Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2019, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 24, 2018

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, 2019, and for other purposes.
Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,
That the following sums are appropriated, out of any
money in the Treasury not otherwise appropriated, for Ag-
riculture, Rural Development, Food and Drug Administra-
tion, and Related Agencies programs for fiscal year ending
September 30, 2019, and for other purposes, namely:

TITLE I

AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING, AND MARKETING

Office of the Secretary

(including transfers of funds)

For necessary expenses of the Office of the Secretary,
$39,287,000, of which not to exceed $5,051,000 shall be
available for the immediate Office of the Secretary; not
to exceed $800,000 shall be available for the Office of the
Assistant to the Secretary for Rural Development: Pro-
vided, That funds made available by this Act to an agency
in the Rural Development mission area for salaries and
expenses are available to fund up to one administrative
support staff for the Office; not to exceed $1,496,000 shall
be available for the Office of Homeland Security; not to
exceed $4,711,000 shall be available for the Office of Part-
nerships and Public Engagement; not to exceed
$17,176,000 shall be available for the Office of the Assist-
ant Secretary for Administration, of which $16,301,000
shall be available for Departmental Administration to pro-
vide for necessary expenses for management support serv-
ices to offices of the Department and for general adminis-
tration, security, repairs and alterations, and other mis-
cellaneous supplies and expenses not otherwise provided
for and necessary for the practical and efficient work of
the Department: *Provided further,* That funds made avail-
able by this Act to an agency in the Administration mis-
mission area for salaries and expenses are available to fund
up to one administrative support staff for the Office; not
to exceed $3,750,000 shall be available for the Office of
Assistant Secretary for Congressional Relations to carry
out the programs funded by this Act, including programs
involving intergovernmental affairs and liaison within the
executive branch; and not to exceed $6,303,000 shall be
available for the Office of Communications: *Provided fur-
ther,* That the Secretary of Agriculture is authorized to
transfer funds appropriated for any office of the Office
of the Secretary to any other office of the Office of the
Secretary: *Provided further,* That no appropriation for any
office shall be increased or decreased by more than 5 per-
cent: *Provided further,* That not to exceed $22,000 of the
amount made available under this paragraph for the im-
mediate Office of the Secretary shall be available for offi-
cial reception and representation expenses, not otherwise provided for, as determined by the Secretary: Provided further, That the amount made available under this heading for Departmental Administration shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551–558: Provided further, That funds made available under this heading for the Office of the Assistant Secretary for Congressional Relations may be transferred to agencies of the Department of Agriculture funded by this Act to maintain personnel at the agency level: Provided further, That no funds made available under this heading for the Office of Assistant Secretary for Congressional Relations may be obligated after 30 days from the date of enactment of this Act, unless the Secretary has notified the Committees on Appropriations of both Houses of Congress on the allocation of these funds by USDA agency.

EXECUTIVE OPERATIONS

OFFICE OF THE CHIEF ECONOMIST

For necessary expenses of the Office of the Chief Economist, $21,286,000, of which $5,000,000 shall be for grants or cooperative agreements for policy research under 7 U.S.C. 3155.
OFFICE OF HEARINGS AND APPEALS

For necessary expenses of the Office of Hearings and Appeals, $14,972,000.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

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

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, $58,950,000, of which not less than $33,000,000 is for cybersecurity requirements of the department.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, $5,741,000.

OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

For necessary expenses of the Office of the Assistant Secretary for Civil Rights, $901,000: Provided, That funds made available by this Act to an agency in the Civil Rights mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $24,206,000.
AGRICULTURE BUILDINGS AND FACILITIES
(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92–313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 121, for programs and activities of the Department which are included in this Act, and for alterations and other actions needed for the Department and its agencies to consolidate unneeded space into configurations suitable for release to the Administrator of General Services, and for the operation, maintenance, improvement, and repair of Agriculture buildings and facilities, and for related costs, $62,250,000, to remain available until expended.

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 Solid Waste Disposal 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 Depart-
ment 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.), $98,208,000, 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 General Act of 1978 (Public Law 95–452; 5 U.S.C. App.) and section 1337 of the Agriculture and Food Act of 1981 (Public Law 97–98).

Office of the General Counsel

For necessary expenses of the Office of the General Counsel, $44,846,000.

Office of Ethics

For necessary expenses of the Office of Ethics, $4,136,000.
Office of the Under Secretary for Research, Education, and Economics

For necessary expenses of the Office of the Under Secretary for Research, Education, and Economics, $800,000: Provided, That funds made available by this Act to an agency in the Research, Education, and Economics mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

Economic Research Service

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

National Agricultural Statistics Service

For necessary expenses of the National Agricultural Statistics Service, $173,717,000, of which up to $45,350,000 shall be available until expended for the Census of Agriculture: Provided, That amounts made available for the Census of Agriculture may be used to conduct Current Industrial Report surveys subject to 7 U.S.C. 2204g(d) and (f).

Agricultural Research Service

Salaries and Expenses

For necessary expenses of the Agricultural Research Service and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed $100, and
for land exchanges where the lands exchanged shall be of equal value or shall be equalized by a payment of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership, $1,259,916,000, of which $10,000,000 shall remain available until expended to carry out the science program of the National Bio and Agro-Defense Facility located in Manhattan, Kansas: Provided, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: Provided further, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed $500,000, except for headhouses or greenhouses which shall each be limited to $1,800,000, except for 10 buildings to be constructed or improved at a cost not to exceed $1,100,000 each, and except for two buildings to be constructed at a cost not to exceed $3,000,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or $500,000, whichever is greater: Provided further, That appropriations hereunder shall be available for entering into lease agreements at any
Agricultural Research Service location for the construction of a research facility by a non-Federal entity for use by the Agricultural Research Service and a condition of the lease shall be that any facility shall be owned, operated, and maintained by the non-Federal entity and shall be removed upon the expiration or termination of the lease agreement: Provided further, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: Provided further, That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center: Provided further, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): Provided further, That appropriations hereunder shall be available for granting easements at any Agricultural Research Service location for the construction of a research facility by a non-Federal entity for use by, and acceptable to, the Agricultural Research Service and a condition of the easements shall be that upon completion the facility shall be accepted by the Secretary, subject to the availability of funds herein, if the Secretary finds that acceptance of the facility is in the interest of the United States: Provided further, That funds may be received from any State, other political subdivi-
sion, organization, or individual for the purpose of estab-
lishing or operating any research facility or research
project of the Agricultural Research Service, as authorized
by law.

BUILDINGS AND FACILITIES

For the acquisition of land, construction, repair, im-
provement, extension, alteration, and purchase of fixed
equipment or facilities as necessary to carry out the agri-
cultural research programs of the Department of Agri-
culture, where not otherwise provided, $136,000,000 to re-
main available until expended.

NATIONAL INSTITUTE OF FOOD AND AGRICULTURE

RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for
cooperative forestry and other research, for facilities, and
for other expenses, $920,012,000, which shall be for the
purposes, and in the amounts, specified in the table titled
“National Institute of Food and Agriculture, Research
and Education Activities” in the report accompanying this
Act: Provided, That funds for research grants for 1994
institutions, education grants for 1890 institutions, capac-
ity building for non-land-grant colleges of agriculture, the
agriculture and food research initiative, veterinary medi-
cine loan repayment, multicultural scholars, graduate fel-
lowship and institution challenge grants, and grants man-
agement systems shall remain available until expended: 

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

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

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

EXTENSION ACTIVITIES

For payments to States, the District of Columbia, 
Puerto Rico, Guam, the Virgin Islands, Micronesia, the 
Northern Marianas, and American Samoa, $495,626,000,
which shall be for the purposes, and in the amounts, specified in the table titled “National Institute of Food and Agriculture, Extension Activities” in the report accompanying this Act: Provided, That funds for facility improvements at 1890 institutions shall remain available until expended: Provided further, That institutions eligible to receive funds under 7 U.S.C. 3221 for cooperative extension receive no less than $1,000,000: Provided further, That funds for cooperative extension under sections 3(b) and (c) of the Smith-Lever Act (7 U.S.C. 343(b) and (c)) and section 208(c) of Public Law 93–471 shall be available for retirement and employees’ compensation costs for extension agents.

INTEGRATED ACTIVITIES

For the integrated research, education, and extension grants programs, including necessary administrative expenses, $37,000,000, which shall be for the purposes, and in the amounts, specified in the table titled “National Institute of Food and Agriculture, Integrated Activities” in the report accompanying this Act: Provided, That funds for the Food and Agriculture Defense Initiative shall remain available until September 30, 2020: Provided further, That notwithstanding any other provision of law, indirect costs shall not be charged against any Extension Imple-
mentation Program Area grant awarded under the Crop Protection/Pest Management Program (7 U.S.C. 7626).

