost of constructing any one building shall not exceed
 23 \$500,000, except for headhouses or greenhouses which
 24 shall each be limited to \$1,800,000, except for 10 build-
 25 ings to be constructed or improved at a cost not to exceed

1 \$1,100,000 each, and except for two buildings to be con-
2 structed at a cost not to exceed \$3,000,000 each, and the
3 cost of altering any one building during the fiscal year
4 shall not exceed 10 percent of the current replacement
5 value of the building or \$500,000, whichever is greater:
6 *Provided further*, That appropriations hereunder shall be
7 available for entering into lease agreements at any Agri-
8 cultural Research Service location for the construction of
9 a research facility by a non-Federal entity for use by the
10 Agricultural Research Service and a condition of the lease
11 shall be that any facility shall be owned, operated, and
12 maintained by the non-Federal entity and shall be re-
13 moved upon the expiration or termination of the lease
14 agreement: *Provided further*, That the limitations on alter-
15 ations contained in this Act shall not apply to moderniza-
16 tion or replacement of existing facilities at Beltsville,
17 Maryland: *Provided further*, That appropriations here-
18 under shall be available for granting easements at the
19 Beltsville Agricultural Research Center: *Provided further*,
20 That the foregoing limitations shall not apply to replace-
21 ment of buildings needed to carry out the Act of April
22 24, 1948 (21 U.S.C. 113a): *Provided further*, That appro-
23 priations hereunder shall be available for granting ease-
24 ments at any Agricultural Research Service location for
25 the construction of a research facility by a non-Federal

1 entity for use by, and acceptable to, the Agricultural Re-
 2 search Service and a condition of the easements shall be
 3 that upon completion the facility shall be accepted by the
 4 Secretary, subject to the availability of funds herein, if the
 5 Secretary finds that acceptance of the facility is in the
 6 interest of the United States: *Provided further*, That funds
 7 may be received from any State, other political subdivi-
 8 sion, organization, or individual for the purpose of estab-
 9 lishing or operating any research facility or research
 10 project of the Agricultural Research Service, as authorized
 11 by law.

12 BUILDINGS AND FACILITIES

13 For the acquisition of land, construction, repair, im-
 14 provement, extension, alteration, and purchase of fixed
 15 equipment or facilities as necessary to carry out the agri-
 16 cultural research programs of the Department of Agri-
 17 culture, where not otherwise provided, \$60,000,000 to re-
 18 main available until expended.

19 NATIONAL INSTITUTE OF FOOD AND AGRICULTURE

20 RESEARCH AND EDUCATION ACTIVITIES

21 For payments to agricultural experiment stations, for
 22 cooperative forestry and other research, for facilities, and
 23 for other expenses, \$830,402,000, which shall be for the
 24 purposes, and in the amounts, specified in the table titled
 25 “National Institute of Food and Agriculture, Research

1 and Education Activities” in the report accompanying this
2 Act: *Provided*, That funds for research grants for 1994
3 institutions, education grants for 1890 institutions, the
4 agriculture and food research initiative, veterinary medi-
5 cine loan repayment, multicultural scholars, graduate fel-
6 lowship and institution challenge grants, and grants man-
7 agement systems shall remain available until expended:
8 *Provided further*, That each institution eligible to receive
9 funds under the Evans-Allen program receives no less
10 than \$1,000,000: *Provided further*, That funds for edu-
11 cation grants for Alaska Native and Native Hawaiian-
12 serving institutions be made available to individual eligible
13 institutions or consortia of eligible institutions with funds
14 awarded equally to each of the States of Alaska and Ha-
15 waii: *Provided further*, That funds for education grants for
16 1890 institutions shall be made available to institutions
17 eligible to receive funds under 7 U.S.C. 3221 and 3222:
18 *Provided further*, That not more than 5 percent of the
19 amounts made available by this or any other Act to carry
20 out the Agriculture and Food Research Initiative under
21 7 U.S.C. 450i(b) may be retained by the Secretary of Ag-
22 riculture to pay administrative costs incurred by the Sec-
23 retary in carrying out that Act.

1 NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

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

5 EXTENSION ACTIVITIES

6 For payments to States, the District of Columbia,
7 Puerto Rico, Guam, the Virgin Islands, Micronesia, the
8 Northern Marianas, and American Samoa, \$475,876,000,
9 which shall be for the purposes, and in the amounts, speci-
10 fied in the table titled “National Institute of Food and
11 Agriculture, Extension Activities” in the report accom-
12 panying this Act: *Provided*, That funds for facility im-
13 provements at 1890 institutions shall remain available
14 until expended: *Provided further*, That institutions eligible
15 to receive funds under 7 U.S.C. 3221 for cooperative ex-
16 tension receive no less than \$1,000,000: *Provided further*,
17 That funds for cooperative extension under sections 3(b)
18 and (c) of the Smith-Lever Act (7 U.S.C. 343(b) and (c))
19 and section 209 of the District of Columbia Public Post-
20 secondary Education Reorganization Act (38–1202.09,
21 D.C. Official Code) shall be available for retirement and
22 employees’ compensation costs for extension agents.

23 INTEGRATED ACTIVITIES

24 For the integrated research, education, and extension
25 grants programs, including necessary administrative ex-

1 penses, \$35,000,000, which shall be for the purposes, and
2 in the amounts, specified in the table titled “National In-
3 stitute of Food and Agriculture, Integrated Activities” in
4 the report accompanying this Act: *Provided*, That funds
5 for the Food and Agriculture Defense Initiative shall re-
6 main available until September 30, 2019: *Provided further*,
7 That notwithstanding any other provision of law, indirect
8 costs shall not be charged against any Extension Imple-
9 mentation Program Area grant awarded under the Inte-
10 grated research, education, and extension competitive
11 grants program under section 406 of the Agricultural Re-
12 search, Extension, and Education Reform Act of 1998.

13 OFFICE OF THE UNDER SECRETARY FOR MARKETING
14 AND REGULATORY PROGRAMS

15 For necessary expenses of the Office of the Under
16 Secretary for Marketing and Regulatory Programs,
17 \$800,000: *Provided*, That funds made available by this
18 Act to an agency in the Marketing and Regulatory Pro-
19 grams mission area for salaries and expenses are available
20 to pay the salaries and expenses of up to one administra-
21 tive support staff for the Office.

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 \$906,400,000, of which \$450,000, 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 \$35,250,000, to remain available until ex-
17 pended, shall be for Animal Health Technical Services; of
18 which \$700,000 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 \$4,200,000, to remain available until expended,
23 shall be for information technology infrastructure; of
24 which \$160,000,000, to remain available until expended,
25 shall be for specialty crop pests; of which, \$8,800,000, to

1 remain available until expended, shall be for field crop and
2 rangeland ecosystem pests; of which \$14,500,000, to re-
3 main available until expended, shall be for zoonotic disease
4 management; of which \$36,500,000, to remain available
5 until expended, shall be for emergency preparedness and
6 response; of which \$38,000,000, to remain available until
7 expended, shall be for tree and wood pests; of which
8 \$5,725,000, to remain available until expended, shall be
9 for the National Veterinary Stockpile; of which up to
10 \$1,500,000, to remain available until expended, shall be
11 for the scrapie program for indemnities; of which
12 \$2,500,000, to remain available until expended, shall be
13 for the wildlife damage management program for aviation
14 safety: *Provided*, That of amounts available under this
15 heading for wildlife services methods development,
16 \$1,000,000 shall remain available until expended: *Pro-*
17 *vided further*, That of amounts available under this head-
18 ing for the screwworm program, \$4,990,000 shall remain
19 available until expended: *Provided further*, That no funds
20 shall be used to formulate or administer a brucellosis
21 eradication program for the current fiscal year that does
22 not require minimum matching by the States of at least
23 40 percent: *Provided further*, That this appropriation shall
24 be available for the operation and maintenance of aircraft
25 and the purchase of not to exceed five, of which two shall

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

22 In fiscal year 2018, the agency is authorized to collect
23 fees to cover the total costs of providing technical assist-
24 ance, goods, or services requested by States, other political
25 subdivisions, domestic and international organizations,

1 foreign governments, or individuals, provided that such
 2 fees are structured such that any entity's liability for such
 3 fees is reasonably based on the technical assistance, goods,
 4 or services provided to the entity by the agency, and such
 5 fees shall be reimbursed to this account, to remain avail-
 6 able until expended, without further appropriation, for
 7 providing such assistance, goods, or services.

8 AGRICULTURAL MARKETING SERVICE

9 MARKETING SERVICES

10 For necessary expenses of the Agricultural Marketing
 11 Service, \$77,573,000: *Provided*, That this appropriation
 12 shall be available pursuant to law (7 U.S.C. 2250) for the
 13 alteration and repair of buildings and improvements, but
 14 the cost of altering any one building during the fiscal year
 15 shall not exceed 10 percent of the current replacement
 16 value of the building.

17 Fees may be collected for the cost of standardization
 18 activities, as established by regulation pursuant to section
 19 9701 of title 31, United States Code.

20 LIMITATION ON ADMINISTRATIVE EXPENSES

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

1 to the Committees on Appropriations of both Houses of
2 Congress.

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

6 Funds available under section 32 of the Act of Au-
7 gust 24, 1935 (7 U.S.C. 612c), shall be used only for com-
8 modity program expenses as authorized therein, and other
9 related operating expenses, except for: (1) transfers to the
10 Department of Commerce as authorized by the Fish and
11 Wildlife Act of 1956 (16 U.S.C. 742a et seq.); (2) trans-
12 fers otherwise provided in this Act; and (3) not more than
13 \$20,705,000 for formulation and administration of mar-
14 keting agreements and orders pursuant to the Agricultural
15 Marketing Agreement Act of 1937 and the Agricultural
16 Act of 1961 (Public Law 87–128).

17 PAYMENTS TO STATES AND POSSESSIONS

18 For payments to departments of agriculture, bureaus
19 and departments of markets, and similar agencies for
20 marketing activities under section 204(b) of the Agricul-
21 tural Marketing Act of 1946 (7 U.S.C. 1623(b)),
22 \$1,109,000.

1 GRAIN INSPECTION, PACKERS AND STOCKYARDS

2 ADMINISTRATION

3 SALARIES AND EXPENSES

4 For necessary expenses of the Grain Inspection,
5 Packers and Stockyards Administration, \$42,888,000:
6 *Provided*, That this appropriation shall be available pursu-
7 ant to law (7 U.S.C. 2250) for the alteration and repair
8 of buildings and improvements, but the cost of altering
9 any one building during the fiscal year shall not exceed
10 10 percent of the current replacement value of the build-
11 ing.

12 LIMITATION ON INSPECTION AND WEIGHING SERVICES

13 EXPENSES

14 Not to exceed \$60,000,000 (from fees collected) shall
15 be obligated during the current fiscal year for inspection
16 and weighing services: *Provided*, That if grain export ac-
17 tivities require additional supervision and oversight, or
18 other uncontrollable factors occur, this limitation may be
19 exceeded by up to 10 percent with notification to the Com-
20 mittees on Appropriations of both Houses of Congress.

21 OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

22 For necessary expenses of the Office of the Under
23 Secretary for Food Safety, \$800,000: *Provided*, That
24 funds made available by this Act to an agency in the Food
25 Safety mission area for salaries and expenses are available

1 to pay the salaries and expenses of up to one administra-
2 tive support staff for the Office.

3 FOOD SAFETY AND INSPECTION SERVICE

4 For necessary expenses to carry out services author-
5 ized by the Federal Meat Inspection Act, the Poultry
6 Products Inspection Act, and the Egg Products Inspection
7 Act, including not to exceed \$50,000 for representation
8 allowances and for expenses pursuant to section 8 of the
9 Act approved August 3, 1956 (7 U.S.C. 1766),
10 \$1,038,069,000; and in addition, \$1,000,000 may be cred-
11 ited to this account from fees collected for the cost of lab-
12 oratory accreditation as authorized by section 1327 of the
13 Food, Agriculture, Conservation and Trade Act of 1990
14 (7 U.S.C. 138f): *Provided*, That funds provided for the
15 Public Health Data Communication Infrastructure system
16 shall remain available until expended: *Provided further*,
17 That no fewer than 148 full-time equivalent positions shall
18 be employed during fiscal year 2018 for purposes dedi-
19 cated solely to inspections and enforcement related to the
20 Humane Methods of Slaughter Act (7 U.S.C. 1901 et
21 seq.): *Provided further*, That the Food Safety and Inspec-
22 tion Service shall continue implementation of section
23 11016 of the Food, Conservation, and Energy Act of 2008
24 (Public Law 110–246) as further clarified by the amend-
25 ments made in section 12106 of the Agricultural Act of

1 2014 (Public Law 113–79): *Provided further*, That this
 2 appropriation shall be available pursuant to law (7 U.S.C.
 3 2250) for the alteration and repair of buildings and im-
 4 provements, but the cost of altering any one building dur-
 5 ing the fiscal year shall not exceed 10 percent of the cur-
 6 rent replacement value of the building.