Office of the Under Secretary for Marketing and Regulatory Programs

For necessary expenses of the Office of the Under Secretary for Marketing and Regulatory Programs, $901,000: Provided, That funds made available by this Act to an agency in the Marketing and Regulatory Programs mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

Animal and Plant Health Inspection Service

Salaries and Expenses

(including transfers of funds)

For necessary expenses of the Animal and Plant Health Inspection Service, including up to $30,000 for representation allowances and for expenses pursuant to the Foreign Service Act of 1980 (22 U.S.C. 4085), $998,353,000, of which $470,000, to remain available until expended, shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds (“contingency fund”) to the extent necessary to meet emergency conditions; of which $11,520,000, to remain available until expended, shall be used for the cotton pests program for cost share
purposes or for debt retirement for active eradication zones; of which $37,857,000, to remain available until expended, shall be for Animal Health Technical Services; of which $705,000 shall be for activities under the authority of the Horse Protection Act of 1970, as amended (15 U.S.C. 1831); of which $62,840,000, to remain available until expended, shall be used to support avian health; of which $4,251,000, to remain available until expended, shall be for information technology infrastructure; of which $189,013,000, to remain available until expended, shall be for specialty crop pests; of which, $9,426,000, to remain available until expended, shall be for field crop and rangeland ecosystem pests; of which $16,523,000, to remain available until expended, shall be for zoonotic disease management; of which $40,966,000, to remain available until expended, shall be for emergency preparedness and response; of which $54,000,000, to remain available until expended, shall be for tree and wood pests; of which $5,725,000, to remain available until expended, shall be for the National Veterinary Stockpile; of which up to $1,500,000, to remain available until expended, shall be for the scrapie program for indemnities; of which $2,500,000, to remain available until expended, shall be for the wildlife damage management program for aviation safety; of which $10,600,000, to remain available until ex-
pended, shall be used to carry out the science program at the National Bio- and Agro-defense Facility located in Manhattan, Kansas;  

Provided, That of amounts available under this heading for wildlife services methods development, $1,000,000 shall remain available until expended:  

Provided further, That of amounts available under this heading for the screwworm program, $4,990,000 shall remain available until expended; of which $3,000,000, to remain available until expended, shall be for National Bio- and Agro-Defense human capital development:  

Provided further, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent:  

Provided further, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed five, of which two shall be for replacement only:  

Provided further, That in addition, in emergencies which threaten any segment of the agricultural production industry of the United States, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses

•HR 5961 RH
in accordance with sections 10411 and 10417 of the Animal Health Protection Act (7 U.S.C. 8310 and 8316) and sections 431 and 442 of the Plant Protection Act (7 U.S.C. 7751 and 7772), and any unexpended balances of funds transferred for such emergency purposes in the preceding fiscal year shall be merged with such transferred amounts: Provided further, That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

In fiscal year 2019, the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity’s liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be reimbursed to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.
BUILDINGS AND FACILITIES

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

AGRICULTURAL MARKETING SERVICE

For necessary expenses of the Agricultural Marketing Service, $153,095,000: Provided, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

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

LIMITATION ON ADMINISTRATIVE EXPENSES

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

Funds for Strengthening Markets, Income, and Supply (Section 32)

(Including Transfers of Funds)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of 1956 (16 U.S.C. 742a et seq.); (2) transfers otherwise provided in this Act; and (3) not more than $20,705,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937 and the Agricultural Act of 1961 (Public Law 87–128).

Payments to States and Possessions

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

EXPENSES

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

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

For necessary expenses of the Office of the Under Secretary for Food Safety, $800,000: Provided, That funds made available by this Act to an agency in the Food Safety mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, including not to exceed $10,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $1,049,344,000; and in addition, $1,000,000 may be credited to this account from fees collected for the cost of lab-
oratory accreditation as authorized by section 1327 of the Food, Agriculture, Conservation and Trade Act of 1990 (7 U.S.C. 138f): Provided, That funds provided for the Public Health Data Communication Infrastructure system shall remain available until expended: Provided further, That no fewer than 148 full-time equivalent positions shall be employed during fiscal year 2019 for purposes dedicated solely to inspections and enforcement related to the Humane Methods of Slaughter Act (7 U.S.C. 1901 et seq.): Provided further, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

TITLE II
FARM PRODUCTION AND CONSERVATION
PROGRAMS
Office of the Under Secretary for Farm Production and Conservation

For necessary expenses of the Office of the Under Secretary for Farm Production and Conservation, $901,000: Provided, That funds made available by this Act to an agency in the Farm Production and Conservation mission area for salaries and expenses are available...
to fund up to one administrative support staff for the Office.

FARM PRODUCTION AND CONSERVATION BUSINESS CENTER

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Farm Production and Conservation Business Center, $115,402,000, to remain available until expended.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Farm Service Agency, $1,095,769,000: Provided, That not more than 50 percent of the $44,691,000 made available under this heading for information technology related to farm program delivery, including the Modernize and Innovate the Delivery of Agricultural Systems and other farm program delivery systems, may be obligated until the Secretary submits to the Committees on Appropriations of both Houses of Congress, and receives written or electronic notification of receipt from such Committees of, a plan for expenditure that (1) identifies for each project/investment over $25,000 (a) the functional and performance capabilities to be delivered and the mission benefits to be realized, (b) the estimated lifecycle cost, including estimates for development as well
as maintenance and operations, and (c) key milestones to be met; (2) demonstrates that each project/investment is, (a) consistent with the Farm Service Agency Information Technology Roadmap, (b) being managed in accordance with applicable lifecycle management policies and guidance, and (c) subject to the applicable Department’s capital planning and investment control requirements; and (3) has been reviewed by the Government Accountability Office and approved by the Committees on Appropriations of both Houses of Congress: Provided further, That the agency shall submit a report by the end of the fourth quarter of fiscal year 2018 to the Committees on Appropriations and the Government Accountability Office, that identifies for each project/investment that is operational (a) current performance against key indicators of customer satisfaction, (b) current performance of service level agreements or other technical metrics, (c) current performance against a pre-established cost baseline, (d) a detailed breakdown of current and planned spending on operational enhancements or upgrades, and (e) an assessment of whether the investment continues to meet business needs as intended as well as alternatives to the investment: Provided further, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program
payments for all programs administered by the Agency:

Provided further, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: Provided further, That funds made available to county committees shall remain available until expended: Provided further, That none of the funds available to the Farm Service Agency shall be used to close Farm Service Agency county offices: Provided further, That none of the funds available to the Farm Service Agency shall be used to permanently relocate county based employees that would result in an office with two or fewer employees without prior notification and approval of the Committees on Appropriations of both Houses of Congress.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987, as amended (7 U.S.C. 5101–5106), $3,228,000.

GRASSROOTS SOURCE WATER PROTECTION PROGRAM

For necessary expenses to carry out wellhead or groundwater protection activities under section 1240O of the Food Security Act of 1985 (16 U.S.C. 3839bb–2), $6,500,000, to remain available until expended.
For necessary expenses involved in making indemnity payments to dairy farmers and manufacturers of dairy products under a dairy indemnity program, such sums as may be necessary, to remain available until expended: Provided, That such program is carried out by the Secretary in the same manner as the dairy indemnity program described in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387, 114 Stat. 1549A–12).

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed farm ownership (7 U.S.C. 1922 et seq.) and operating (7 U.S.C. 1941 et seq.) loans, emergency loans (7 U.S.C. 1961 et seq.), Indian tribe land acquisition loans (25 U.S.C. 488), boll weevil loans (7 U.S.C. 1989), guaranteed conservation loans (7 U.S.C. 1924 et seq.), and Indian highly fractionated land loans (25 U.S.C. 488) to be available from funds in the Agricultural Credit Insurance Fund, as follows: $2,750,000,000 for guaranteed farm ownership loans and $1,500,000,000
for farm ownership direct loans; $1,960,000,000 for un-
subsidized guaranteed operating loans and
$1,530,000,000 for direct operating loans; emergency
loans, $37,668,000; Indian tribe land acquisition loans,
$20,000,000; guaranteed conservation loans,
$150,000,000; Indian highly fractionated land loans,
$10,000,000; and for boll weevil eradication program
loans, $30,000,000: Provided, That the Secretary shall
dee the pink bollworm to be a boll weevil for the purpose
of boll weevil eradication program loans.

For the cost of direct and guaranteed loans and
grants, including the cost of modifying loans as defined
in section 502 of the Congressional Budget Act of 1974,
as follows: farm operating loans, $59,670,000 for direct
operating loans, $21,168,000 for unsubsidized guaranteed
operating loans, emergency loans, $1,567,000 and
$2,134,000 for Indian highly fractionated land loans to
remain available until expended.

In addition, for administrative expenses necessary to
carry out the direct and guaranteed loan programs,
$328,268,000: Provided, That of this amount,
$302,117,000 shall be transferred to and merged with the
appropriation for “Farm Service Agency, Salaries and Ex-
penses”, of which $11,600,000 shall be available until
September 30, 2020: Provided further, that of this amount
$16,081,000 shall be transferred to and merged with the appropriation for “Farm Production and Conservation Business Center, Salaries and Expenses”.

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

**RISK MANAGEMENT AGENCY**

**SALARIES AND EXPENSES**

For necessary expenses of the Risk Management Agency, $75,419,000: Provided, That not to exceed $1,000 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

**NATURAL RESOURCES CONSERVATION SERVICE**

**CONSERVATION OPERATIONS**

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to con-
control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed $100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, $890,293,000, to remain available until September 30, 2020: Provided, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed $250,000: Provided further, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a.