7 TITLE II

8 FARM PRODUCTION AND CONSERVATION

9 PROGRAMS

10 OFFICE OF THE UNDER SECRETARY FOR FARM

11 PRODUCTION AND CONSERVATION

12 For necessary expenses of the Office of the Under
 13 Secretary for Farm Production and Conservation,
 14 \$875,000: *Provided*, That funds made available by this
 15 Act to an agency in the Farm Production and Conserva-
 16 tion mission area for salaries and expenses are available
 17 to pay the salaries and expenses of up to one administra-
 18 tive support staff for the Office.

19 FARM SERVICE AGENCY

20 SALARIES AND EXPENSES

21 (INCLUDING TRANSFERS OF FUNDS)

22 For necessary expenses of the Farm Service Agency,
 23 \$1,166,317,000: *Provided*, That not more than 50 percent
 24 of the \$78,013,000 made available under this heading for
 25 information technology related to farm program delivery,

1 including the Modernize and Innovate the Delivery of Ag-
2 ricultural Systems and other farm program delivery sys-
3 tems, may be obligated until the Secretary submits to the
4 Committees on Appropriations of both Houses of Con-
5 gress, and receives written or electronic notification of re-
6 ceipt from such Committees of, a plan for expenditure that
7 (1) identifies for each project/investment over \$25,000 (a)
8 the functional and performance capabilities to be delivered
9 and the mission benefits to be realized, (b) the estimated
10 lifecycle cost, including estimates for development as well
11 as maintenance and operations, and (c) key milestones to
12 be met; (2) demonstrates that each project/investment is
13 (a) consistent with the Farm Service Agency Information
14 Technology Roadmap, (b) being managed in accordance
15 with applicable lifecycle management policies and guid-
16 ance, and (c) subject to the applicable Department's cap-
17 ital planning and investment control requirements; and (3)
18 has been reviewed by the Government Accountability Of-
19 fice: *Provided further*, That the agency shall submit a re-
20 port by the end of the fourth quarter of fiscal year 2018
21 to the Committees on Appropriations and the Government
22 Accountability Office, that identifies for each project/in-
23 vestment that is operational (a) current performance
24 against key indicators of customer satisfaction, (b) current
25 performance of service level agreements or other technical

1 metrics, (c) current performance against a pre-established
2 cost baseline, (d) a detailed breakdown of current and
3 planned spending on operational enhancements or up-
4 grades, and (e) an assessment of whether the investment
5 continues to meet business needs as intended as well as
6 alternatives to the investment: *Provided further*, That the
7 Secretary is authorized to use the services, facilities, and
8 authorities (but not the funds) of the Commodity Credit
9 Corporation to make program payments for all programs
10 administered by the Agency: *Provided further*, That other
11 funds made available to the Agency for authorized activi-
12 ties may be advanced to and merged with this account:
13 *Provided further*, That funds made available to county
14 committees shall remain available until expended: *Pro-*
15 *vided further*, That none of the funds available to the
16 Farm Service Agency shall be used to close Farm Service
17 Agency county offices: *Provided further*, That none of the
18 funds available to the Farm Service Agency shall be used
19 to permanently relocate county based employees that
20 would result in an office with two or fewer employees with-
21 out prior notification and approval of the Committees on
22 Appropriations of both Houses of Congress.

1 STATE MEDIATION GRANTS

2 For grants pursuant to section 502(b) of the Agricul-
3 tural Credit Act of 1987, as amended (7 U.S.C. 5101–
4 5106), \$3,398,000.

5 GRASSROOTS SOURCE WATER PROTECTION PROGRAM

6 For necessary expenses to carry out wellhead or
7 groundwater protection activities under section 1240O of
8 the Food Security Act of 1985 (16 U.S.C. 3839bb–2),
9 \$6,000,000, to remain available until expended.

10 DAIRY INDEMNITY PROGRAM

11 (INCLUDING TRANSFER OF FUNDS)

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

For the cost of direct and guaranteed loans and grants, including the cost of modifying loans as defined

1 in section 502 of the Congressional Budget Act of 1974,
2 as follows: farm operating loans, \$52,716,000 for direct
3 operating loans, \$17,687,000 for unsubsidized guaranteed
4 operating loans, emergency loans, \$1,260,000, to remain
5 available until expended; and \$2,272,000 for Indian highly
6 fractionated land loans.

7 In addition, for administrative expenses necessary to
8 carry out the direct and guaranteed loan programs,
9 \$305,291,000, of which \$297,386,000 shall be transferred
10 to and merged with the appropriation for “Farm Service
11 Agency, Salaries and Expenses”.

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

19 RISK MANAGEMENT AGENCY

20 SALARIES AND EXPENSES

21 For necessary expenses of the Risk Management
22 Agency, \$55,000,000: *Provided*, That not to exceed
23 \$1,000 shall be available for official reception and rep-
24 resentation expenses, as authorized by 7 U.S.C. 1506(i).

1 NATURAL RESOURCES CONSERVATION SERVICE
2 CONSERVATION OPERATIONS

3 For necessary expenses for carrying out the provi-
4 sions of the Act of April 27, 1935 (16 U.S.C. 590a–f),
5 including preparation of conservation plans and establish-
6 ment of measures to conserve soil and water (including
7 farm irrigation and land drainage and such special meas-
8 ures for soil and water management as may be necessary
9 to prevent floods and the siltation of reservoirs and to con-
10 trol agricultural related pollutants); operation of conserva-
11 tion plant materials centers; classification and mapping of
12 soil; dissemination of information; acquisition of lands,
13 water, and interests therein for use in the plant materials
14 program by donation, exchange, or purchase at a nominal
15 cost not to exceed \$100 pursuant to the Act of August
16 3, 1956 (7 U.S.C. 428a); purchase and erection or alter-
17 ation or improvement of permanent and temporary build-
18 ings; and operation and maintenance of aircraft,
19 \$858,911,000, to remain available until September 30,
20 2019: *Provided*, That appropriations hereunder shall be
21 available pursuant to 7 U.S.C. 2250 for construction and
22 improvement of buildings and public improvements at
23 plant materials centers, except that the cost of alterations
24 and improvements to other buildings and other public im-
25 provements shall not exceed \$250,000: *Provided further*,

1 That when buildings or other structures are erected on
2 non-Federal land, that the right to use such land is ob-
3 tained as provided in 7 U.S.C. 2250a.

4 WATERSHED AND FLOOD PREVENTION OPERATIONS

5 For necessary expenses to carry out preventive meas-
6 ures, including but not limited to surveys and investiga-
7 tions, engineering operations, works of improvement, and
8 changes in use of land, in accordance with the Watershed
9 Protection and Flood Prevention Act (16 U.S.C. 1001–
10 1005 and 1007–1009) and in accordance with the provi-
11 sions of laws relating to the activities of the Department,
12 \$40,000,000, to remain available until expended: *Pro-*
13 *vided*, That of the amounts made available under this
14 heading, \$20,000,000 shall be allocated to projects and
15 activities that can commence promptly following enact-
16 ment; that address regional priorities for flood prevention,
17 agricultural water management, inefficient irrigation sys-
18 tems, fish and wildlife habitat, or watershed protection;
19 or that address authorized ongoing projects under the au-
20 thorities of section 13 of the Flood Control Act of Decem-
21 ber 22, 1944 (Public Law 78–534) with a primary pur-
22 pose of watershed protection by preventing floodwater
23 damage and stabilizing stream channels, tributaries, and
24 banks to reduce erosion and sediment transport.

1 WATERSHED REHABILITATION PROGRAM

2 Under the authorities of section 14 of the Watershed
3 Protection and Flood Prevention Act, \$10,000,000 is pro-
4 vided: *Provided*, That of the amounts made available
5 under this heading, \$5,000,000 shall remain available
6 until expended for watershed rehabilitation projects in
7 states with high-hazard dams and other watershed struc-
8 tures and that have recently incurred flooding events
9 which caused fatalities.

10 CORPORATIONS

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

21 FEDERAL CROP INSURANCE CORPORATION FUND

22 For payments as authorized by section 516 of the
23 Federal Crop Insurance Act (7 U.S.C. 1516), such sums
24 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 III

4 RURAL DEVELOPMENT PROGRAMS

5 RURAL DEVELOPMENT

6 SALARIES AND EXPENSES

7 (INCLUDING TRANSFERS OF FUNDS)

8 For necessary expenses for carrying out the adminis-
 9 tration and implementation of Rural Development pro-
 10 grams, including activities with institutions concerning the
 11 development and operation of agricultural cooperatives;
 12 and for cooperative agreements; \$220,835,000: *Provided*,
 13 That notwithstanding any other provision of law, funds
 14 appropriated under this heading may be used for adver-
 15 tising and promotional activities that support Rural Devel-
 16 opment programs.

17 RURAL HOUSING SERVICE

18 RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

19 (INCLUDING TRANSFERS OF FUNDS)

20 For gross obligations for the principal amount of di-
 21 rect and guaranteed loans as authorized by title V of the
 22 Housing Act of 1949, to be available from funds in the
 23 rural housing insurance fund, as follows: \$900,000,000
 24 shall be for direct loans and \$24,000,000,000 shall be for
 25 unsubsidized guaranteed loans; \$24,000,000 for section

1 504 housing repair loans; \$28,398,000 for section 515
 2 rental housing; \$230,000,000 for section 538 guaranteed
 3 multi-family housing loans; \$10,000,000 for credit sales
 4 of single family housing acquired property; \$5,000,000 for
 5 section 523 self-help housing land development loans; and
 6 \$5,000,000 for section 524 site development loans: *Pro-*
 7 *vided*, That section 514(f)(3)(A) of the Housing Act of
 8 1949 (42 U.S.C. 1484(f)(3)(A)) is amended by striking
 9 “United States” and inserting “United States,” and by
 10 inserting before the semicolon the following: “, or a person
 11 legally admitted to the United States and authorized to
 12 work in agriculture”.

13 For the cost of direct and guaranteed loans, including
 14 the cost of modifying loans, as defined in section 502 of
 15 the Congressional Budget Act of 1974, as follows: section
 16 502 loans, \$34,650,000 shall be for direct loans; section
 17 504 housing repair loans, \$2,959,000; section 523 self-
 18 help housing land development loans, \$368,000; section
 19 524 site development loans, \$58,000; and repair, rehabili-
 20 tation, and new construction of section 515 rental housing,
 21 \$7,472,000: *Provided*, That to support the loan program
 22 level for section 538 guaranteed loans made available
 23 under this heading the Secretary may charge or adjust
 24 any fees to cover the projected cost of such loan guaran-
 25 tees pursuant to the provisions of the Credit Reform Act

1 of 1990 (2 U.S.C. 661 et seq.), and the interest on such
2 loans may not be subsidized: *Provided further*, That appli-
3 cants in communities that have a current rural area waiv-
4 er under section 541 of the Housing Act of 1949 (42
5 U.S.C. 1490q) shall be treated as living in a rural area
6 for purposes of section 502 guaranteed loans provided
7 under this heading: *Provided further*, That of the amounts
8 available under this paragraph for section 502 direct
9 loans, no less than \$5,000,000 shall be available for direct
10 loans for individuals whose homes will be built pursuant
11 to a program funded with a mutual and self-help housing
12 grant authorized by section 523 of the Housing Act of
13 1949 until June 1, 2018: *Provided further*, That the Sec-
14 retary shall implement provisions to provide incentives to
15 nonprofit organizations and public housing authorities to
16 facilitate the acquisition of Rural Housing Service (RHS)
17 multifamily housing properties by such nonprofit organi-
18 zations and public housing authorities that commit to keep
19 such properties in the RHS multifamily housing program
20 for a period of time as determined by the Secretary, with
21 such incentives to include, but not be limited to, the fol-
22 lowing: allow such nonprofit entities and public housing
23 authorities to earn a Return on Investment (ROI) on their
24 own resources to include proceeds from low income hous-
25 ing tax credit syndication, own contributions, grants, and

1 developer loans at favorable rates and terms, invested in
 2 a deal; and allow reimbursement of organizational costs
 3 associated with owner's oversight of asset referred to as
 4 "Asset Management Fee" (AMF) of up to \$7,500 per
 5 property.

6 In addition, for the cost of direct loans, grants, and
 7 contracts, as authorized by sections 514 and 516 of the
 8 Housing Act of 1949 (42 U.S.C. 1484, 1486),
 9 \$10,008,000, to remain available until expended, for direct
 10 farm labor housing loans and domestic farm labor housing
 11 grants and contracts: *Provided*, That any balances avail-
 12 able for the Farm Labor Program Account shall be trans-
 13 ferred to and merged with this account.