WATERSHED AND FLOOD PREVENTION OPERATIONS

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

WATERSHED REHABILITATION PROGRAM

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

CORPORATIONS

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

FEDERAL CROP INSURANCE CORPORATION FUND

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

REIMBURSEMENT FOR NET REALIZED LOSSES

(INCLUDING TRANSFERS OF FUNDS)

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

HAZARDOUS WASTE MANAGEMENT

(LIMITATION ON EXPENSES)

For the current fiscal year, the Commodity Credit Corporation shall not expend more than $5,000,000 for site investigation and cleanup expenses, and operations and maintenance expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C.
32

1 9607(g)), and section 6001 of the Solid Waste Disposal
2 Act (42 U.S.C. 6961).
3
4 TITLE III
5
6 RURAL DEVELOPMENT PROGRAMS
7
8 RURAL DEVELOPMENT
9
10 SALARIES AND EXPENSES
11
12 (INCLUDING TRANSFERS OF FUNDS)
13
14 For necessary expenses for carrying out the adminis-
15 tration and implementation of Rural Development pro-
16 grams, including activities with institutions concerning the
17 development and operation of agricultural cooperatives;
18 and for cooperative agreements; $236,835,000: Provided,
19 That no less than $6,000,000 shall be for information
20 technology investments: Provided further, That notwith-
21 standing any other provision of law, funds appropriated
22 under this heading may be used for advertising and pro-
23 motional activities that support Rural Development pro-
24 grams: Provided further, That in addition to any other
25 funds appropriated for purposes authorized by section
26 502(i) of the Housing Act of 1949 (42 U.S.C. 1472(i)),
27 any amounts collected under such section, as amended by
28 this Act, will immediately be credited to this account and
29 will remain available until expended for such purposes.
Rural Housing Service

Rural Housing Insurance Fund Program Account

(Including Transfers of Funds)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: $1,000,000,000 shall be for direct loans and $24,000,000,000 shall be for unsubsidized guaranteed loans; $28,000,000 for section 504 housing repair loans; $40,000,000 for section 515 rental housing; $230,000,000 for section 538 guaranteed multi-family housing loans; $10,000,000 for credit sales of single family housing acquired property; $5,000,000 for section 523 self-help housing land development loans; and $5,000,000 for section 524 site development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, $49,000,000 shall be for direct loans; section 504 housing repair loans, $3,418,000; section 523 self-help housing land development loans, $430,500; section 524 site development loans, $175,500; and repair, rehabilitation, and new construction of section 515 rental housing, $9,484,000: Provided, That to support the loan program level for section 538 guaranteed loans made
available under this heading the Secretary may charge or adjust any fees to cover the projected cost of such loan guarantees pursuant to the provisions of the Credit Reform Act of 1990 (2 U.S.C. 661 et seq.), and the interest on such loans may not be subsidized: Provided further, That applicants in communities that have a current rural area waiver under section 541 of the Housing Act of 1949 (42 U.S.C. 1490q) shall be treated as living in a rural area for purposes of section 502 guaranteed loans provided under this heading: Provided further, That of the amounts available under this paragraph for section 502 direct loans, no less than $5,000,000 shall be available for direct loans for individuals whose homes will be built pursuant to a program funded with a mutual and self-help housing grant authorized by section 523 of the Housing Act of 1949 until June 1, 2019: Provided further, That the Secretary shall implement provisions to provide incentives to nonprofit organizations and public housing authorities to facilitate the acquisition of Rural Housing Service (RHS) multifamily housing properties by such nonprofit organizations and public housing authorities that commit to keep such properties in the RHS multifamily housing program for a period of time as determined by the Secretary, with such incentives to include, but not be limited to, the following: allow such nonprofit entities
and public housing authorities to earn a Return on Investment on their own resources to include proceeds from low income housing tax credit syndication, own contributions, grants, and developer loans at favorable rates and terms, invested in a deal; and allow reimbursement of organizational costs associated with owner’s oversight of asset referred to as “Asset Management Fee” of up to $7,500 per property.

In addition, for the cost of direct loans, grants, and contracts, as authorized by sections 514 and 516 of the Housing Act of 1949 (42 U.S.C. 1484, 1486), $16,853,000, to remain available until expended, for direct farm labor housing loans and domestic farm labor housing grants and contracts: Provided, That any balances available for the Farm Labor Program Account shall be transferred to and merged with this account.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $412,254,000 shall be transferred to and merged with the appropriation for “Rural Development, Salaries and Expenses”.

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) of the Housing Act of 1949 or agreements entered into...
in lieu of debt forgiveness or payments for eligible house-
holds as authorized by section 502(e)(5)(D) of the Hous-
ing Act of 1949, $1,331,400,000, of which $40,000,000
shall be available until September 30, 2020; and in addi-
tion such sums as may be necessary, as authorized by sec-
tion 521(c) of the Act, to liquidate debt incurred prior to
fiscal year 1992 to carry out the rental assistance program
under section 521(a)(2) of the Act: Provided, That rental
assistance agreements entered into or renewed during the
current fiscal year shall be funded for a one-year period:
Provided further, That any unexpended balances remain-
ing at the end of such one-year agreements may be trans-
ferred and used for purposes of any debt reduction; main-
tenance, repair, or rehabilitation of any existing projects;
preservation; and rental assistance activities authorized
under title V of the Act: Provided further, That rental as-
sistance provided under agreements entered into prior to
fiscal year 2019 for a farm labor multi-family housing
project financed under section 514 or 516 of the Act may
not be recaptured for use in another project until such
assistance has remained unused for a period of 12 con-
secutive months, if such project has a waiting list of ten-
ants seeking such assistance or the project has rental as-
sistance eligible tenants who are not receiving such assist-
ance: Provided further, That such recaptured rental assist-
ance
ance shall, to the extent practicable, be applied to another
farm labor multi-family housing project financed under
section 514 or 516 of the Act: Provided further, That ex-
cept as provided in the third proviso under this heading
and notwithstanding any other provision of the Act, the
Secretary may recapture rental assistance provided under
agreements entered into prior to fiscal year 2019 for a
project that the Secretary determines no longer needs
rental assistance and use such recaptured funds for cur-
rent needs.

MULTI-FAMILY HOUSING REVITALIZATION PROGRAM
ACCOUNT

For the rural housing voucher program as authorized
under section 542 of the Housing Act of 1949, but not-
withstanding subsection (b) of such section, and for addi-
tional costs to conduct a demonstration program for the
preservation and revitalization of multi-family rental hous-
ing properties described in this paragraph, $53,000,000,
to remain available until expended: Provided, That of the
funds made available under this heading, $28,000,000,
shall be available for rural housing vouchers to any low-
income household (including those not receiving rental as-
sistance) residing in a property financed with a section
515 loan which has been prepaid after September 30,
2005: Provided further, That the amount of such voucher
shall be the difference between comparable market rent for the section 515 unit and the tenant paid rent for such unit: *Provided further*, That funds made available for such vouchers shall be subject to the availability of annual appropriations: *Provided further*, That the Secretary shall, to the maximum extent practicable, administer such vouchers with current regulations and administrative guidance applicable to section 8 housing vouchers administered by the Secretary of the Department of Housing and Urban Development: *Provided further*, That if the Secretary determines that the amount made available for vouchers in this or any other Act is not needed for vouchers, the Secretary may use such funds for the demonstration program for the preservation and revitalization of multi-family rental housing properties described in this paragraph: *Provided further*, That of the funds made available under this heading, $25,000,000 shall be available for a demonstration program for the preservation and revitalization of the sections 514, 515, and 516 multi-family rental housing properties to restructure existing USDA multi-family housing loans, as the Secretary deems appropriate, expressly for the purposes of ensuring the project has sufficient resources to preserve the project for the purpose of providing safe and affordable housing for low-income residents and farm laborers including reducing or eliminating
interest; deferring loan payments, subordinating, reducing or reamortizing loan debt; and other financial assistance including advances, payments and incentives (including the ability of owners to obtain reasonable returns on investment) required by the Secretary: Provided further,

That the Secretary shall as part of the preservation and revitalization agreement obtain a restrictive use agreement consistent with the terms of the restructuring: Provided further, That if the Secretary determines that additional funds for vouchers described in this paragraph are needed, funds for the preservation and revitalization demonstration program may be used for such vouchers: Provided further, That if Congress enacts legislation to permanently authorize a multi-family rental housing loan restructuring program similar to the demonstration program described herein, the Secretary may use funds made available for the demonstration program under this heading to carry out such legislation with the prior approval of the Committees on Appropriations of both Houses of Congress: Provided further, That in addition to any other available funds, the Secretary may expend not more than $1,000,000 total, from the program funds made available under this heading, for administrative expenses for activities funded under this heading.
MUTUAL AND SELF-HELP HOUSING GRANTS

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

RURAL HOUSING ASSISTANCE GRANTS

For grants for very low-income housing repair and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, and 1490m, $45,000,000, to remain available until expended.

RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT (INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, $2,800,000,000 for direct loans and $200,000,000 for guaranteed loans.

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

RURAL BUSINESS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of loan guarantees and grants, for the rural business development programs authorized by section 310B and described in subsections (a), (c), (f) and (g) of section 310B of the Consolidated Farm and Rural Development Act, $67,215,000, to remain available until expended: Provided, That of the amount appropriated under this heading, not to exceed $500,000 shall be made available for one grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development and $5,000,000 shall be for grants to the Delta Regional Authority (7 U.S.C. 2009aa et seq.) and the Appalachian Regional Commission (40 U.S.C. 14101 et seq.) for any Rural Community Advancement Program purpose as described in section 381E(d) of the Consolidated Farm and Rural Development Act, of which not more than 5 percent may be used for administrative expenses: Provided further, That $4,000,000 of the amount appropriated under this heading shall be for business grants to benefit Federally Recognized Native American Tribes, including $250,000 for a grant to a qualified national organization to provide technical assistance for rural transportation in order to pro-
mote economic development: Provided further, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to funds made available under this heading.

INTERMEDIARY RELENDING PROGRAM FUND ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the principal amount of direct loans, as authorized by the Intermediary Relending Program Fund Account (7 U.S.C. 1936b), $20,000,000.

For the cost of direct loans, $4,402,000, as authorized by the Intermediary Relending Program Fund Account (7 U.S.C. 1936b), of which $557,000 shall be available through June 30, 2019, for Federally Recognized Native American Tribes. Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

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

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

(INCLUDING RESCISSION OF FUNDS)

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

Of the funds derived from the interest on the cushion
of credit payments, as authorized by section 313 of the
Rural Electrification Act of 1936, $50,000,000 shall not
be obligated and $50,000,000 are rescinded.

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

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized
under section 310B(e) of the Consolidated Farm and
Rural Development Act (7 U.S.C. 1932), $27,550,000, of
which $2,750,000 shall be for cooperative agreements for
the appropriate technology transfer for rural areas pro-
gram: Provided, That not to exceed $3,000,000 shall be
for grants for cooperative development centers, individual
cooperatives, or groups of cooperatives that serve socially
disadvantaged groups and a majority of the boards of di-
rectors or governing boards of which are comprised of in-
dividuals who are members of socially disadvantaged
groups; and of which $16,000,000, to remain available
until expended, shall be for value-added agricultural prod-
uct market development grants, as authorized by section
of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1632a), of which up to $1,000,000 may be for Agriculture Innovation Centers authorized pursuant to section 6402 of Public Law 107–171.

RURAL ENERGY FOR AMERICA PROGRAM

For the cost of a program of loan guarantees, under the same terms and conditions as authorized by section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107), $334,500: Provided, That the cost of loan guarantees, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

RURAL UTILITIES SERVICE

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

For the cost of direct loans, loan guarantees, and grants for the rural water, waste water, waste disposal, and solid waste management programs authorized by sections 306, 306A, 306C, 306D, 306E, and 310B and described in sections 306C(a)(2), 306D, 306E, and 381E(d)(2) of the Consolidated Farm and Rural Development Act, $637,690,000, 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
$1,500,000 shall be available for the rural utilities program described in section 306E of such Act: Provided, That not to exceed $15,000,000 of the amount appropriated under this heading shall be for grants authorized by section 306A(i)(2) of the Consolidated Farm and Rural Development Act in addition to funding authorized by section 306A(i)(1) of such Act: Provided further, That $65,000,000 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 further, That not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by the State of Alaska for training and technical assistance programs and not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by a consortium formed pursuant to section 325 of Public Law 105–83 for training and technical assistance programs.
assistance programs: Provided further, That not to exceed $22,000,000 of the amount appropriated under this heading shall be for technical assistance grants for rural water and waste systems pursuant to section 306(a)(14) of such Act, unless the Secretary makes a determination of extreme need, of which $8,000,000 shall be made available for a grant to a qualified nonprofit multi-State regional technical assistance organization, with experience in working with small communities on water and waste water problems, the principal purpose of such grant shall be to assist rural communities with populations of 3,300 or less, in improving the planning, financing, development, operation, and management of water and waste water systems, and of which not less than $800,000 shall be for a qualified national Native American organization to provide technical assistance for rural water systems for tribal communities: Provided further, That not to exceed $19,000,000 of the amount appropriated under this heading shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: Provided further, That not to exceed $4,000,000 shall be for solid waste management grants: Provided further, That $10,000,000 of the amount appropriated under this heading shall be transferred to, and merged with, the Rural Utilities Service,
High Energy Cost Grants Account to provide grants authorized under section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a): Provided further, That any prior year balances for high-energy cost grants authorized by section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a) shall be transferred to and merged with the Rural Utilities Service, High Energy Cost Grants Account: Provided further, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading.

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS
LOANS PROGRAM ACCOUNT
(INCLUDING TRANSFER OF FUNDS)

The principal amount of direct and guaranteed loans as authorized by sections 305, 306, and 317 of the Rural Electrification Act of 1936 (7 U.S.C. 935, 936, and 940g) shall be made as follows: loans made pursuant to sections 305, 306, and 317, notwithstanding 317(c), of that Act, rural electric, $5,500,000,000; guaranteed underwriting loans pursuant to section 313A, $750,000,000; 5 percent rural telecommunications loans, cost of money rural telecommunications loans, and for loans made pursuant to section 306 of that Act, rural telecommunications loans, $690,000,000: Provided, That up to $2,000,000,000 shall
be used for the construction, acquisition, or improvement of fossil-fueled electric generating plants (whether new or existing) that utilize carbon sequestration systems.

For the cost of direct loans as authorized by section 305 of the Rural Electrification Act of 1936 (7 U.S.C. 935), including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, cost of money rural telecommunications loans, $1,125,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $33,270,000, which shall be transferred to and merged with the appropriation for “Rural Development, Salaries and Expenses”.

DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM

For the principal amount of broadband telecommunication loans, $29,851,000.

For grants for telemedicine and distance learning services in rural areas, as authorized by 7 U.S.C. 950aaa et seq., $35,000,000, to remain available until expended: Provided, That $3,000,000 shall be made available for grants authorized by 379G of the Consolidated Farm and Rural Development Act: Provided further, That funding provided under this heading for grants under 379G of the Consolidated Farm and Rural Development Act may only
be provided to entities that meet all of the eligibility cri-
teria for a consortium as established by this section.

For the cost of broadband loans, as authorized by
section 601 of the Rural Electrification Act, $5,829,900,
to remain available until expended: Provided, That the
cost of direct loans shall be as defined in section 502 of
the Congressional Budget Act of 1974.

In addition, $30,000,000, to remain available until
expended, for a grant program to finance broadband
transmission in rural areas eligible for Distance Learning
and Telemedicine Program benefits authorized by 7

TITLE IV

DOMESTIC FOOD PROGRAMS

Office of the Under Secretary for Food,
Nutrition, and Consumer Services

For necessary expenses of the Office of the Under
Secretary for Food, Nutrition, and Consumer Services,
$800,000: Provided, That funds made available by this
Act to an agency in the Food, Nutrition, and Consumer
Services mission area for salaries and expenses are avail-
able to fund up to one administrative support staff for
the Office.
For necessary expenses to carry out the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; $23,183,512,000 to remain available through September 30, 2020, of which such sums as are made available under section 14222(b)(1) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246), as amended by this Act, shall be merged with and available for the same time period and purposes as provided herein: Provided, That of the total amount available, $17,004,000 shall be available to carry out section 19 of the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.): Provided further, That of the total amount available, $30,000,000 shall be available to provide competitive grants to State agencies for subgrants to local educational agencies and schools to purchase the equipment, with a value of greater than $1,000, needed to serve healthier meals, improve food safety, and to help support the establishment, maintenance, or expansion of the school breakfast program: Provided further, That of the total amount available, $28,000,000 shall remain available until expended to carry
out section 749(g) of the Agriculture Appropriations Act
of 2010 (Public Law 111–80): Provided further, That sec-
tion 26(d) of the Richard B. Russell National School
Lunch Act (42 U.S.C. 1769g(d)) is amended in the first
sentence by striking “2010 through 2018” and inserting
“2010 through 2019”: Provided further, That section
9(h)(3) of the Richard B. Russell National School Lunch
Act (42 U.S.C. 1758(h)(3)) is amended in the first sen-
tence by striking “For fiscal year 2018” and inserting
“For fiscal year 2019”: Provided further, That section
9(h)(4) of the Richard B. Russell National School Lunch
Act (42 U.S.C. 1758(h)(4)) is amended in the first sen-
tence by striking “For fiscal year 2018” and inserting
“For fiscal year 2019”.

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

For necessary expenses to carry out the special sup-
plemental nutrition program as authorized by section 17
of the Child Nutrition Act of 1966 (42 U.S.C. 1786),
$6,000,000,000, to remain available through September
30, 2020: Provided, That notwithstanding section
17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C.
1786(h)(10)), not less than $60,000,000 shall be used for
breastfeeding peer counselors and other related activities,
and $14,000,000 shall be used for infrastructure: Pro-
vided further, That none of the funds provided in this ac-
count shall be available for the purchase of infant formula
except in accordance with the cost containment and com-
petitive bidding requirements specified in section 17 of
such Act: Provided further, That none of the funds pro-
vided shall be available for activities that are not fully re-
imbursed by other Federal Government departments or
agencies unless authorized by section 17 of such Act: Pro-
vided further, That upon termination of a federally man-
dated vendor moratorium and subject to terms and condi-
tions established by the Secretary, the Secretary may
waive the requirement at 7 CFR 246.12(g)(6) at the re-
quest of a State agency.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

For necessary expenses to carry out the Food and
$73,219,274,000, of which $3,000,000,000, to remain
available through December 31, 2020, shall be placed in
reserve for use only in such amounts and at such times
as may become necessary to carry out program operations:
Provided, That funds provided herein shall be expended
in accordance with section 16 of the Food and Nutrition
Act of 2008: Provided further, That of the funds made
available under this heading, $998,000 may be used to
provide nutrition education services to State agencies and
1 Federally Recognized Tribes participating in the Food
2 Distribution Program on Indian Reservations: *Provided
3 further,* That this appropriation shall be subject to any
4 work registration or workfare requirements as may be re-
5 quired by law: *Provided further,* That funds made available
6 for Employment and Training under this heading shall re-
7 main available through September 30, 2020: *Provided fur-
8 ther,* That funds made available under this heading for
9 section 28(d)(1), section 4(b), and section 27(a) of the
10 Food and Nutrition Act of 2008 shall remain available
11 through September 30, 2020: *Provided further,* That none
12 of the funds made available under this heading may be
13 obligated or expended in contravention of section 213A of
14 the Immigration and Nationality Act (8 U.S.C. 1183A):
15 *Provided further,* That, subject to section 737 of this Act,
16 funds made available under this heading may be used to
17 enter into contracts and employ staff to conduct studies,
18 evaluations, or to conduct activities related to program in-
19 tegrity provided that such activities are authorized by the
20 Food and Nutrition Act of 2008.

21 **COMMODITY ASSISTANCE PROGRAM**

22 For necessary expenses to carry out disaster assist-
23 ance and the Commodity Supplemental Food Program as
24 authorized by section 4(a) of the Agriculture and Con-
25 sumer Protection Act of 1973 (7 U.S.C. 612c note); the
Emergency Food Assistance Act of 1983; special assistance for the nuclear affected islands, as authorized by section 103(f)(2) of the Compact of Free Association Amendments Act of 2003 (Public Law 108–188); and the Farmers’ Market Nutrition Program, as authorized by section 17(m) of the Child Nutrition Act of 1966, $306,910,000, to remain available through September 30, 2020: Provided, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program: Provided further, That notwithstanding any other provision of law, effective with funds made available in fiscal year 2019 to support the Seniors Farmers’ Market Nutrition Program, as authorized by section 4402 of the Farm Security and Rural Investment Act of 2002, such funds shall remain available through September 30, 2020: Provided further, That of the funds made available under section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)), the Secretary may use up to 15 percent for costs associated with the distribution of commodities.