14 In addition, for administrative expenses necessary to
 15 carry out the direct and guaranteed loan programs,
 16 \$401,300,000 shall be transferred to and merged with the
 17 appropriation for "Rural Development, Salaries and Ex-
 18 penses".

19 RENTAL ASSISTANCE PROGRAM

20 For rental assistance agreements entered into or re-
 21 newed pursuant to the authority under section 521(a)(2)
 22 of the Housing Act of 1949 or agreements entered into
 23 in lieu of debt forgiveness or payments for eligible house-
 24 holds as authorized by section 502(c)(5)(D) of the Hous-
 25 ing Act of 1949, \$1,345,293,000, of which \$40,000,000

1 shall be available until September 30, 2019; and in addi-
2 tion such sums as may be necessary, as authorized by sec-
3 tion 521(c) of the Act, to liquidate debt incurred prior to
4 fiscal year 1992 to carry out the rental assistance program
5 under section 521(a)(2) of the Act: *Provided*, That rental
6 assistance agreements entered into or renewed during the
7 current fiscal year shall be funded for a one-year period:
8 *Provided further*, That any unexpended balances remain-
9 ing at the end of such one-year agreements may be trans-
10 ferred and used for purposes of any debt reduction; main-
11 tenance, repair, or rehabilitation of any existing projects;
12 preservation; and rental assistance activities authorized
13 under title V of the Act: *Provided further*, That rental as-
14 sistance provided under agreements entered into prior to
15 fiscal year 2018 for a farm labor multi-family housing
16 project financed under section 514 or 516 of the Act may
17 not be recaptured for use in another project until such
18 assistance has remained unused for a period of 12 con-
19 secutive months, if such project has a waiting list of ten-
20 ants seeking such assistance or the project has rental as-
21 sistance eligible tenants who are not receiving such assist-
22 ance: *Provided further*, That such recaptured rental assist-
23 ance shall, to the extent practicable, be applied to another
24 farm labor multi-family housing project financed under
25 section 514 or 516 of the Act: *Provided further*, That ex-

1 cept as provided in the third proviso under this heading
2 and notwithstanding any other provision of the Act, the
3 Secretary may recapture rental assistance provided under
4 agreements entered into prior to fiscal year 2018 for a
5 project that the Secretary determines no longer needs
6 rental assistance and use such recaptured funds for cur-
7 rent needs.

8 MULTI-FAMILY HOUSING REVITALIZATION PROGRAM
9 ACCOUNT

10 For the rural housing voucher program as authorized
11 under section 542 of the Housing Act of 1949, but not-
12 withstanding subsection (b) of such section, and for addi-
13 tional costs to conduct a demonstration program for the
14 preservation and revitalization of multi-family rental hous-
15 ing properties described in this paragraph, \$35,000,000,
16 to remain available until expended: *Provided*, That of the
17 funds made available under this heading, \$20,000,000,
18 shall be available for rural housing vouchers to any low-
19 income household (including those not receiving rental as-
20 sistance) residing in a property financed with a section
21 515 loan which has been prepaid after September 30,
22 2005: *Provided further*, That the amount of such voucher
23 shall be the difference between comparable market rent
24 for the section 515 unit and the tenant paid rent for such
25 unit: *Provided further*, That funds made available for such

1 vouchers shall be subject to the availability of annual ap-
2 propriations: *Provided further*, That the Secretary shall,
3 to the maximum extent practicable, administer such
4 vouchers with current regulations and administrative guid-
5 ance applicable to section 8 housing vouchers administered
6 by the Secretary of the Department of Housing and Urban
7 Development: *Provided further*, That if the Secretary de-
8 termines that the amount made available for vouchers in
9 this or any other Act is not needed for vouchers, the Sec-
10 retary may use such funds for the demonstration program
11 for the preservation and revitalization of multi-family
12 rental housing properties described in this paragraph: *Pro-*
13 *vided further*, That of the funds made available under this
14 heading, \$15,000,000 shall be available for a demonstra-
15 tion program for the preservation and revitalization of the
16 sections 514, 515, and 516 multi-family rental housing
17 properties to restructure existing USDA multi-family
18 housing loans, as the Secretary deems appropriate, ex-
19 pressly for the purposes of ensuring the project has suffi-
20 cient resources to preserve the project for the purpose of
21 providing safe and affordable housing for low-income resi-
22 dents and farm laborers including reducing or eliminating
23 interest; deferring loan payments, subordinating, reducing
24 or reamortizing loan debt; and other financial assistance
25 including advances, payments and incentives (including

1 the ability of owners to obtain reasonable returns on in-
2 vestment) required by the Secretary: *Provided further*,
3 That the Secretary shall as part of the preservation and
4 revitalization agreement obtain a restrictive use agreement
5 consistent with the terms of the restructuring: *Provided*
6 *further*, That if the Secretary determines that additional
7 funds for vouchers described in this paragraph are needed,
8 funds for the preservation and revitalization demonstra-
9 tion program may be used for such vouchers: *Provided fur-*
10 *ther*, That if Congress enacts legislation to permanently
11 authorize a multi-family rental housing loan restructuring
12 program similar to the demonstration program described
13 herein, the Secretary may use funds made available for
14 the demonstration program under this heading to carry
15 out such legislation with the prior approval of the Commit-
16 tees on Appropriations of both Houses of Congress: *Pro-*
17 *vided further*, That in addition to any other available
18 funds, the Secretary may expend not more than
19 \$1,000,000 total, from the program funds made available
20 under this heading, for administrative expenses for activi-
21 ties funded under this heading.

22 MUTUAL AND SELF-HELP HOUSING GRANTS

23 For grants and contracts pursuant to section
24 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C.
25 1490c), \$25,000,000, to remain available until expended.

1 RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT
 2 (INCLUDING TRANSFERS OF FUNDS)

3 For gross obligations for the principal amount of di-
 4 rect and guaranteed loans as authorized by section 306
 5 and described in section 381E(d)(1) of the Consolidated
 6 Farm and Rural Development Act, \$2,600,000,000 for di-
 7 rect loans and \$148,305,000 for guaranteed loans.

8 For the cost of guaranteed loans, including the cost
 9 of modifying loans, as defined in section 502 of the Con-
 10 gressional Budget Act of 1974, \$4,849,000, to remain
 11 available until expended.

12 RURAL BUSINESS—COOPERATIVE SERVICE
 13 RURAL BUSINESS PROGRAM ACCOUNT
 14 (INCLUDING TRANSFERS OF FUNDS)

15 For the cost of loan guarantees and grants, for the
 16 rural business development programs authorized by sec-
 17 tion 310B and described in subsections (a), (c), (f) and
 18 (g) of section 310B of the Consolidated Farm and Rural
 19 Development Act, \$58,251,000, to remain available until
 20 expended: *Provided*, That of the amount appropriated
 21 under this heading, not to exceed \$500,000 shall be made
 22 available for one grant to a qualified national organization
 23 to provide technical assistance for rural transportation in
 24 order to promote economic development and \$5,000,000
 25 shall be for grants to the Delta Regional Authority (7

1 U.S.C. 2009aa et seq.) and the Appalachian Regional
 2 Commission (40 U.S.C. 14101 et seq.) for any Rural Com-
 3 munity Advancement Program purpose as described in
 4 section 381E(d) of the Consolidated Farm and Rural De-
 5 velopment Act, of which not more than 5 percent may be
 6 used for administrative expenses: *Provided further*, That
 7 \$4,000,000 of the amount appropriated under this head-
 8 ing shall be for business grants to benefit Federally Recog-
 9 nized Native American Tribes, including \$250,000 for a
 10 grant to a qualified national organization to provide tech-
 11 nical assistance for rural transportation in order to pro-
 12 mote economic development: *Provided further*, That sec-
 13 tions 381E–H and 381N of the Consolidated Farm and
 14 Rural Development Act are not applicable to funds made
 15 available under this heading.

16 INTERMEDIARY RELENDING PROGRAM FUND ACCOUNT
 17 (INCLUDING TRANSFER OF FUNDS)

18 For the principal amount of direct loans, as author-
 19 ized by the Intermediary Relending Program Fund Ac-
 20 count (7 U.S.C. 1936b), \$17,500,000.

21 For the cost of direct loans, \$4,041,000, as author-
 22 ized by the Intermediary Relending Program Fund Ac-
 23 count (7 U.S.C. 1936b), of which \$404,100 shall be avail-
 24 able through June 30, 2018, for Federally Recognized Na-
 25 tive American Tribes; and of which \$606,150 shall be

1 available through June 30, 2018, for Mississippi Delta Re-
 2 gion counties (as determined in accordance with Public
 3 Law 100–460): *Provided*, That such costs, including the
 4 cost of modifying such loans, shall be as defined in section
 5 502 of the Congressional Budget Act of 1974.

6 In addition, for administrative expenses to carry out
 7 the direct loan programs, \$4,230,000 shall be transferred
 8 to and merged with the appropriation for “Rural Develop-
 9 ment, Salaries and Expenses”.

10 RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM

11 ACCOUNT

12 (INCLUDING RESCISSION OF FUNDS)

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

17 Of the funds derived from interest on the cushion of
 18 credit payments, as authorized by section 313 of the Rural
 19 Electrification Act of 1936, \$196,000,000 shall not be ob-
 20 ligated and \$196,000,000 are rescinded.

21 The cost of grants authorized under section 313 of
 22 the Rural Electrification Act, for the purpose of promoting
 23 rural economic development and job creation projects shall
 24 not exceed \$10,000,000.

1 RURAL COOPERATIVE DEVELOPMENT GRANTS

2 For rural cooperative development grants authorized
3 under section 310B(e) of the Consolidated Farm and
4 Rural Development Act (7 U.S.C. 1932), \$21,000,000, of
5 which \$2,500,000 shall be for cooperative agreements for
6 the appropriate technology transfer for rural areas pro-
7 gram: *Provided*, That not to exceed \$3,000,000 shall be
8 for grants for cooperative development centers, individual
9 cooperatives, or groups of cooperatives that serve socially
10 disadvantaged groups and a majority of the boards of di-
11 rectors or governing boards of which are comprised of in-
12 dividuals who are members of socially disadvantaged
13 groups; and of which \$10,000,000, to remain available
14 until expended, shall be for value-added agricultural prod-
15 uct market development grants, as authorized by section
16 231 of the Agricultural Risk Protection Act of 2000 (7
17 U.S.C. 1632a).

18 RURAL ENERGY FOR AMERICA PROGRAM

19 For the cost of a program of loan guarantees, under
20 the same terms and conditions as authorized by section
21 9007 of the Farm Security and Rural Investment Act of
22 2002 (7 U.S.C. 8107), \$291,000: *Provided*, That the cost
23 of loan guarantees, including the cost of modifying such
24 loans, shall be as defined in section 502 of the Congres-
25 sional Budget Act of 1974.

RURAL UTILITIES SERVICE

RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, and grants for the rural water, waste water, waste disposal, and solid waste management programs authorized by sections 306, 306A, 306C, 306D, 306E, and 310B and described in sections 306C(a)(2), 306D, 306E, and 381E(d)(2) of the Consolidated Farm and Rural Development Act, \$472,700,000, to remain available until expended, of which not to exceed \$1,000,000 shall be available for the rural utilities program described in section 306(a)(2)(B) of such Act, and of which not to exceed \$993,000 shall be available for the rural utilities program described in section 306E of such Act: *Provided*, That \$45,000,000 of the amount appropriated under this heading shall be for loans and grants including water and waste disposal systems grants authorized by section 306C(a)(2)(B) and section 306D of the Consolidated Farm and Rural Development Act, and Federally Recognized Native American Tribes authorized by 306C(a)(1) of such Act: *Provided further*, That funding provided for section 306D of the Consolidated Farm and Rural Development Act may be provided to a consortium formed pursuant to section 325 of Public Law 105–83: *Provided fur-*

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

1 \$16,897,000 of the amount appropriated under this head-
 2 ing shall be for contracting with qualified national organi-
 3 zations for a circuit rider program to provide technical as-
 4 sistance for rural water systems: *Provided further*, That
 5 not to exceed \$4,000,000 shall be for solid waste manage-
 6 ment grants: *Provided further*, That sections 381E–H and
 7 381N of the Consolidated Farm and Rural Development
 8 Act are not applicable to the funds made available under
 9 this heading.