NUTRIATION PROGRAMS ADMINISTRATION

For necessary administrative expenses of the Food and Nutrition Service for carrying out any domestic nutrition assistance program, $162,838,000, of which $12,297,000 shall remain available through September
30, 2021, for the development and dissemination of the Dietary Guidelines for Americans: Provided, That of the funds provided herein, $2,000,000 shall be used for the purposes of section 4404 of Public Law 107–171, as amended by section 4401 of Public Law 110–246.

TITLE V

FOREIGN ASSISTANCE AND RELATED PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR TRADE AND FOREIGN AGRICULTURAL AFFAIRS

For necessary expenses of the Office of the Under Secretary for Trade and Foreign Agricultural Affairs, $875,000: Provided, That funds made available by this Act to any agency in the Trade and Foreign Agricultural Affairs mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

OFFICE OF CODEX ALIMENTARIUS

For necessary expenses of the Office of Codex Alimentarius, $3,796,000 including not to exceed $40,000 for official reception and representation expenses.
FOREIGN AGRICULTURAL SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including not to exceed $250,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $204,138,000, for overseas operations to include the payment of locally employed staff: Provided, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1737) and the foreign assistance programs of the United States Agency for International Development: Provided further, That funds made available for middle-income country training programs, funds made available for the Borlaug International Agricultural Science and Technology Fellowship program, and up to $2,000,000 of the Foreign Agricultural Service appropriation solely for the purpose of offsetting fluctuations in international currency exchange rates, subject to documentation by the Foreign Agricultural Service, shall remain available until expended.
FOOD FOR PEACE TITLE I DIRECT CREDIT AND FOOD FOR PROGRESS PROGRAM ACCOUNT
(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the credit program of title I, Food for Peace Act (Public Law 83–480) and the Food for Progress Act of 1985, $142,000, shall be transferred to and merged with the appropriation for “Farm Service Agency, Salaries and Expenses”.

FOOD FOR PEACE TITLE II GRANTS

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years’ costs, including interest thereon, under the Food for Peace Act (Public Law 83–480), for commodities supplied in connection with dispositions abroad under title II of said Act, $1,500,000,000, to remain available until expended: Provided, That the Administrator of the United States Agency for International Development shall in each instance notify in writing the Committees on Appropriations of both Houses of Congress, the Committee on Agriculture of the House, the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House, and the Committee on Agriculture, Nutrition, and Forestry of the Senate and make publicly available online the amount and use of authority in section 202(a) of the Food for Peace Act (7 U.S.C. 1722(a)) to notwithstanding the min-
imum level of nonemergency assistance required by section 412(e)(2) of the Food for Peace Act (7 U.S.C. 1736f(e)(2)) not later than 15 days after the date of such action.

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

For necessary expenses to carry out the provisions of section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1), $207,626,000, to remain available until expended, of which $1,000,000 is for the use of recently developed potable water technologies in school feeding projects: Provided, That the Commodity Credit Corporation is authorized to provide the services, facilities, and authorities for the purpose of implementing such section, subject to reimbursement from amounts provided herein.

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

For administrative expenses to carry out the Commodity Credit Corporation’s Export Guarantee Program, GSM 102 and GSM 103, $9,180,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which
$6,717,000 shall be transferred to and merged with the appropriation for “Foreign Agricultural Service, Salaries and Expenses”, and of which $2,463,000 shall be transferred to and merged with the appropriation for “Farm Service Agency, Salaries and Expenses”.

TITLE VI
RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92–313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; in addition to amounts appropriated to the FDA Innovation Account, for carrying out the activities described in section 1002(b)(4) of the 21st Century Cures Act (Public Law 114–255); for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary’s certificate, not to exceed $25,000; and notwithstanding section 521 of
Public Law 107–188; $5,568,010,000: Provided, That of
the amount provided under this heading, $960,568,000
shall be derived from prescription drug user fees author-
ized by 21 U.S.C. 379h, and shall be credited to this ac-
count and remain available until expended; $196,668,000
shall be derived from medical device user fees authorized
by 21 U.S.C. 379j, and shall be credited to this account
and remain available until expended; $501,396,000 shall
be derived from human generic drug user fees authorized
by 21 U.S.C. 379j–42, and shall be credited to this ac-
count and remain available until expended; $40,922,000
shall be derived from biosimilar biological product user
fees authorized by 21 U.S.C. 379j–52, and shall be cred-
ited to this account and remain available until expended;
$30,331,000 shall be derived from animal drug user fees
authorized by 21 U.S.C. 379j–12, and shall be credited
to this account and remain available until expended;
$18,336,000 shall be derived from generic new animal
drug user fees authorized by 21 U.S.C. 379j–21, and shall
be credited to this account and remain available until ex-
pended; $712,000,000 shall be derived from tobacco prod-
uct user fees authorized by 21 U.S.C. 387s, and shall be
credited to this account and remain available until ex-
pended: Provided further, That in addition to and notwith-
standing any other provision under this heading, amounts

•HR 5961 RH
collected for prescription drug user fees, medical device user fees, human generic drug user fees, biosimilar biological product user fees, animal drug user fees, and generic new animal drug user fees that exceed the respective fiscal year 2019 limitations are appropriated and shall be credited to this account and remain available until expended: Provided further, That fees derived from prescription drug, medical device, human generic drug, biosimilar biological product, animal drug, and generic new animal drug assessments for fiscal year 2019, including any such fees collected prior to fiscal year 2019 but credited for fiscal year 2019, shall be subject to the fiscal year 2019 limitations: Provided further, That the Secretary may accept payment during fiscal year 2019 of user fees specified under this heading and authorized for fiscal year 2020, prior to the due date for such fees, and that amounts of such fees assessed for fiscal year 2020 for which the Secretary accepts payment in fiscal year 2019 shall not be included in amounts under this heading: Provided further, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701: Provided further, That of the total amount appropriated: (1) $1,039,675,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs; (2)
$1,839,411,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs; (3) $389,731,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) $220,397,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) $564,905,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) $65,331,000 shall be for the National Center for Toxicological Research; (7) $662,043,000 shall be for the Center for Tobacco Products and for related field activities in the Office of Regulatory Affairs; (8) not to exceed $195,933,000 shall be for Rent and Related activities, of which $57,373,000 is for White Oak Consolidation, other than the amounts paid to the General Services Administration for rent; (9) not to exceed $239,716,000 shall be for payments to the General Services Administration for rent; and (10) $350,868,000 shall be for other activities, including the Office of the Commissioner of Food and Drugs, the Office of Foods and Veterinary Medicine, the Office of Medical and Tobacco Products, the Office of Global and Regulatory Policy, the Office of Operations, the Office of the Chief Scientist, and central services for
these offices. **Provided further,** That not to exceed $25,000 of this amount shall be for official reception and representation expenses, not otherwise provided for, as determined by the Commissioner. **Provided further,** That any transfer of funds pursuant to section 770(n) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379dd(n)) shall only be from amounts made available under this heading for other activities. **Provided further,** That of the amounts that are made available under this heading for “other activities”, and that are not derived from user fees, $1,500,000 shall be transferred to and merged with the appropriation for “Department of Health and Human Services—Office of Inspector General” for oversight of the programs and operations of the Food and Drug Administration and shall be in addition to funds otherwise made available for oversight of the Food and Drug Administration. **Provided further,** That of the total amount made available under this heading, $3,000,000 shall be used by the Commissioner of Food and Drugs, in coordination with the Secretary of Agriculture, for consumer outreach and education regarding agricultural biotechnology and biotechnology-derived food products and animal feed, including through publication and distribution of science-based educational information on the environmental, nutritional, food safety, economic, and humanitarian impacts.
of such biotechnology, food products, and feed: *Provided further*, That $50,000,000 of the amount allocated to the Center for Tobacco Products from tobacco product user fees authorized by section 919 of the Federal Food, Drug, and Cosmetic Act in fiscal years 2019, 2020, 2021, and 2022, shall be used by the Secretary to develop, establish, and operate a Youth Vapor Product Education, Prevention, and Enforcement Program, to include consumer outreach and education targeted to the use of vapor products by minors, optional grants to school systems, nonprofit public health entities, and other qualifying entities for programs and initiatives aimed at youth vapor product and tobacco product prevention, and enforcement of provisions of the Federal Food, Drug, and Cosmetic Act relating to youth access to vapor products: *Provided further*, That funds may be transferred from one specified activity to another with the prior approval of the Committees on Appropriations of both Houses of Congress.

drug wholesale distributor licensing and inspection fees
authorized by 21 U.S.C. 353(e)(3), third-party logistics
provider licensing and inspection fees authorized by 21
U.S.C. 360eee–3(c)(1), third-party auditor fees authorized
by 21 U.S.C. 384d(e)(8), and medical countermeasure pri-
riority review voucher user fees authorized by 21 U.S.C.
360bbb–4a, shall be credited to this account, to remain
available until expended.

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, exten-
sion, alteration, demolition, and purchase of fixed equip-
ment or facilities of or used by the Food and Drug Admin-
istration, where not otherwise provided, $11,788,000, to
remain available until expended.

FDA INNOVATION ACCOUNT, CURES ACT

For necessary expenses to carry out the purposes de-
scribed under section 1002(b)(4) of the 21st Century
Cures Act, in addition to amounts available for such pur-
poses under the heading “Salaries and Expenses”,
$70,000,000, to remain available until expended: Pro-
vided, That amounts appropriated in this paragraph are
appropriated pursuant to section 1002(b)(3) of the 21st
Century Cures Act, are to be derived from amounts trans-
ferred under section 1002(b)(2)(A) of such Act, and may
be transferred by the Commissioner of Food and Drugs
to the appropriation for “Department of Health and Human Services Food and Drug Administration Salaries and Expenses” solely for the purposes provided in such Act: Provided further, That upon a determination by the Commissioner that funds transferred pursuant to the previous proviso are not necessary for the purposes provided, such amounts may be transferred back to the account: Provided further, That such transfer authority is in addition to any other transfer authority provided by law.