10 RURAL ELECTRIFICATION AND TELECOMMUNICATIONS

11 LOANS PROGRAM ACCOUNT

12 (INCLUDING TRANSFER OF FUNDS)

13 The principal amount of direct and guaranteed loans
 14 as authorized by sections 305 and 306 of the Rural Elec-
 15 trification Act of 1936 (7 U.S.C. 935 and 936) shall be
 16 made as follows: loans made pursuant to section 306 of
 17 that Act, rural electric, \$5,500,000,000; guaranteed un-
 18 derwriting loans pursuant to section 313A, \$750,000,000;
 19 5 percent rural telecommunications loans, cost of money
 20 rural telecommunications loans, and for loans made pursu-
 21 ant to section 306 of that Act, rural telecommunications
 22 loans, \$690,000,000: *Provided*, That up to
 23 \$2,000,000,000 shall be used for the construction, acquisi-
 24 tion, or improvement of fossil-fueled electric generating

1 plants (whether new or existing) that utilize carbon se-
2 questration systems.

3 For the cost of direct loans as authorized by section
4 305 of the Rural Electrification Act of 1936 (7 U.S.C.
5 935), including the cost of modifying loans, as defined in
6 section 502 of the Congressional Budget Act of 1974, cost
7 of money rural telecommunications loans, \$863,000.

8 In addition, for administrative expenses necessary to
9 carry out the direct and guaranteed loan programs,
10 \$30,750,000, which shall be transferred to and merged
11 with the appropriation for “Rural Development, Salaries
12 and Expenses”.

13 BROADBAND PROGRAM

14 For the principal amount of broadband telecommuni-
15 cation loans, \$26,991,000.

16 For the cost of broadband loans, as authorized by
17 section 601 of the Rural Electrification Act, \$4,521,000,
18 to remain available until expended: *Provided*, That the
19 cost of direct loans shall be as defined in section 502 of
20 the Congressional Budget Act of 1974.

21 RURAL ECONOMIC INFRASTRUCTURE ACCOUNT

22 (INCLUDING TRANSFERS OF FUNDS)

23 For grants for very low-income housing repair and
24 rural housing preservation made by the Rural Housing
25 Service, as authorized by 42 U.S.C. 1474 and 1490m; for

1 rural community facilities, as authorized by section 306
2 and described in section 381E(d)(1) of the Consolidated
3 Farm and Rural Development Act; for grants for telemedi-
4 cine distance learning services in rural areas, as author-
5 ized by 7 U.S.C 950aaa et seq.; and for grants to finance
6 broadband transmission in rural areas eligible for Dis-
7 tance Learning and Telemedicine Program benefits, as au-
8 thorized by 7 U.S.C. 950aaa; \$122,692,000, to remain
9 available until expended:

10 *Provided*, That sections 381E-H and 381N of the
11 Consolidated Farm and Rural Development Act are not
12 applicable to the funds made available under this heading:

13 *Provided further*, That any balances available for the very
14 low-income housing repair and rural housing preservation
15 grants in the “Rural Housing Assistance Grant” account,
16 the rural community facilities grants in the “Rural Com-
17 munity Facilities Program Account”, and the telemedicine
18 and distance learning grants and broadband grants in the
19 “Distance Learning, Telemedicine and Broadband Pro-
20 gram” account shall be transferred to and merged with
21 funds made available under this heading: *Provided further*,
22 That of the amounts provided under this heading, not
23 more than \$60,000,000 shall be made available through
24 June 30, 2018, for jurisdictions in the Appalachian region,
25 as defined by 40 U.S.C. 14102(a)(1): *Provided further*,

1 That eligible activities under each of the Rural Housing
 2 Assistance Grants program, Rural Community Facilities
 3 program, and Distance Learning, Telemedicine and
 4 Broadband program accounts shall receive not less than
 5 15 percent of the amounts provided under this heading.

6 TITLE IV

7 DOMESTIC FOOD PROGRAMS

8 OFFICE OF THE UNDER SECRETARY FOR FOOD, 9 NUTRITION, AND CONSUMER SERVICES

10 For necessary expenses of the Office of the Under
 11 Secretary for Food, Nutrition, and Consumer Services,
 12 \$800,000: *Provided*, That funds made available by this
 13 Act to an agency in the Food, Nutrition, and Consumer
 14 services mission area for salaries and expenses are avail-
 15 able to pay the salaries and expenses of up to one adminis-
 16 trative support staff for the Office.

17 FOOD AND NUTRITION SERVICE

18 CHILD NUTRITION PROGRAMS

19 (INCLUDING TRANSFERS OF FUNDS)

20 For necessary expenses to carry out the Richard B.
 21 Russell National School Lunch Act (42 U.S.C. 1751 et
 22 seq.), except section 21, and the Child Nutrition Act of
 23 1966 (42 U.S.C. 1771 et seq.), except sections 17 and
 24 21; \$24,280,944,000 to remain available through Sep-
 25 tember 30, 2019, of which such sums as are made avail-

1 able under section 14222(b)(1) of the Food, Conservation,
2 and Energy Act of 2008 (Public Law 110–246), as
3 amended by this Act, shall be merged with and available
4 for the same time period and purposes as provided herein:
5 *Provided*, That of the total amount available, \$17,004,000
6 shall be available to carry out section 19 of the Child Nu-
7 trition Act of 1966 (42 U.S.C. 1771 et seq.): *Provided*
8 *further*, That of the total amount available, \$25,000,000
9 shall be available to provide competitive grants to State
10 agencies for subgrants to local educational agencies and
11 schools to purchase the equipment, with a value of greater
12 than \$1,000, needed to serve healthier meals, improve food
13 safety, and to help support the establishment, mainte-
14 nance, or expansion of the school breakfast program: *Pro-*
15 *vided further*, That of the total amount available,
16 \$23,000,000 shall remain available until expended to carry
17 out section 749(g) of the Agriculture Appropriations Act
18 of 2010 (Public Law 111–80): *Provided further*, That sec-
19 tion 26(d) of the Richard B. Russell National School
20 Lunch Act (42 U.S.C. 1769g(d)) is amended in the first
21 sentence by striking “2010 through 2017” and inserting
22 “2010 through 2018”: *Provided further*, That section
23 9(h)(3) of the Richard B. Russell National School Lunch
24 Act (42 U.S.C. 1758(h)(3)) is amended in the first sen-
25 tence by striking “for fiscal year 2017” and inserting “for

1 fiscal year 2018”: *Provided further*, That section 9(h)(4)
2 of the Richard B. Russell National School Lunch Act (42
3 U.S.C. 1758(h)(4)) is amended in the first sentence by
4 striking “for fiscal year 2017” and inserting “for fiscal
5 year 2018”.

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

8 For necessary expenses to carry out the special sup-
9 plemental nutrition program as authorized by section 17
10 of the Child Nutrition Act of 1966 (42 U.S.C. 1786),
11 \$6,150,000,000, to remain available through September
12 30, 2019: *Provided*, That notwithstanding section
13 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C.
14 1786(h)(10)), not less than \$60,000,000 shall be used for
15 breastfeeding peer counselors and other related activities,
16 and \$13,600,000 shall be used for infrastructure: *Pro-*
17 *vided further*, That none of the funds provided in this ac-
18 count shall be available for the purchase of infant formula
19 except in accordance with the cost containment and com-
20 petitive bidding requirements specified in section 17 of
21 such Act: *Provided further*, That none of the funds pro-
22 vided shall be available for activities that are not fully re-
23 imbursed by other Federal Government departments or
24 agencies unless authorized by section 17 of such Act: *Pro-*
25 *vided further*, That upon termination of a federally man-

1 dated vendor moratorium and subject to terms and condi-
2 tions established by the Secretary, the Secretary may
3 waive the requirement at 7 CFR 246.12(g)(6) at the re-
4 quest of a State agency.

5 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

6 For necessary expenses to carry out the Food and
7 Nutrition Act of 2008 (7 U.S.C. 2011 et seq.),
8 \$73,609,950,000, of which \$3,000,000,000, to remain
9 available through December 31, 2019, shall be placed in
10 reserve for use only in such amounts and at such times
11 as may become necessary to carry out program operations:
12 *Provided*, That funds provided herein shall be expended
13 in accordance with section 16 of the Food and Nutrition
14 Act of 2008: *Provided further*, That of the funds made
15 available under this heading, \$998,000 may be used to
16 provide nutrition education services to State agencies and
17 Federally Recognized Tribes participating in the Food
18 Distribution Program on Indian Reservations: *Provided*
19 *further*, That this appropriation shall be subject to any
20 work registration or workfare requirements as may be re-
21 quired by law: *Provided further*, That funds made available
22 for Employment and Training under this heading shall re-
23 main available through September 30, 2019: *Provided fur-*
24 *ther*, That funds made available under this heading for
25 section 28(d)(1), section 4(b), and section 27(a) of the

1 Food and Nutrition Act of 2008 shall remain available
2 through September 30, 2019: *Provided further*, That none
3 of the funds made available under this heading may be
4 obligated or expended in contravention of section 213A of
5 the Immigration and Nationality Act (8 U.S.C. 1183A):
6 *Provided further*, That, subject to section 731 of this Act,
7 funds made available under this heading may be used to
8 enter into contracts and employ staff to conduct studies,
9 evaluations, or to conduct activities related to program in-
10 tegrity provided that such activities are authorized by the
11 Food and Nutrition Act of 2008.

12 COMMODITY ASSISTANCE PROGRAM

13 For necessary expenses to carry out disaster assist-
14 ance and the Commodity Supplemental Food Program as
15 authorized by section 4(a) of the Agriculture and Con-
16 sumer Protection Act of 1973 (7 U.S.C. 612c note); the
17 Emergency Food Assistance Act of 1983; special assist-
18 ance for the nuclear affected islands, as authorized by sec-
19 tion 103(f)(2) of the Compact of Free Association Amend-
20 ments Act of 2003 (Public Law 108–188); and the Farm-
21 ers’ Market Nutrition Program, as authorized by section
22 17(m) of the Child Nutrition Act of 1966, \$317,139,000,
23 to remain available through September 30, 2019: *Pro-*
24 *vided*, That none of these funds shall be available to reim-
25 burse the Commodity Credit Corporation for commodities

1 donated to the program: *Provided further*, That notwith-
 2 standing any other provision of law, effective with funds
 3 made available in fiscal year 2018 to support the Seniors
 4 Farmers' Market Nutrition Program, as authorized by
 5 section 4402 of the Farm Security and Rural Investment
 6 Act of 2002, such funds shall remain available through
 7 September 30, 2019: *Provided further*, That of the funds
 8 made available under section 27(a) of the Food and Nutri-
 9 tion Act of 2008 (7 U.S.C. 2036(a)), the Secretary may
 10 use up to 10 percent for costs associated with the distribu-
 11 tion of commodities.

12 NUTRITION PROGRAMS ADMINISTRATION

13 For necessary administrative expenses of the Food
 14 and Nutrition Service for carrying out any domestic nutri-
 15 tion assistance program, \$148,541,000: *Provided*, That of
 16 the funds provided herein, \$2,000,000 shall be used for
 17 the purposes of section 4404 of Public Law 107–171, as
 18 amended by section 4401 of Public Law 110–246.

19 TITLE V

20 FOREIGN ASSISTANCE AND RELATED

21 PROGRAMS

22 OFFICE OF THE UNDER SECRETARY FOR TRADE AND

23 FOREIGN AGRICULTURAL AFFAIRS

24 For necessary expenses of the Office of the Under
 25 Secretary for Trade and Foreign Agricultural Affairs,

1 \$875,000: *Provided*, That funds made available by this
2 Act to an agency in the Trade and Foreign Agricultural
3 Affairs mission area for salaries and expenses are avail-
4 able to pay the salaries and expenses of up to one adminis-
5 trative support staff for the Office.

6 FOREIGN AGRICULTURAL SERVICE

7 SALARIES AND EXPENSES

8 (INCLUDING TRANSFERS OF FUNDS)

9 For necessary expenses of the Foreign Agricultural
10 Service, including not to exceed \$250,000 for representa-
11 tion allowances and for expenses pursuant to section 8 of
12 the Act approved August 3, 1956 (7 U.S.C. 1766),
13 \$195,268,000: *Provided*, That the Service may utilize ad-
14 vances of funds, or reimburse this appropriation for ex-
15 penditures made on behalf of Federal agencies, public and
16 private organizations and institutions under agreements
17 executed pursuant to the agricultural food production as-
18 sistance programs (7 U.S.C. 1737) and the foreign assist-
19 ance programs of the United States Agency for Inter-
20 national Development: *Provided further*, That funds made
21 available for middle-income country training programs,
22 funds made available for the Borlaug International Agri-
23 cultural Science and Technology Fellowship program, and
24 up to \$2,000,000 of the Foreign Agricultural Service ap-
25 propriation solely for the purpose of offsetting fluctuations

1 in international currency exchange rates, subject to docu-
 2 mentation by the Foreign Agricultural Service, shall re-
 3 main available until expended.

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

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

12 FOOD FOR PEACE TITLE II GRANTS

13 For expenses during the current fiscal year, not oth-
 14 erwise recoverable, and unrecovered prior years’ costs, in-
 15 cluding interest thereon, under the Food for Peace Act
 16 (Public Law 83–480), for commodities supplied in connec-
 17 tion with dispositions abroad under title II of said Act,
 18 \$1,400,000,000, to remain available until expended: *Pro-*
 19 *vided*, That the Administrator of the United States Agen-
 20 cy for International Development shall in each instance
 21 notify in writing the Committees on Appropriations of
 22 both Houses of Congress, the Committee on Agriculture
 23 of the House, and the Committee on Agriculture, Nutri-
 24 tion, and Forestry of the Senate and make publicly avail-
 25 able online the amount and use of authority in section

1 202(a) of the Food for Peace Act (7 U.S.C. 1722(a)) to
2 notwithstanding the minimum level of nonemergency assist-
3 ance required by section 412(e)(2) of the Food for Peace
4 Act (7 U.S.C. 1736f(e)(2)) not later than 15 days after
5 the date of such action.

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

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

16 COMMODITY CREDIT CORPORATION EXPORT (LOANS)
17 CREDIT GUARANTEE PROGRAM ACCOUNT
18 (INCLUDING TRANSFERS OF FUNDS)

19 For administrative expenses to carry out the Com-
20 modity Credit Corporation's Export Guarantee Program,
21 GSM 102 and GSM 103, \$6,735,000; to cover common
22 overhead expenses as permitted by section 11 of the Com-
23 modity Credit Corporation Charter Act and in conformity
24 with the Federal Credit Reform Act of 1990, of which
25 \$6,382,000 shall be transferred to and merged with the

1 appropriation for “Foreign Agricultural Service, Salaries
2 and Expenses”, and of which \$353,000 shall be trans-
3 ferred to and merged with the appropriation for “Farm
4 Service Agency, Salaries and Expenses”.

5 TITLE VI
6 RELATED AGENCIES AND FOOD AND DRUG
7 ADMINISTRATION
8 DEPARTMENT OF HEALTH AND HUMAN SERVICES
9 FOOD AND DRUG ADMINISTRATION
10 SALARIES AND EXPENSES

11 For necessary expenses of the Food and Drug Ad-
12 ministration, including hire and purchase of passenger
13 motor vehicles; for payment of space rental and related
14 costs pursuant to Public Law 92–313 for programs and
15 activities of the Food and Drug Administration that are
16 funded by this Act; for rental of special purpose space in
17 the District of Columbia or elsewhere; in addition to
18 amounts appropriated to the FDA Innovation Account, for
19 carrying out the activities described in section 1002(b)(4)
20 of the 21st Century Cures Act (Public Law 114–255); for
21 miscellaneous and emergency expenses of enforcement ac-
22 tivities, authorized and approved by the Secretary and to
23 be accounted for solely on the Secretary’s certificate, not
24 to exceed \$25,000; and notwithstanding section 521 of
25 Public Law 107–188; \$5,145,945,000: *Provided*, That of

1 the amount provided under this heading, \$937,434,000
2 shall be derived from prescription drug user fees author-
3 ized by 21 U.S.C. 379h, and shall be credited to this ac-
4 count and remain available until expended; \$193,291,000
5 shall be derived from medical device user fees authorized
6 by 21 U.S.C. 379j, and shall be credited to this account
7 and remain available until expended; \$493,600,000 shall
8 be derived from human generic drug user fees authorized
9 by 21 U.S.C. 379j–42, and shall be credited to this ac-
10 count and remain available until expended; \$54,000,000
11 shall be derived from biosimilar biological product user
12 fees authorized by 21 U.S.C. 379j–52, and shall be cred-
13 ited to this account and remain available until expended;
14 \$24,142,000 shall be derived from animal drug user fees
15 authorized by 21 U.S.C. 379j–12, and shall be credited
16 to this account and remain available until expended;
17 \$12,100,000 shall be derived from generic new animal
18 drug user fees authorized by 21 U.S.C. 379j–21, and shall
19 be credited to this account and remain available until ex-
20 pended; \$672,000,000 shall be derived from tobacco prod-
21 uct user fees authorized by 21 U.S.C. 387s, and shall be
22 credited to this account and remain available until ex-
23 pended: *Provided further*, That in addition to and notwith-
24 standing any other provision under this heading, amounts
25 collected for prescription drug user fees, medical device

1 user fees, human generic drug user fees, biosimilar biological
2 cal product user fees, animal drug user fees, and generic
3 new animal drug user fees that exceed the respective fiscal
4 year 2018 limitations are appropriated and shall be credited
5 ited to this account and remain available until expended:
6 *Provided further*, That fees derived from prescription drug,
7 medical device, human generic drug, biosimilar biological
8 product, animal drug, and generic new animal drug assessments
9 for fiscal year 2018, including any such fees
10 collected prior to fiscal year 2018 but credited for fiscal
11 year 2018, shall be subject to the fiscal year 2018 limitations:
12 *Provided further*, That the Secretary may accept
13 payment during fiscal year 2018 of user fees specified
14 under this heading and authorized for fiscal year 2019,
15 prior to the due date for such fees, and that amounts of
16 such fees assessed for fiscal year 2019 for which the Secretary
17 accepts payment in fiscal year 2018 shall not be
18 included in amounts under this heading: *Provided further*,
19 That none of these funds shall be used to develop, establish,
20 or operate any program of user fees authorized by
21 31 U.S.C. 9701: *Provided further*, That of the total
22 amount appropriated: (1) \$1,026,803,000 shall be for the
23 Center for Food Safety and Applied Nutrition and related
24 field activities in the Office of Regulatory Affairs; (2)
25 \$1,634,578,000 shall be for the Center for Drug Evaluation

tion and Research and related field activities in the Office of Regulatory Affairs; (3) \$374,233,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) \$195,349,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) \$487,836,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) \$63,331,000 shall be for the National Center for Toxicological Research; (7) \$625,646,000 shall be for the Center for Tobacco Products and for related field activities in the Office of Regulatory Affairs; (8) not to exceed \$178,785,000 shall be for Rent and Related activities, of which \$51,973,000 is for White Oak Consolidation, other than the amounts paid to the General Services Administration for rent; (9) not to exceed \$237,871,000 shall be for payments to the General Services Administration for rent; and (10) \$321,513,000 shall be for other activities, including the Office of the Commissioner of Food and Drugs, the Office of Foods and Veterinary Medicine, the Office of Medical and Tobacco Products, the Office of Global and Regulatory Policy, the Office of Operations, the Office of the Chief Scientist, and central services for these offices: *Provided further*, That not to exceed \$25,000

1 of this amount shall be for official reception and represen-
2 tation expenses, not otherwise provided for, as determined
3 by the Commissioner of Food and Drugs: *Provided further*,
4 That any transfer of funds pursuant to section 770(n) of
5 the Federal Food, Drug, and Cosmetic Act (21 U.S.C.
6 379dd(n)) shall only be from amounts made available
7 under this heading for other activities: *Provided further*,
8 That of the amounts that are made available under this
9 heading for “other activities”, and that are not derived
10 from user fees, \$1,500,000 shall be transferred to and
11 merged with the appropriation for “Department of Health
12 and Human Services—Office of Inspector General” for
13 oversight of the programs and operations of the Food and
14 Drug Administration and shall be in addition to funds oth-
15 erwise made available for oversight of the Food and Drug
16 Administration: *Provided further*, That of the total amount
17 made available under this heading, \$1,500,000 shall be
18 used by the Commissioner of Food and Drugs, in coordi-
19 nation with the Secretary of Agriculture, for consumer
20 outreach and education regarding agricultural bio-
21 technology and biotechnology-derived food products and
22 animal feed, including through publication and distribu-
23 tion of science-based educational information on the envi-
24 ronmental, nutritional, food safety, economic, and humani-
25 tarian impacts of such biotechnology, food products, and

1 feed: *Provided further*, That funds may be transferred
 2 from one specified activity to another with the prior ap-
 3 proval of the Committees on Appropriations of both
 4 Houses of Congress.

5 In addition, mammography user fees authorized by
 6 42 U.S.C. 263b, export certification user fees authorized
 7 by 21 U.S.C. 381, priority review user fees authorized by
 8 21 U.S.C. 360n and 360ff, food and feed recall fees, food
 9 reinspection fees, and voluntary qualified importer pro-
 10 gram fees authorized by 21 U.S.C. 379j–31, outsourcing
 11 facility fees authorized by 21 U.S.C. 379j–62, prescription
 12 drug wholesale distributor licensing and inspection fees
 13 authorized by 21 U.S.C. 353(e)(3), third-party logistics
 14 provider licensing and inspection fees authorized by 21
 15 U.S.C. 360eee–3(c)(1), third-party auditor fees authorized
 16 by 21 U.S.C. 384d(c)(8), and medical countermeasure pri-
 17 ority review voucher user fees authorized by 21 U.S.C.
 18 360bbb–4a, shall be credited to this account, to remain
 19 available until expended.

20 BUILDINGS AND FACILITIES

21 For plans, construction, repair, improvement, exten-
 22 sion, alteration, demolition, and purchase of fixed equip-
 23 ment or facilities of or used by the Food and Drug Admin-
 24 istration, where not otherwise provided, \$8,771,000, to re-
 25 main available until expended.

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

For necessary expenses to carry out the provisions of the Commodity Exchange Act (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles, and the rental of space (to include multiple year leases), in the District of Columbia and elsewhere, \$248,000,000, including not to exceed \$3,000 for official reception and representation expenses, and not to exceed \$25,000 for the expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, of which not less than \$49,000,000, to remain available until September 30, 2019, shall be for the purchase of information technology and of which not less than \$2,700,000 shall be for expenses of the Office of the Inspector General: *Provided*, That notwithstanding the limitations in 31 U.S.C. 1553, amounts provided under this heading are available for the liquidation of obligations equal to current year payments on leases entered into prior to the date of enactment of this Act: *Provided further*, That for the purpose of recording and liquidating any lease obligations that should have been recorded and liquidated against accounts closed pursuant to 31 U.S.C. 1552, and consistent with the preceding proviso, such amounts shall be transferred to and recorded in a new

1 no-year account in the Treasury, which may be established
2 for the sole purpose of recording adjustments for and liq-
3 uidating such unpaid obligations: *Provided further*, That
4 notwithstanding any other provision of law, the Chairman
5 of the Commodity Futures Trading Commission may ad-
6 just the schedule of compensation and benefits for employ-
7 ees if the Chairman determines that furloughs or reduc-
8 tions-in-force may result from a collective bargaining
9 agreement.

10 FARM CREDIT ADMINISTRATION

11 LIMITATION ON ADMINISTRATIVE EXPENSES

12 Not to exceed \$68,600,000 (from assessments col-
13 lected from farm credit institutions, including the Federal
14 Agricultural Mortgage Corporation) shall be obligated
15 during the current fiscal year for administrative expenses
16 as authorized under 12 U.S.C. 2249: *Provided*, That this
17 limitation shall not apply to expenses associated with re-
18 ceiverships: *Provided further*, That the agency may exceed
19 this limitation by up to 10 percent with notification to the
20 Committees on Appropriations of both Houses of Con-
21 gress.