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, $255,000,000, including not to exceed $3,000 for official reception and representation expenses, and not to exceed $25,000 for the expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, of which not less than $50,000,000, to remain available until September 30, 2020, shall be for the purchase of information technology and of which not less than $3,000,000 shall be for expenses of the Office of the Inspector General: Provided, That notwithstanding the
limitations in 31 U.S.C. 1553, amounts provided under this heading are available for the liquidation of obligations equal to current year payments on leases entered into prior to the date of enactment of this Act: Provided further, That for the purpose of recording 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 no-year account in the Treasury, which has been established for the sole purpose of recording adjustments for and liquidating such unpaid obligations: Provided further, That if any furlough or reduction-in-force of personnel at the Commission occurs as a result of an action under 5 U.S.C. 7119, the Commission shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate no later than 30 days after the furlough or reduction-in-force occurs detailing the agency’s reasoning for conducting a furlough or reduction-in-force: Provided further, That in the report the Commission shall explain why the furlough or reduction-in-force was the only reasonable course of action in response to an action taken under 5 U.S.C. 7119: Provided further, That after the conclusion of any furlough or reduction-in-force of the Commission in response to an action taken under 5 U.S.C.
7119, the Comptroller General shall submit to the Com-
mittees on Appropriations of the Senate and the House
of Representatives a report that describes (1) the long-
term cost of any pay increases the Commission must make
in response to an action taken under 5 U.S.C. 7119; and
(2) the operational impact of the furlough or reduction-
in-force.

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $74,600,000 (from assessments col-
lected from farm credit institutions, including the Federal
Agricultural Mortgage Corporation) shall be obligated
during the current fiscal year for administrative expenses
as authorized under 12 U.S.C. 2249: Provided, That this
limitation shall not apply to expenses associated with re-
ceiverships: Provided further, That the agency may exceed
this limitation by up to 10 percent with notification to the
Committees on Appropriations of both Houses of Con-
gress.

TITLE VII

GENERAL PROVISIONS

(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

Sec. 701. Within the unit limit of cost fixed by law,
appropriations and authorizations made for the Depart-
ment of Agriculture for the current fiscal year under this
Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 71 passenger motor vehicles of which 68 shall be for replacement only, and for the hire of such vehicles: Provided, That notwithstanding this section, the only purchase of new passenger vehicles shall be for those determined by the Secretary to be necessary for transportation safety, to reduce operational costs, and for the protection of life, property, and public safety.

SEC. 702. Notwithstanding any other provision of this Act, the Secretary of Agriculture may transfer unobligated balances of discretionary funds appropriated by this Act or any other available unobligated discretionary balances that are remaining available of the Department of Agriculture to the Working Capital Fund for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture, such transferred funds to remain available until expended: Provided, That none of the funds made available by this Act or any other Act shall be transferred to the Working Capital Fund without the prior approval of the agency administrator: Provided further, That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available
for obligation without written notification to and the prior
approval of the Committees on Appropriations of both
Houses of Congress: Provided further, That none of the
funds appropriated by this Act or made available to the
Department’s Working Capital Fund shall be available for
obligation or expenditure to make any changes to the De-
partment’s National Finance Center without written noti-
fication to and prior approval of the Committees on Ap-
propriations of both Houses of Congress as required by
section 717 of this Act: Provided further, That none of
the funds appropriated by this Act or made available to
the Department’s Working Capital Fund shall be available
for obligation or expenditure to initiate, plan, develop, im-
plement, or make any changes to remove or relocate any
systems, missions, or functions of the offices of the Chief
Financial Officer or any personnel from the National Fi-
nance Center prior to written notification to and prior ap-
proval of the Committee on Appropriations of both Houses
of Congress and in accordance with the requirements of
section 717 of this Act: Provided further, That the Sec-
retary of Agriculture and the offices of the Chief Financial
Officer shall actively market to existing and new Depart-
ments and other government agencies National Finance
Center shared services including, but not limited to, pay-
roll, financial management, and human capital shared
services and allow the National Finance Center to perform technology upgrades: **Provided further,** That of annual income amounts in the Working Capital Fund of the Department of Agriculture attributable to the amounts in excess of the true costs of the shared services provided by the National Finance Center and budgeted for the National Finance Center, the Secretary shall reserve not more than 4 percent for the replacement or acquisition of capital equipment, including equipment for the improvement, delivery, and implementation of financial, administrative, and information technology services, and other systems of the National Finance Center or to pay any unforeseen, extraordinary cost of the National Finance Center: **Provided further,** That none of the amounts reserved shall be available for obligation unless the Secretary submits written notification of the obligation to the Committees on Appropriations of both Houses of Congress: **Provided further,** That the limitations on the obligation of funds pending notification to Congressional Committees shall not apply to any obligation that, as determined by the Secretary, is necessary to respond to a declared state of emergency that significantly impacts the operations of the National Finance Center; or to evacuate employees of the National Finance Center to a safe haven to continue operations of the National Finance Center.
SEC. 703. No part of any appropriation contained in
this Act shall remain available for obligation beyond the
current fiscal year unless expressly so provided herein.

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

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

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

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

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

SEC. 709. Except as otherwise specifically provided by law, not more than $20,000,000 in unobligated balances from appropriations made available for salaries and expenses in this Act for the Farm Service Agency shall remain available through September 30, 2020, for information technology expenses: Provided, That except as otherwise specifically provided by law, unobligated balances from appropriations made available for salaries and expenses in this Act for the Rural Development mission area shall remain available through September 30, 2020, for information technology expenses.
SEC. 710. None of the funds appropriated or otherwise made available by this Act may be used for first-class travel by the employees of agencies funded by this Act in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

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

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

(2) the use of such funds for such purpose shall not be considered to be a fund transfer or allotment for purposes of applying the limitation on the total amount of allotments and fund transfers contained in such section.
Sec. 712. Of the funds made available by this Act, not more than $2,900,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants.

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

Sec. 714. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.
(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

Sec. 715. Notwithstanding subsection (b) of section 14222 of Public Law 110–246 (7 U.S.C. 612c–6; in this section referred to as “section 14222”), none of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out a program under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c; in this section referred to as “section 32”) in excess of $1,299,600,000 (exclusive of carryover appropriations from prior fiscal years), as follows: Child Nutrition Programs Entitlement Commodities—$485,000,000; State Option Contracts—$5,000,000; Removal of Defective Commodities—$2,500,000; Administration of Section 32 Commodity Purchases—$35,853,000: Provided, That of the total funds made available in the matter preceding this proviso that remain unobligated on October 1, 2019, such unobligated balances shall carryover into fiscal year 2020 and shall remain available until expended for any of the three stated purposes of section 32, except that any such carryover funds used in accordance with clause (3) of section 32 may not exceed $350,000,000 and may not be obli-
gated until the Secretary of Agriculture provides written notification of the expenditures to the Committees on Appropriations of both Houses of Congress at least two weeks in advance: Provided further, That, with the exception of any available carryover funds authorized in any prior appropriations Act to be used for the purposes of clause (3) of section 32, none of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries or expenses of any employee of the Department of Agriculture to carry out clause (3) of section 32.

Sec. 716. None of the funds appropriated by this or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President’s budget submission to the Congress for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the budget unless such budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the
date of the convening of a committee of conference for
the fiscal year 2020 appropriations Act.

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

(1) creates new programs;

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

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

(4) relocates an office or employees;

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

(6) contracts out or privatizes any functions or
activities presently performed by Federal employees;
unless the Secretary of Agriculture, the Chairman of the
Commodity Futures Trading Commission, or the Sec-
retary of Health and Human Services (as the case may
be) notifies in writing and receives approval from the Com-
mittees on Appropriations of both Houses of Congress at
least 30 days in advance of the reprogramming of such
funds or the use of such authority.

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

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

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

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

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

(d) None of the funds provided by this Act, or pro-
vided by previous Appropriations Acts to the agencies
funded by this Act that remain available for obligation or
expenditure in the current fiscal year, or provided from
any accounts in the Treasury derived by the collection of
fees available to the agencies funded by this Act, shall be
available for—
(1) modifying major capital investments funding levels, including information technology systems, that involves increasing or decreasing funds in the current fiscal year for the individual investment in excess of $500,000 or 10 percent of the total cost, whichever is less;

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

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

(e) As described in this section, no funds may be used for any activities unless the Secretary of Agriculture, the Chairman of the Commodity Futures Trading Commission, or the Secretary of Health and Human Services receives from the Committee on Appropriations of both Houses of Congress written or electronic mail confirmation of receipt of the notification as required in this section.
SEC. 718. Notwithstanding section 310B(g)(5) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(g)(5)), the Secretary may assess a one-time fee for any guaranteed business and industry loan in an amount that does not exceed 3 percent of the guaranteed principal portion of the loan.

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

SEC. 720. Unless otherwise authorized by existing law, none of the funds provided in this Act, may be used by an executive branch agency to produce any pre-packaged news story intended for broadcast or distribution in the United States unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.
SEC. 721. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act or any other Act to any other agency or office of the Department for more than 60 days in a fiscal year unless the individual’s employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

SEC. 722. Not later than 30 days after the date of enactment of this Act, the Secretary of Agriculture, the Commissioner of the Food and Drug Administration, the Chairman of the Commodity Futures Trading Commission, and the Chairman of the Farm Credit Administration shall submit to the Committees on Appropriations of both Houses of Congress a detailed spending plan by program, project, and activity for all the funds made available under this Act including appropriated user fees, as defined in the report accompanying this Act.

SEC. 723. Of the unobligated balances from amounts made available for the supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $300,000,000 are hereby rescinded.