1 TITLE VII
2 GENERAL PROVISIONS
3 (INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)
4 SEC. 701. Within the unit limit of cost fixed by law,
5 appropriations and authorizations made for the Depart-
6 ment of Agriculture for the current fiscal year under this
7 Act shall be available for the purchase, in addition to those
8 specifically provided for, of not to exceed 71 passenger
9 motor vehicles of which 68 shall be for replacement only,
10 and for the hire of such vehicles: *Provided*, That notwith-
11 standing this section, the only purchase of new passenger
12 vehicles shall be for those determined by the Secretary to
13 be necessary for transportation safety, to reduce oper-
14 ational costs, and for the protection of life, property, and
15 public safety.
16 SEC. 702. Notwithstanding any other provision of
17 this Act, the Secretary of Agriculture may transfer unobli-
18 gated balances of discretionary funds appropriated by this
19 Act or any other available unobligated discretionary bal-
20 ances that are remaining available of the Department of
21 Agriculture to the Working Capital Fund for the acquisi-
22 tion of plant and capital equipment necessary for the deliv-
23 ery of financial, administrative, and information tech-
24 nology services of primary benefit to the agencies of the
25 Department of Agriculture, such transferred funds to re-

1 main available until expended: *Provided*, That none of the
2 funds made available by this Act or any other Act shall
3 be transferred to the Working Capital Fund without the
4 prior approval of the agency administrator: *Provided fur-*
5 *ther*, That none of the funds transferred to the Working
6 Capital Fund pursuant to this section shall be available
7 for obligation without written notification to and the prior
8 approval of the Committees on Appropriations of both
9 Houses of Congress: *Provided further*, That none of the
10 funds appropriated by this Act or made available to the
11 Department's Working Capital Fund shall be available for
12 obligation or expenditure to make any changes to the De-
13 partment's National Finance Center without written noti-
14 fication to and prior approval of the Committees on Ap-
15 propriations of both Houses of Congress as required by
16 section 717 of this Act: *Provided further*, That none of
17 the funds appropriated by this Act or made available to
18 the Department's Working Capital Fund shall be available
19 for obligation or expenditure to initiate, plan, develop, im-
20 plement, or make any changes to remove or relocate any
21 systems, missions, or offices of the Chief Financial Officer
22 or any personnel from the National Finance Center prior
23 to written notification to and prior approval of the Com-
24 mittee on Appropriations of both Houses of Congress and
25 in accordance with the requirements of section 717 of this

1 Act: *Provided further*, That of annual income amounts in
2 the Working Capital Fund of the Department of Agri-
3 culture allocated for the National Finance Center, the Sec-
4 retary may reserve not more than 4 percent for the re-
5 placement or acquisition of capital equipment, including
6 equipment for the improvement and implementation of a
7 financial management plan, information technology, and
8 other systems of the National Finance Center or to pay
9 any unforeseen, extraordinary cost of the National Fi-
10 nance Center: *Provided further*, That none of the amounts
11 reserved shall be available for obligation unless the Sec-
12 retary submits written notification of the obligation to the
13 Committees on Appropriations of both Houses of Con-
14 gress: *Provided further*, That the limitations on the obliga-
15 tion of funds pending notification to Congressional Com-
16 mittees shall not apply to any obligation that, as deter-
17 mined by the Secretary, is necessary to respond to a de-
18 clared state of emergency that significantly impacts the
19 operations of the National Finance Center; or to evacuate
20 employees of the National Finance Center to a safe haven
21 to continue operations of the National Finance Center.

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

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

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

21 SEC. 706. None of the funds made available to the
22 Department of Agriculture by this Act may be used to ac-
23 quire new information technology systems or significant
24 upgrades, as determined by the Office of the Chief Infor-
25 mation Officer, without the approval of the Chief Informa-

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

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

1 pended to disburse obligations made in the current fiscal
2 year.

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

11 SEC. 709. Except as otherwise specifically provided
12 by law, not more than \$20,000,000 in unobligated bal-
13 ances from appropriations made available for salaries and
14 expenses in this Act for the Farm Service Agency shall
15 remain available through September 30, 2019, for infor-
16 mation technology expenses: *Provided*, That except as oth-
17 erwise specifically provided by law, unobligated balances
18 from appropriations made available for salaries and ex-
19 penses in this Act for the Rural Development mission area
20 shall remain available through September 30, 2019, for
21 information technology expenses.

22 SEC. 710. None of the funds appropriated or other-
23 wise made available by this Act may be used for first-class
24 travel by the employees of agencies funded by this Act in

1 contravention of sections 301–10.122 through 301–10.124
2 of title 41, Code of Federal Regulations.

3 SEC. 711. In the case of each program established
4 or amended by the Agricultural Act of 2014 (Public Law
5 113–79), other than by title I or subtitle A of title III
6 of such Act, or programs for which indefinite amounts
7 were provided in that Act, that is authorized or required
8 to be carried out using funds of the Commodity Credit
9 Corporation—

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

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

22 SEC. 712. Of the funds made available by this Act,
23 not more than \$2,900,000 shall be used to cover necessary
24 expenses of activities related to all advisory committees,
25 panels, commissions, and task forces of the Department

1 of Agriculture, except for panels used to comply with nego-
2 tiated rule makings and panels used to evaluate competi-
3 tively awarded grants.

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

17 SEC. 714. None of the funds appropriated or other-
18 wise made available by this or any other Act shall be used
19 to pay the salaries and expenses of personnel to carry out
20 the following:

21 (1) The program authorized by section 14(h)(1)
22 of the Watershed Protection and Flood Prevention
23 Act (16 U.S.C. 1012(h)(1)): *Provided*, That the
24 funds appropriated by section 14(h)(1) of such Act
25 are hereby permanently cancelled;

1 (2) The program authorized by section 9007 of
2 the Farm Security and Rural Investment Act of
3 2002 (7 U.S.C. 8107) in excess of \$1,000,000;

4 (3) The program authorized by section 9011 of
5 the Farm Security and Rural Investment Act of
6 2002 (7 U.S.C. 8111);

7 (4) The program authorized by section 9003 of
8 the Farm Security and Rural Investment Act of
9 2002 (7 U.S.C. 8103); and

10 (5) The program authorized by section 524(b)
11 of the Federal Crop Insurance Act, as amended (7
12 U.S.C. 1524(b)): *Provided*, That the funds made
13 available by section 524(b) of such Act for fiscal
14 year 2018 are hereby permanently cancelled.

15 SEC. 715. Notwithstanding subsection (b) of section
16 14222 of Public Law 110–246 (7 U.S.C. 612c–6; in this
17 section referred to as “section 14222”), none of the funds
18 appropriated or otherwise made available by this or any
19 other Act shall be used to pay the salaries and expenses
20 of personnel to carry out a program under section 32 of
21 the Act of August 24, 1935 (7 U.S.C. 612c; in this section
22 referred to as “section 32”) in excess of \$878,255,000 (ex-
23 clusive of carryover appropriations from prior fiscal
24 years), as follows: Child Nutrition Programs Entitlement
25 Commodities—\$465,000,000; State Option Contracts—

1 \$5,000,000; Removal of Defective Commodities—
2 \$2,500,000; Administration of Section 32 Commodity
3 Purchases—\$35,853,000: *Provided*, That of the total
4 funds made available in the matter preceding this proviso
5 that remain unobligated on October 1, 2018, such unobli-
6 gated balances shall carryover into the next fiscal year and
7 shall remain available until expended for any of the three
8 stated purposes of section 32, except that any such carry-
9 over funds used in accordance with clause (3) of section
10 32 may not exceed \$75,000,000 and may not be obligated
11 until the Secretary of Agriculture provides written notifi-
12 cation of the expenditures to the Committees on Appro-
13 priations of both Houses of Congress at least two weeks
14 in advance: *Provided further*, That none of the funds made
15 available in this Act or any other Act shall be used for
16 salaries and expenses to carry out in this fiscal year sub-
17 section (i)(1)(E) of section 19 of the Richard B. Russell
18 National School Lunch Act (42 U.S.C. 1769a), except in
19 an amount that excludes the transfer of \$125,000,000 of
20 the funds to be transferred under subsection (c) of section
21 14222, until October 1, 2018: *Provided further*, That
22 \$125,000,000 made available on October 1, 2018, to carry
23 out such section 19 shall be excluded from the limitation
24 described in subsection (b)(2)(A)(x) of section 14222: *Pro-*
25 *vided further*, That, with the exception of any available

1 carryover funds authorized in the first proviso of this sec-
2 tion to be used for the purposes of clause (3) of section
3 32, none of the funds appropriated or otherwise made
4 available by this or any other Act shall be used to pay
5 the salaries or expenses of any employee of the Depart-
6 ment of Agriculture or officer of the Commodity Credit
7 Corporation to carry out clause (3) of section 32, or for
8 any surplus removal activities or price support activities
9 under section 5 of the Commodity Credit Corporation
10 Charter Act (15 U.S.C. 714c): *Provided further*, That the
11 available unobligated balances under (b)(2)(A)(x) of sec-
12 tion 14222 in excess of the limitation set forth in this sec-
13 tion, excluding amounts to be transferred pursuant to the
14 second proviso of this section, are hereby permanently re-
15 scinded.

16 SEC. 716. None of the funds appropriated by this or
17 any other Act shall be used to pay the salaries and ex-
18 penses of personnel who prepare or submit appropriations
19 language as part of the President's budget submission to
20 the Congress for programs under the jurisdiction of the
21 Appropriations Subcommittees on Agriculture, Rural De-
22 velopment, Food and Drug Administration, and Related
23 Agencies that assumes revenues or reflects a reduction
24 from the previous year due to user fees proposals that
25 have not been enacted into law prior to the submission

1 of the budget unless such budget submission identifies
2 which additional spending reductions should occur in the
3 event the user fees proposals are not enacted prior to the
4 date of the convening of a committee of conference for
5 the fiscal year 2018 appropriations Act.

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

- 19 (1) creates new programs;
- 20 (2) eliminates a program, project, or activity;
- 21 (3) increases funds or personnel by any means
22 for any project or activity for which funds have been
23 denied or restricted;
- 24 (4) relocates an office or employees;

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

2 or

3 (6) contracts out or privatizes any functions or

4 activities presently performed by Federal employees;

5 unless the Secretary of Agriculture, the Chairman of the

6 Commodity Futures Trading Commission, or the Sec-

7 retary of Health and Human Services (as the case may

8 be) notifies in writing and receives approval from the Com-

9 mittees on Appropriations of both Houses of Congress at

10 least 30 days in advance of the reprogramming of such

11 funds or the use of such authority.

12 (b) None of the funds provided by this Act, or pro-

13 vided by previous Appropriations Acts to the agencies

14 funded by this Act that remain available for obligation or

15 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 for activities, pro-

19 grams, or projects through a reprogramming or use of the

20 authorities referred to in subsection (a) involving funds

21 in excess of \$500,000 or 10 percent, whichever is less,

22 that—

23 (1) augments existing programs, projects, or ac-

24 tivities;

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

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

15 (c) The Secretary of Agriculture, the Chairman of the
16 Commodity Futures Trading Commission, or the Sec-
17 retary of Health and Human Services shall notify in writ-
18 ing and receive approval from the Committees on Appro-
19 priations of both Houses of Congress before implementing
20 any program or activity not carried out during the pre-
21 vious fiscal year unless the program or activity is funded
22 by this Act or specifically funded by any other Act.

23 (d) None of the funds provided by this Act, or pro-
24 vided by previous Appropriations Acts to the agencies
25 funded by this Act that remain available for obligation or

1 expenditure in the current fiscal year, or provided from
2 any accounts in the Treasury derived by the collection of
3 fees available to the agencies funded by this Act, shall be
4 available for—

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

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

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

21 (e) As described in this section, no funds may be used
22 for any activities unless the Secretary of Agriculture, the
23 Chairman of the Commodity Futures Trading Commis-
24 sion, or the Secretary of Health and Human Services re-
25 ceives from the Committee on Appropriations of both

1 Houses of Congress written or electronic mail confirma-
2 tion of receipt of the notification as required in this sec-
3 tion.

4 SEC. 718. Notwithstanding section 310B(g)(5) of the
5 Consolidated Farm and Rural Development Act (7 U.S.C.
6 1932(g)(5)), the Secretary may assess a one-time fee for
7 any guaranteed business and industry loan in an amount
8 that does not exceed 3 percent of the guaranteed principal
9 portion of the loan.

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

21 SEC. 720. Unless otherwise authorized by existing
22 law, none of the funds provided in this Act, may be used
23 by an executive branch agency to produce any pre-
24 packaged news story intended for broadcast or distribution
25 in the United States unless the story includes a clear noti-

1 fication within the text or audio of the prepackaged news
2 story that the prepackaged news story was prepared or
3 funded by that executive branch agency.

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

12 SEC. 722. (a) Unless the Secretary of Agriculture no-
13 tifies the Committees on Appropriations of both Houses
14 of Congress at least 3 full business days in advance, none
15 of the funds made available in this Act may be used to—

16 (1) make a grant allocation of discretionary
17 grant award totaling \$1,000,000 or more;

18 (2) make a discretionary contract award total-
19 ing \$1,000,000 or more;

20 (3) issue a letter of intent to make an allocation
21 or award in excess of the limits in subparagraph (1)
22 or (2); or

23 (4) announce publicly the intention to make an
24 allocation or award in excess of the limits in sub-
25 paragraph (1) or (2).

1 (b) The Secretary of Agriculture shall submit to the
2 Committees on Appropriations of both Houses of Congress
3 within 15 days of the conclusion of each quarter a report
4 detailing each grant allocation or discretionary grant
5 award totaling less than \$1,000,000 provided during the
6 previous quarter.

7 (c) The notification required by paragraph (a) and
8 the report required by paragraph (b) shall include the re-
9 cipient of the award, the amount of the award, the fiscal
10 year for which the funds for the award were appropriated,
11 the account and program, project, or activity from which
12 the funds are being drawn, the title of the award, and
13 a brief description of the activity for which the award is
14 made.