SEC. 724. The Secretary shall continue an intermediary loan packaging program based on the pilot pro-
gram in effect for fiscal year 2013 for packaging and reviewing section 502 single family direct loans. The Secretary shall continue agreements with current intermediary organizations and with additional qualified intermediary organizations. The Secretary shall work with these organizations to increase effectiveness of the section 502 single family direct loan program in rural communities and shall set aside and make available from the national reserve section 502 loans an amount necessary to support the work of such intermediaries and provide a priority for review of such loans.

Sec. 725. For loans and loan guarantees that do not require budget authority and the program level has been established in this Act, the Secretary of Agriculture may increase the program level for such loans and loan guarantees by not more than 25 percent: Provided, That prior to the Secretary implementing such an increase, the Secretary notifies, in writing, the Committees on Appropriations of both Houses of Congress at least 15 days in advance.

Sec. 726. 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. 727. None of the funds made available by this Act may be used to implement, administer, or enforce the “variety” requirements of the final rule entitled “Enhancing Retailer Standards in the Supplemental Nutrition Assistance Program (SNAP)” published by the Department of Agriculture in the Federal Register on December 15, 2016 (81 Fed. Reg. 90675) until the Secretary of Agriculture amends the definition of the term “variety” as defined in section 278.1(b)(1)(ii)(C) of title 7, Code of Federal Regulations, and “variety” as applied in the definition of the term “staple food” as defined in section 271.2 of title 7, Code of Federal Regulations, to increase the number of items that qualify as acceptable varieties in each staple food category so that the total number of such items in each staple food category exceeds the number of such items in each staple food category included in the final rule as published on December 15, 2016: Provided, That
until the Secretary promulgates such regulatory amend-
ments, the Secretary shall apply the requirements regard-
ing acceptable varieties and breadth of stock to Supple-
mental Nutrition Assistance Program retailers that were
in effect on the day before the date of the enactment of
the Agricultural Act of 2014 (Public Law 113–79).

SEC. 728. Notwithstanding section 343(a)(13)(C) of
the Consolidated Farm and Rural Development Act, for
the purpose of water and waste disposal guaranteed loans
provided under paragraphs (1) and (24) of section 306(a)
of such Act, the terms “rural” and “rural areas” mean
a city, town, or unincorporated area that has a population
of no more than 20,000 inhabitants.

SEC. 729. Funds provided by this or any prior Appro-
priations Act for the Agriculture and Food Research Ini-
tiative under subsection (b) of the Competitive, Special,
and Facilities Research Grant Act (7 U.S.C. 3157(b))
shall be made available without regard to section 1492 of
the National Agricultural Research, Extension, and
Teaching Policy Act of 1977 (7 U.S.C. 3371) under the
matching requirements applicable to such Initiative (other
than paragraph (9) of such subsection (b)) in effect on
the day before the date of enactment of such section 1492.

SEC. 730. In carrying out subsection (h) of section
502 of the Housing Act of 1949 (42 U.S.C. 1472), the
Secretary of Agriculture shall have the same authority with respect to loans guaranteed under such section and eligible lenders for such loans as the Secretary has under subsections (h) and (j) of section 538 of such Act (42 U.S.C. 1490p–2) with respect to loans guaranteed under such section 538 and eligible lenders for such loans.

SEC. 731. None of the funds made available by this Act may be used to propose, promulgate, or implement any rule, or take any other action with respect to, allowing or requiring information intended for a prescribing health care professional, in the case of a drug or biological product subject to section 503(b)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353(b)(1)), to be distributed to such professional electronically (in lieu of in paper form) unless and until a Federal law is enacted to allow or require such distribution.

SEC. 732. None of the funds made available by this Act may be used to notify a sponsor or otherwise acknowledge receipt of a submission for an exemption for investigational use of a drug or biological product under section 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)) or section 351(a)(3) of the Public Health Service Act (42 U.S.C. 262(a)(3)) in research in which a human embryo is intentionally created or modified to include a heritable genetic modification. Any such submis-
sion shall be deemed to have not been received by the Sec-­
retary, and the exemption may not go into effect.

SEC. 733. None of the funds made available by this or any other Act may be used to carry out the final rule promulgated by the Food and Drug Administration and put into effect November 16, 2015, in regards to the haz-­
ard analysis and risk-based preventive control require-­ments of the current good manufacturing practice, hazard analysis, and risk-based preventive controls for food for animals rule with respect to the regulation of the produc-­tion, distribution, sale, or receipt of dried spent grain by-­products of the alcoholic beverage production process.

SEC. 734. Funds made available under title II of the Food for Peace Act (7 U.S.C. 1721 et seq.) may only be used to provide assistance to recipient nations if adequate monitoring and controls, as determined by the Adminis-­trator, are in place to ensure that emergency food aid is received by the intended beneficiaries in areas affected by food shortages and not diverted for unauthorized or inap-­propriate purposes.

SEC. 735. Notwithstanding 5 U.S.C.5315, the Admin-­istrator for Rural Utilities Service, U.S. Department of Agriculture, shall receive basic pay at a rate not to ex-­ceed the maximum amount of compensation payable to a member of the Senior Executive Service under subsection
(b) of section 5382 of title 5 United States Code, except that the certification requirement in that subsection shall not apply to the compensation of the Administrator.

SEC. 736. For fiscal year 2018 and hereafter, the Secretary shall regulate products made from cells of amenable species of livestock, as defined in the Federal Meat Inspection Act, or poultry, as defined in the Poultry Products Inspection act, grown under controlled conditions for use as human food, and shall issue regulations prescribing the type and frequency of inspection required for the manufacture and processing of such products, as well as other requirements necessary to prevent the adulteration and misbranding of these products.

SEC. 737. None of the funds made available by this Act may be used by the Secretary of Agriculture, acting through the Food and Nutrition Service, to commence any new research and evaluation projects until the Secretary submits to the Committees on Appropriations of both Houses of Congress a research and evaluation plan for fiscal year 2019, prepared in coordination with the Research, Education, and Economics mission area of the Department of Agriculture, and a period of 30 days beginning on the date of the submission of the plan expires to permit Congressional review of the plan.
SEC. 738. Section 4s(e)(4) of the Commodity Exchange Act (7 U.S.C. 6s(e)(4)) is amended—

(1) by inserting ``(A)'' before ``(The requirements'' ; and

(2) by adding after and below the end the following:

``(B) The initial margin requirements imposed by rules adopted pursuant to paragraphs (2)(A)(ii) and (2)(B)(ii) shall not apply to any swap in which—

 ``(i) one counter party is a person in which the other counterparty, directly or indirectly, holds a majority ownership interest; or

 ``(ii) a third party, directly or indirectly, holds a majority ownership interest in both counterparties.''

SEC. 739. (a) The Secretary of Agriculture shall—

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

 (A) veterinary control and oversight;

 (B) disease history and vaccination practices;
(C) livestock demographics and traceability;
(D) epidemiological separation from potential sources of infection;
(E) surveillance practices;
(F) diagnostic laboratory capabilities; and
(G) emergency preparedness and response;
and
(2) promptly make publicly available the final reports of any audits or reviews conducted pursuant to subsection (1).

SEC. 740. No food that bears or contains partially hydrogenated oils (as defined in the order published by the Food and Drug Administration in the Federal Register on June 17, 2015 (80 Fed. Reg. 34650 et seq.)) shall be considered to be adulterated within the meaning of subsection (a)(1) or (a)(2)(C)(i) of section 402 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 342(a)) because such food contains such partially hydrogenated oils so long as such food is introduced or delivered for introduction into interstate commerce on or before June 18, 2018.

SEC. 741. None of the funds made available by this Act may be used to carry out any activities or incur any expense related to the issuance of licenses under section 3 of the Animal Welfare Act (7 U.S.C. 2133), or the re-
newal of such licenses, to class B dealers who sell dogs and cats for use in research, experiments, teaching, or testing.

Sec. 742. There is appropriated $20,000,000 to the Commodity Credit Corporation, in addition to amounts otherwise made available, for section 1110(f)(3) of the Food Security Act of 1985 (7 U.S.C. 1736o(f)(3)).

Sec. 743. (a)(1) No Federal funds made available for this fiscal year for the rural water, waste water, waste disposal, and solid waste management programs authorized by sections 306, 306A, 306C, 306D, 306E, and 310B of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926 et seq.) shall be used for a project for the construction, alteration, maintenance, or repair of a public water or wastewater system unless all of the iron and steel products used in the project are produced in the United States.

(b) In this section, the term “iron and steel products” means the following products made primarily of iron or steel: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials.

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

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

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

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

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

(d) This section shall be applied in a manner consistent with United States obligations under international agreements.
(e) The Secretary may retain up to 0.25 percent of the funds appropriated in this Act for “Rural Utilities Service—Rural Water and Waste Disposal Program Account” for carrying out the provisions described in subsection (a)(1) for management and oversight of the requirements of this section.

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

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

Sec. 744. For the purposes of determining eligibility or level of program assistance for Rural Development programs the Secretary shall not include incarcerated prison populations.

Sec. 745. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to commu-
nicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 746. For an additional amount for “National Institute for Food and Agriculture-Research and Education Activities,” $14,000,000 for relocation expenses and for alteration and repair of leased buildings and improvements pursuant to 7 U.S.C. 2250.

SEC. 747. The Secretary of Agriculture and the Secretary’s designees are hereby granted the same access to information and subject to the same requirements applicable to the Secretary of Housing and Urban Development as provided in section 453 of the Social Security Act (42 U.S.C. 653) and section 6103(1)(7)(D)(ix) of the Internal Revenue Code of 1986 (26 U.S.C. 1603(1)(7)(D)(ix)) to verify the income for individuals participating in sections 502, 504, 521, and 542 of the Housing Act of 1949 (42 U.S.C. 1472, 1474, 1490a, and 1490r), notwithstanding section 453(l)(1) of the Social Security Act.

SEC. 748. 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),
the Summer Food Service Program for Children under section 13 of such Act (42 U.S.C. 1761), or the school breakfast program under the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.).