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

1 SEC. 724. Funds made available under title II of the
2 Food for Peace Act (7 U.S.C. 1721 et seq.) may only be
3 used to provide assistance to recipient nations if adequate
4 monitoring and controls, as determined by the Adminis-
5 trator, are in place to ensure that emergency food aid is
6 received by the intended beneficiaries in areas affected by
7 food shortages and not diverted for unauthorized or inap-
8 propriate purposes.

9 SEC. 725. The Secretary shall establish an inter-
10 mediary loan packaging program based on the pilot pro-
11 gram in effect for fiscal year 2013 for packaging and re-
12 viewing section 502 single family direct loans. The Sec-
13 retary shall enter into agreements with current inter-
14 mediary organizations and with additional qualified inter-
15 mediary organizations. The Secretary shall work with
16 these organizations to increase effectiveness of the section
17 502 single family direct loan program in rural commu-
18 nities and shall set aside and make available from the na-
19 tional reserve section 502 loans an amount necessary to
20 support the work of such intermediaries and provide a pri-
21 ority for review of such loans.

22 SEC. 726. For loans and loan guarantees that do not
23 require budget authority and the program level has been
24 established in this Act, the Secretary of Agriculture may
25 increase the program level for such loans and loan guaran-

tees by not more than 25 percent: *Provided*, That prior to the Secretary implementing such an increase, the Secretary notifies, in writing, the Committees on Appropriations of both Houses of Congress at least 15 days in advance.

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

SEC. 728. None of the funds made available by this Act may be used to procure raw or processed poultry products imported into the United States from the People's Republic of China for use in the school lunch program under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), the Child and Adult Care Food Program under section 17 of such Act (42 U.S.C. 1766),

1 the Summer Food Service Program for Children under
2 section 13 of such Act (42 U.S.C. 1761), or the school
3 breakfast program under the Child Nutrition Act of 1966
4 (42 U.S.C. 1771 et seq.).

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

13 SEC. 730. Funds provided by this or any prior Appro-
14 priations Act for the Agriculture and Food Research Ini-
15 tiative under 7 U.S.C. 450i(b) shall be made available
16 without regard to section 7128 of the Agricultural Act of
17 2014 (7 U.S.C. 3371 note), under the matching require-
18 ments in laws in effect on the date before the date of en-
19 actment of such section: *Provided*, That the requirements
20 of 7 U.S.C. 450i(b)(9) shall continue to apply.

21 SEC. 731. None of the funds made available by this
22 Act may be used by the Secretary of Agriculture, acting
23 through the Food and Nutrition Service, to commence any
24 new research and evaluation projects until the Secretary
25 submits to the Committees on Appropriations of both

1 Houses of Congress a research and evaluation plan for fis-
2 cal year 2018, prepared in coordination with the Research,
3 Education, and Economics mission area of the Depart-
4 ment of Agriculture, and a period of 30 days beginning
5 on the date of the submission of the plan expires to permit
6 Congressional review of the plan.

7 SEC. 732. In carrying out subsection (h) of section
8 502 of the Housing Act of 1949 (42 U.S.C. 1472), the
9 Secretary of Agriculture shall have the same authority
10 with respect to loans guaranteed under such section and
11 eligible lenders for such loans as the Secretary has under
12 subsections (h) and (j) of section 538 of such Act (42
13 U.S.C. 1490p-2) with respect to loans guaranteed under
14 such section 538 and eligible lenders for such loans.

15 SEC. 733. None of the funds made available by this
16 Act may be used to propose, promulgate, or implement
17 any rule, or take any other action with respect to, allowing
18 or requiring information intended for a prescribing health
19 care professional, in the case of a drug or biological prod-
20 uct subject to section 503(b)(1) of the Federal Food,
21 Drug, and Cosmetic Act (21 U.S.C. 353(b)(1)), to be dis-
22 tributed to such professional electronically (in lieu of in
23 paper form) unless and until a Federal law is enacted to
24 allow or require such distribution.

1 SEC. 734. None of the funds made available by this
2 Act may be used to notify a sponsor or otherwise acknowl-
3 edge receipt of a submission for an exemption for inves-
4 tigational use of a drug or biological product under section
5 505(i) of the Federal Food, Drug, and Cosmetic Act (21
6 U.S.C. 355(i)) or section 351(a)(3) of the Public Health
7 Service Act (42 U.S.C. 262(a)(3)) in research in which
8 a human embryo is intentionally created or modified to
9 include a heritable genetic modification. Any such submis-
10 sion shall be deemed to have not been received by the Sec-
11 retary, and the exemption may not go into effect.

12 SEC. 735. None of the funds made available by this
13 or any other Act may be used to carry out the final rule
14 promulgated by the Food and Drug Administration and
15 put into effect November 16, 2015, in regards to the haz-
16 ard analysis and risk-based preventive control require-
17 ments of the current good manufacturing practice, hazard
18 analysis, and risk-based preventive controls for food for
19 animals rule with respect to the regulation of the produc-
20 tion, distribution, sale, or receipt of dried spent grain by-
21 products of the alcoholic beverage production process.

22 SEC. 736. (a) The Secretary of Agriculture shall—
23 (1) conduct audits in a manner that evaluates
24 the following factors in the country or region being
25 audited, as applicable—

- 1 (A) veterinary control and oversight;
- 2 (B) disease history and vaccination prac-
- 3 tices;
- 4 (C) livestock demographics and
- 5 traceability;
- 6 (D) epidemiological separation from poten-
- 7 tial sources of infection;
- 8 (E) surveillance practices;
- 9 (F) diagnostic laboratory capabilities; and
- 10 (G) emergency preparedness and response;
- 11 and

12 (2) promptly make publicly available the final
13 reports of any audits or reviews conducted pursuant
14 to subsection (1).

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

18 SEC. 737. None of the funds made available by this
19 Act may be used to carry out any activities or incur any
20 expense related to the issuance of licenses under section
21 3 of the Animal Welfare Act (7 U.S.C. 2133), or the re-
22 newal of such licenses, to class B dealers who sell dogs
23 and cats for use in research, experiments, teaching, or
24 testing.

1 SEC. 738. No partially hydrogenated oils as defined
2 in the order published by the Food and Drug Administra-
3 tion in the Federal Register on June 17, 2015 (80 Fed.
4 Reg. 34650 et seq.) shall be deemed unsafe within the
5 meaning of section 409(a) of the Federal Food, Drug, and
6 Cosmetic Act (21 U.S.C. 348(a)) and no food that is intro-
7 duced or delivered for introduction into interstate com-
8 merce that bears or contains a partially hydrogenated oil
9 shall be deemed adulterated under sections 402(a)(1) or
10 402(a)(2)(C)(i) of this Act by virtue of bearing or con-
11 taining a partially hydrogenated oil until the compliance
12 date as specified in such order (June 18, 2018).

13 SEC. 739. The Secretary may charge a fee for lenders
14 to access Department loan guarantee systems in connec-
15 tion with such lenders' participation in loan guarantee
16 programs of the Rural Housing Service: *Provided*, That
17 the funds collected from such fees shall be made available
18 to the Secretary without further appropriation and such
19 funds shall be deposited into the Rural Development Sala-
20 ries and Expense Account and shall remain available until
21 expended for obligation and expenditure by the Secretary
22 for administrative expenses of the Rural Housing Service
23 Loan Guarantee Program in addition to other available
24 funds: *Provided further*, That such fees collected shall not
25 exceed \$50 per loan.

1 SEC. 740. (a) None of the funds made available in
2 this Act may be used to maintain or establish a computer
3 network unless such network blocks the viewing,
4 downloading, and exchanging of pornography.

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

9 SEC. 741. Of the unobligated balances from amounts
10 made available for the special supplemental nutrition pro-
11 gram as authorized by section 17 of the Child Nutrition
12 Act of 1966 (42 U.S.C. 1786), \$600,000,000 are re-
13 scinded.

14 SEC. 742. (a)(1) No Federal funds made available for
15 this fiscal year for the rural water, waste water, waste dis-
16 posal, and solid waste management programs authorized
17 by sections 306, 306A, 306C, 306D, 306E, and 310B of
18 the Consolidated Farm and Rural Development Act (7
19 U.S.C. 1926 et seq.) shall be used for a project for the
20 construction, alteration, maintenance, or repair of a public
21 water or wastewater system unless all of the iron and steel
22 products used in the project are produced in the United
23 States.

24 (2) In this section, the term “iron and steel products”
25 means the following products made primarily of iron or

1 steel: lined or unlined pipes and fittings, manhole covers
2 and other municipal castings, hydrants, tanks, flanges,
3 pipe clamps and restraints, valves, structural steel, rein-
4 forced precast concrete, and construction materials.

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

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

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

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

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

1 tronic means, including on the official public Internet Web
2 site of the Department.

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

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

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

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

22 SEC. 743. (a) For the period beginning on the date
23 of enactment of this Act through school year 2018–2019,
24 with respect to the school lunch program established under
25 the Richard B. Russell National School Lunch Act (42

1 U.S.C. 1751 et seq.) or the school breakfast program es-
2 tablished under the Child Nutrition Act of 1966 (42
3 U.S.C. 1771 et seq.) and final regulations published by
4 the Department of Agriculture in the Federal Register on
5 January 26, 2012 (77 Fed. Reg. 4088 et seq.), the Sec-
6 retary of Agriculture shall allow States to grant an exemp-
7 tion from the whole grain requirements that took effect
8 on or after July 1, 2014, and the States shall establish
9 a process for evaluating and responding, in a reasonable
10 amount of time, to requests for an exemption: *Provided*,
11 That school food authorities demonstrate hardship, includ-
12 ing financial hardship, in procuring specific whole grain
13 products which are acceptable to the students and compli-
14 ant with the whole grain-rich requirements: *Provided fur-*
15 *ther*, That school food authorities shall comply with the
16 applicable grain component or standard with respect to
17 the school lunch or school breakfast program that was in
18 effect prior to July 1, 2014.

19 (b) For the period beginning on the date of enact-
20 ment of this Act through school year 2018–2019, none
21 of the funds appropriated or otherwise made available by
22 this or any other Act shall be used to pay the salaries
23 and expenses of personnel to implement any regulations
24 under the Richard B. Russell National School Lunch Act
25 (42 U.S.C. 1751 et seq.), the Child Nutrition Act of 1966

1 (42 U.S.C. 1771 et seq.), the Healthy, Hunger-Free Kids
2 Act of 2010 (Public Law 111–296), or any other law that
3 would require a reduction in the quantity of sodium con-
4 tained in federally reimbursed meals, foods, and snacks
5 sold in schools below Target 1 (as described in section
6 220.8(f)(3) of title 7, Code of Federal Regulations (or suc-
7 cessor regulations)).

8 (c) For the period beginning on the date of enactment
9 of this Act through school year 2018–2019, notwith-
10 standing any other provision of law, the Secretary shall
11 allow States to grant special exemptions for the service
12 of flavored, low-fat fluid milk in the school lunch program
13 established under the Richard B. Russell National School
14 Lunch Act (42 U.S.C. 1751 et seq.) and the school break-
15 fast program established under the Child Nutrition Act
16 of 1966 (42 U.S.C. 1771 et seq.), and as a competitive
17 food available on campus during the school day, to schools
18 which demonstrate a reduction in student milk consump-
19 tion or an increase in school milk waste.

20 SEC. 744. Of the total amounts made available by
21 this Act for direct loans and grants in the following head-
22 ings: “Rural Housing Service—Rural Housing Insurance
23 Fund Program Account”; “Rural Housing Service—Mu-
24 tual and Self-Help Housing Grants”; “Rural Economic
25 Infrastructure Grants”; “Rural Housing Service—Rural

1 Community Facilities Program Account”; “Rural Busi-
2 ness-Cooperative Service—Rural Business Program Ac-
3 count”; “Rural Business-Cooperative Service—Rural Eco-
4 nomic Development Loans Program Account”; “Rural
5 Business-Cooperative Service—Rural Cooperative Devel-
6 opment Grants”; “Rural Utilities Service—Rural Water
7 and Waste Disposal Program Account”; and “Rural Utili-
8 ties Service—Rural Electrification and Telecommuni-
9 cations Loans Program Account”, at least 10 percent of
10 the funds shall be allocated for assistance in persistent
11 poverty counties under this section, including, notwith-
12 standing any other provision regarding population limits,
13 any county seat of such a persistent poverty county that
14 has a population that does not exceed the authorized popu-
15 lation limit by more than 10 percent: *Provided*, That for
16 purposes of this section, the term “persistent poverty
17 counties” means any county that has had 20 percent or
18 more of its population living in poverty over the past 30
19 years, as measured by the 1980, 1990, and 2000 decennial
20 censuses, and 2007–2011 American Community Survey 5-
21 year average: *Provided further*, That with respect to spe-
22 cific activities for which program levels have been made
23 available by this Act that are not supported by budget au-
24 thority, the requirements of this section shall be applied
25 to such program level.

1 SEC. 745. For the purposes of determining eligibility
2 or level of program assistance for Rural Development pro-
3 grams the Secretary shall not include incarcerated prison
4 populations.

5 SEC. 746. None of the funds appropriated by this Act
6 may be used in any way, directly or indirectly, to influence
7 congressional action on any legislation or appropriation
8 matters pending before Congress, other than to commu-
9 nicate to Members of Congress as described in 18 U.S.C.
10 1913.

11 SEC. 747. None of the funds made available by this
12 Act may be used to implement, administer, or enforce the
13 “variety” requirements of the final rule entitled “Enhanc-
14 ing Retailer Standards in the Supplemental Nutrition As-
15 sistance Program (SNAP)” published by the Department
16 of Agriculture in the Federal Register on December 15,
17 2016 (81 Fed. Reg. 90675) until the Secretary of Agri-
18 culture amends the definition of the term “variety” as de-
19 fined in section 278.1(b)(1)(ii)(C) of title 7, Code of Fed-
20 eral Regulations, and “variety” as applied in the definition
21 of the term “staple food” as defined in section 271.2 of
22 title 7, Code of Federal Regulations, to increase the num-
23 ber of items that qualify as acceptable varieties in each
24 staple food category so that the total number of such items
25 in each staple food category exceeds the number of such

1 items in each staple food category included in the final
2 rule as published on December 15, 2016: *Provided*, That
3 until the Secretary promulgates such regulatory amend-
4 ments, the Secretary shall apply the requirements regard-
5 ing acceptable varieties and breadth of stock to Supple-
6 mental Nutrition Assistance Program retailers that were
7 in effect on the day before the date of the enactment of
8 the Agricultural Act of 2014 (Public Law 113–79).

9 SEC. 748. None of the funds made available by this
10 Act may be used by the Food and Drug Administration
11 to develop, issue, promote, or advance any regulations ap-
12 plicable to food manufacturers for population-wide sodium
13 reduction actions or to develop, issue, promote or advance
14 final guidance applicable to food manufacturers for long
15 term population-wide sodium reduction actions until the
16 date on which a dietary reference intake report with re-
17 spect to sodium is completed.

18 SEC. 749. The Secretary of Agriculture and the Sec-
19 retary’s designees are hereby granted the same access to
20 information and subject to the same requirements applica-
21 ble to the Secretary of Housing and Urban Development
22 as provided in section 453 of the Social Security Act (42
23 U.S.C. 653) and section 6103(1)(7)(D)(ix) of the Internal
24 Revenue Code of 1986 (26 U.S.C. 1603(1)(7)(D)(ix)) to
25 verify the income for individuals participating in sections

1 502, 504, 521, and 524 of the Housing Act of 1949 (42
2 U.S.C. 1972, 1474, 1490a, and 1490r), notwithstanding
3 section 453(l)(1) of the Social Security Act.

4 SEC. 750. Of the unobligated balances from amounts
5 made available to carry out section 6407 of the Farm Se-
6 curity and Rural Investment Act of 2002 (7 U.S.C.
7 8107a), \$8,000,000 are rescinded.

8 SEC. 751. None of the funds made available to the
9 Commodity Futures Trading Commission by this Act or
10 any other Act in the current fiscal year or any other fiscal
11 year may be used to pay the salaries and expenses of per-
12 sonnel to lower the de minimis quantity of swap dealing
13 established under section 1a(49)(D) of the Commodity Ex-
14 change Act (7 U.S.C. 1a(49)(D)) to less than
15 \$8,000,000,000.

16 SEC. 752. None of the funds made available by this
17 Act or any other Act in the current fiscal year or any other
18 fiscal year may be used to implement, administer, or en-
19 force the final rule with the regulation identifier number
20 0910-AG38 published by the Food and Drug Administra-
21 tion in the Federal Register on May 10, 2016 (81 Fed.
22 Reg. 28974) with respect to traditional large and premium
23 cigars. For the purposes of this section, the term “tradi-
24 tional large and premium cigar” means—

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

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

8 (B) has a 100 percent leaf tobacco binder
9 and is made using human hands to lay the leaf
10 tobacco wrapper or binder onto only one ma-
11 chine that bunches, wraps, and caps each indi-
12 vidual cigar; or

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

18 (2) is not a cigarette or a little cigar (as such
19 terms are defined in paragraphs (3) and (11), re-
20 spectively, of section 900 of the Federal Food, Drug,
21 and Cosmetic Act (21 U.S.C. 387)).

22 SEC. 753. (a) None of the funds appropriated or oth-
23 erwise made available by this Act or any other Act with
24 respect to any fiscal year may, for each tobacco product
25 which the Secretary of Health and Human Services by

1 regulation under section 901(b) of the Federal Food,
2 Drug, and Cosmetic Act (21 U.S.C. 387a(b)) deems to
3 be subject to chapter IX of such Act, be used to treat—

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

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

14 (b)(1) Notwithstanding any other provision of law,
15 not later than 21 months after the date of enactment of
16 this Act, the Secretary of Health and Human Services
17 shall issue a notice of proposed rulemaking to establish
18 a product standard for vapor products pursuant to section
19 907 of the Federal Food, Drug, and Cosmetic Act (21
20 U.S.C. 387g) to include but not limited to—

21 (A) characterizing flavors; and

22 (B) batteries.

23 (2) Notwithstanding any other provision of law, not
24 later than 36 months after the date of enactment of this

1 Act, the Secretary shall promulgate a final rule pursuant
2 to such notice.

3 (c) A vapor product shall be deemed to be misbranded
4 under section 903(a) of the Federal Food, Drug, and Cos-
5 metic Act (21 U.S.C. 387c(a)) if the advertising with re-
6 spect to the vapor product is disseminated by a manufac-
7 turer, distributor, or retailer of the product in a news-
8 paper, magazine, periodical, or other publication (includ-
9 ing any publication of periodic or limited distribution)
10 other than an adult publication.

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

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

17 (A) mail-order; or

18 (B) a vending machine or self-service display if, with
19 respect to the facility in which such vending machine or
20 display is located, the retailer of such products ensures
21 that no person under 18 years of age is present or per-
22 mitted to enter.

23 (3) A violation of this section is deemed to constitute
24 a violation of the Federal Food, Drug, and Cosmetic Act

1 relating to a tobacco product for purposes of section
2 303(f)(9) of such Act (21 U.S.C. 333(f)(9)).

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

7 (A) the phrase “Keep Out of Reach of Chil-
8 dren”;

9 (B) the phrase “Underage Sale Prohibited”;
10 and

11 (C) an accurate statement of the nicotine con-
12 tent of the vapor product.

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

17 (f)(1) Every person who owns or operates an estab-
18 lishment in any State engaged in the retail sale of a vapor
19 product shall register that establishment with the Sec-
20 retary of Health and Human Services within the later of
21 60 days after the date of enactment of this Act, or 30
22 days after first engaging in such retail sale.

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

1 (A) any State law relating to tobacco products; or

2 (B) section 905 of the Federal Food, Drug, and Cos-
3 metic Act (21 U.S.C. 387e).

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

7 (g) In this section:

8 (1) The term “adult publication” means any news-
9 paper, magazine, periodical, or other publication—

10 (A) whose readers younger than 18 years of age
11 constitute 15 percent or less of the total readership
12 as measured by competent and reliable survey evi-
13 dence; and

14 (B) that is read by fewer than 2 million persons
15 younger than 18 years of age as measured by com-
16 petent and reliable survey evidence.

17 (2) The terms “label” and “labeling” have the mean-
18 ings given to such terms in section 201 of the Federal
19 Food, Drug, and Cosmetic Act (21 U.S.C. 321).

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

23 (4) The term “vapor product”—

24 (A) means any non-combustible product that
25 employs a heating element, power source, electronic

1 circuit, or other electronic, chemical, or mechanical
2 means, regardless of shape or size, to produce vapor
3 from nicotine in a solution or other form;

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

8 (C) does not include any product regulated as
9 a drug or device by the Food and Drug Administra-
10 tion under chapter V of the Federal Food, Drug,
11 and Cosmetic Act (21 U.S.C. 351 et. seq.).

12 SEC. 754. (a) No funds shall be used to finalize the
13 proposed rule entitled “Eligibility of the People’s Republic
14 of China (PRC) to Export to the United States Poultry
15 Products from Birds Slaughtered in the PRC” published
16 in the Federal Register by the Department of Agriculture
17 on June 16, 2017 (82 Fed. Reg. 27625), unless the Sec-
18 retary of Agriculture shall—

19 (1) ensure that the poultry slaughter inspection
20 system for the PRC is equivalent to that of the U.S.;

21 (2) ensure that, before any poultry products
22 can enter the United States from any such poultry
23 plant, such poultry products comply with all other
24 applicable requirements for poultry products in
25 interstate commerce in the United States;

1 (3) conduct periodic verification reviews and au-
2 dits of any such plants in the PRC intending to ex-
3 port into the United States processed poultry prod-
4 ucts;

5 (4) conduct re-inspection of such poultry prod-
6 ucts at United States ports-of-entry to check the
7 general condition of such products, for the proper
8 certification and labeling of such products, and for
9 any damage to such products that may have oc-
10 curred during transportation; and

11 (5) ensure that shipments of any such poultry
12 products selected to enter the United States are sub-
13 ject to additional re-inspection procedures at appro-
14 priate levels to verify that the products comply with
15 relevant Federal regulations or standards, including
16 examinations for product defects and laboratory
17 analyses to detect harmful chemical residues or
18 pathogen testing appropriate for the products in-
19 volved.

20 (b) This section shall be applied in a manner con-
21 sistent with obligations of the United States under any
22 trade agreement to which the United States is a party.

23 SEC. 755. None of the funds made available by this
24 Act or funds from the Commodity Credit Corporation may
25 be used by the Secretary of Agriculture or provided to the

1 Department of Defense to purchase, produce, or defray
2 the costs of purchase or production of, or develop, facili-
3 tate, expedite, or expand production of, an alternative fuel
4 (under the meaning given such term by subparagraph (I)
5 of section 32901(a)(1) of title 49, United States Code)
6 for the Department of Defense.

7 SEC. 756. None of the funds made available by this
8 Act may be used to further implementation of the coastal
9 and marine spatial planning and ecosystem-based manage-
10 ment components of the National Ocean Policy developed
11 under Executive Order 13547.

12 SEC. 757. For necessary expenses to carry out the
13 activities described in section 1002(b)(4) of the 21st Cen-
14 tury Cures Act (Public Law 114–255), in addition to
15 amounts available for such activities under the heading
16 “Salaries and Expenses”, \$60,000,000, to remain avail-
17 able until expended, is provided for Department of Health
18 and Human Services—Food and Drug Administration—
19 FDA Innovation Account: *Provided*, That amounts appro-
20 priated by this section are appropriated pursuant to sec-
21 tion 1002(b)(3) of such Act, are to be derived from
22 amounts transferred under section 1002(b)(2)(A) of such
23 Act, and may be transferred by the Secretary of Health
24 and Human Services to other accounts of the Department
25 of Health and Human Services solely for the activities de-

1 scribed in section 1002(b)(4) such Act: *Provided further*,
2 That such transfer authority is in addition to any other
3 transfer authority provided by law.

4 SEC. 758. For an additional amount for “Animal and
5 Plant Health Inspection Service—Salaries and Expenses”,
6 \$5,500,000, to remain available until September 30, 2019,
7 for one-time control and management and associate activi-
8 ties directly related to the multiple-agency response to cit-
9 rus greening.

10 SEC. 759. There is hereby appropriated \$1,000,000,
11 to remain available until September 30, 2019, for the cost
12 of loans and grants consistent with section 243 of the De-
13 partment of Agriculture Reorganization Act of 1994 (7
14 U.S.C. 6953), for necessary expenses of the Secretary to
15 support projects under the healthy food financing initia-
16 tive that provide access to healthy food in underserved
17 areas, to create and preserve quality jobs, and to revitalize
18 low-income communities.

19 SEC. 760. The provisions of sections 202 and 320 of
20 H.R. 238, One Hundred Fifteenth Congress (the “Com-
21 modity End-User Relief Act”), as passed by the House
22 of Representatives on January 12, 2017, are hereby en-
23 acted into law, except that the amendment made by such
24 section 320 shall be added at the end of paragraph (47)
25 rather than (48).

1 SPENDING REDUCTION ACCOUNT

2 SEC. 761. \$0.

3 This Act may be cited as the “Agriculture, Rural De-
4 velopment, Food and Drug Administration, and Related
5 Agencies Appropriations Act, 2018”.

Union Calendar No. 165

115TH CONGRESS
1ST Session

H. R. 3268

[Report No. 115-232]

A BILL

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2018, and for other purposes.

JULY 17, 2017

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