SEC. 749. In response to an eligible community where the drinking water supplies are inadequate due to a natural disaster, as determined by the Secretary, including drought or severe weather, the Secretary may provide potable water through the Emergency Community Water Assistance Grant Program for an additional period of time not to exceed 120 days beyond the established period provided under the Program in order to protect public health.

count”; “Rural Utilities Service—Rural Electrification and Telecommunications Loans Program Account”; and “Rural Utilities Service—Distance Learning, Telemedicine, and Broadband Program”, to the maximum extent feasible, at least 10 percent of the funds shall be allocated for assistance in persistent poverty counties under this section, including, notwithstanding any other provision regarding population limits, any county seat of such a persistent poverty county that has a population that does not exceed the authorized population limit by more than 10 percent: Provided, That for purposes of this section, the term “persistent poverty counties” means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1980, 1990, and 2000 decennial censuses, and 2007–2011 American Community Survey 5-year average: Provided further, That with respect to specific activities for which program levels have been made available by this Act that are not supported by budget authority, the requirements of this section shall be applied to such program level.

Sec. 751. (a) No funds shall be used to finalize the proposed rule entitled “Eligibility of the People’s Republic of China (PRC) to Export to the United States Poultry Products from Birds Slaughtered in the PRC” published in the Federal Register by the Department of Agriculture
on June 16, 2017 (82 Fed. Reg. 27625), unless the Secretary of Agriculture shall—

(1) ensure that the poultry slaughter inspection system for the PRC is equivalent to that of the United States;

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

(3) conduct periodic verification reviews and audits of any such plants in the PRC intending to export into the United States processed poultry products;

(4) conduct re-inspection of such poultry products at United States ports-of-entry to check the general condition of such products, for the proper certification and labeling of such products, and for any damage to such products that may have occurred during transportation; and

(5) ensure that shipments of any such poultry products selected to enter the United States are subject to additional re-inspection procedures at appropriate levels to verify that the products comply with relevant Federal regulations or standards, including
examinations for product defects and laboratory analyses to detect harmful chemical residues or pathogen testing appropriate for the products involved.

(b) This section shall be applied in a manner consistent with obligations of the United States under any trade agreement to which the United States is a party.

Sec. 752. None of the funds made available by this Act may be used by the Food and Drug Administration to develop, issue, promote, or advance any regulations applicable to food manufacturers for population-wide sodium reduction actions or to develop, issue, promote or advance final guidance applicable to food manufacturers for long term population-wide sodium reduction actions until the date on which a dietary reference intake report with respect to sodium is completed.

Sec. 753. There is hereby appropriated $2,000,000, to remain available until September 30, 2020, for the cost of loans and grants that is consistent with section 4206 of the Agricultural Act of 2014, for necessary expenses of the Secretary to support projects that provide access to healthy food in underserved areas, to create and preserve quality jobs, and to revitalize low-income communities.
SEC. 754. For an additional amount for “Animal and Plant Health Inspection Service—Salaries and Expenses”, $8,500,000, to remain available until September 30, 2020, for one-time control and management and associated activities directly related to the multiple-agency response to citrus greening.

SEC. 755. None of the funds made available by this or any other Act may be used to enforce the final rule promulgated by the Food and Drug Administration entitled “Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption,” and published on November 27, 2015, with respect to the regulation of the production, distribution, sale, or receipt of grape varietals that are grown, harvested and used solely for wine and receive commercial processing that adequately reduces the presence of microorganisms of public health significance.

SEC. 756. None of the funds made available by this Act may be used to revoke an exception made—

(1) pursuant to the rule entitled “Exceptions to Geographic Areas for Official Agencies Under the USGSA” published by the Department of Agriculture in the Federal Register on April 18, 2003 (68 Fed. Reg. 19137, 19139); and

(2) on a date before April 14, 2017.
Sec. 757. For school year 2019–2020, only a school food authority that had a negative balance in the nonprofit school food service account as of December 31, 2018, shall be required to establish a price for paid lunches in accordance with Section 12(p) of the Richard B. Russell National School Lunch Act, 42 U.S.C. 1760(p).

Sec. 758. There is hereby appropriated $5,000,000, to remain available until September 30, 2020, for a pilot program for the National Institute of Food and Agriculture to provide grants to nonprofit organizations for programs and services to establish and enhance farming and ranching opportunities for military veterans.

Sec. 759. For an additional amount for “Rural Utilities Service—Distance Learning, Telemedicine, and Broadband Program”, $550,000,000, to remain available until expended, for the Secretary of Agriculture to conduct a broadband loan and grant pilot program under the Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.): Provided, That for the purpose of the pilot program, the authorities provided in such Act shall include the authority to make grants for such purposes, as described in section 601(a) of such Act: Provided further, That the cost of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That at least 90 percent of the households to be served by a project...
receiving a loan or grant under the pilot program shall be in a rural area without sufficient access to broadband, defined for this pilot program as 10 Mbps downstream, and 1 Mbps upstream, which shall be reevaluated and re-determined, as necessary, on an annual basis by the Secretary of Agriculture: Provided further, That an entity to which a loan or grant is made under the pilot program shall not use the loan or grant to overbuild or duplicate broadband expansion efforts made by any entity that has received a broadband loan from the Rural Utilities Service: Provided further, That in addition to other available funds, not more than four percent of the funds can be used for administrative costs to carry out this pilot program and up to three percent may be utilized for technical assistance and pre-development planning activities to support the most rural communities, which shall be transferred to and merged with the appropriation for “Rural Development, Salaries and Expenses”: Provided further, That the Rural Utility Service is directed to expedite program delivery methods that would implement this section: Provided further, That for purposes of this section, the Secretary shall adhere to the notice, reporting and service area assessment requirements set forth in sections 6104(a)(2)(D) and 6104(a)(2)(E) of the Agricultural Act of 2014 (7 U.S.C. 950bb(d)(5), and 950bb(d)(8) and 950bb(d)(10)).
Sec. 760. Section 202 of H.R. 238, One Hundred Fifteenth Congress, as passed by the House of Representa-
tives on January 12, 2017, is hereby enacted into law.

Sec. 761. With the exception of funds needed to ad-
minister, complete, and conduct oversight of contracts awarded and obligations incurred prior to enactment of this Act, none of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out the Biomass Crop Assistance Program authorized by sec-

Sec. 762. Not later than July 31, 2019, the Sec-
retary of Health and Human Services shall finalize the draft guidance for industry entitled “Bacterial Risk Con-
trol Strategies for Blood Collection Establishments and Transfusion Services to Enhance the Safety and Avail-
ability of Platelets for Transfusion” issued by the Food and Drug Administration in March of 2016.

Sec. 763. Not later than 180 days after the date of the enactment of this section, the Secretary of Agriculture shall submit a report to the Committees on Appropriations of both Houses of Congress that includes a summary of the process used in establishing the 2020-2025 Dietary Guidelines for Americans published pursuant to section
301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341) and an explanation with respect to the decision to incorporate or exclude in such Dietary Guidelines for Americans recommendations from the report by the National Academies of Science, Engineering, and Medicine entitled “Redesigning the Process for Establishing the Dietary Guidelines for Americans” and issued September, 2017.

Sec. 764. None of the funds made available by this Act shall be used to implement, administer, or enforce the final rule entitled “Food Labeling: Revision of the Nutrition and Supplement Facts Labels”, published in the Federal Register on May 27, 2016 (81 Fed. Reg. 33742) to the extent such rule requires that the nutrition facts panel on the labeling of a single-ingredient food that does not have any sugars or sweeteners added to the food, such as honey and maple syrup, include a statement that the food contains added sugars.

Sec. 765. Paragraph (4) of section 1444(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3221 (a)) is amended—

(1) by striking “No more than” and inserting the following: “For fiscal years ending on or before September 30, 2018, no more than’’;
(2) by striking “by an institution” and inserting “by an eligible institution under this section”; and

(3) by adding at the end the following new sentence: “For fiscal years beginning on or after October 1, 2018, the limitation specified in the preceding sentence shall not apply and 100 percent of such funds may be carried forward to the succeeding fiscal year.”

SEC. 766. The establishment of any affirmative disclosure requirements relating to the genetic engineering of salmon or other finfish, or foods containing genetically engineered salmon or other finfish shall be made in accordance with the National Bioengineered Food Disclosure Standard (7 U.S.C. 1639) and any rules or regulations implementing that Act as promulgated by the Secretary of Agriculture.

SEC. 767. None of the funds made available by this Act may be used to implement or enforce the matter following the first comma in the second sentence of footnote (c) of section 220.8(c) of title 7, Code of Federal Regulations, with respect to the substitution of vegetables for fruits under the school breakfast program established under section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773).
Sec. 768. Section 9 of the Food and Nutrition Act of 2008 (7 U.S.C. 2018) is amended by adding at the end the following:

“(i) NONDISCLOSURE.—Any supplemental nutrition assistance program transaction data that contains information specific to a retail food store, a retail food store location, a person, or other entity shall be exempt from the disclosure requirements of section 552(a) of title 5 of the United States Code pursuant to section 552(b)(3) of title 5 of the United States Code.”.

Sec. 769. None of the funds appropriated or otherwise made available by this Act or any other Act with respect to any fiscal year may be used to implement, administer, or enforce the final rule with the regulation identifier number 0910–AG38 published by the Food and Drug Administration in the Federal Register on May 10, 2016 (81 Fed. Reg. 28974) with respect to traditional large and premium cigars. For the purposes of this section, the term “traditional large and premium cigar” means—

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

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

(3) has a homogenized tobacco leaf binder and is made in the United States using human hands to lay each 100 percent leaf tobacco wrapper individually onto a single machine that bunches, wraps, and caps each individual cigar on such single machine and makes no more than 15 cigars per minute; and

(b) is not a cigarette or a little cigar (as such terms are defined in paragraphs (3) and (11), respectively, of section 900 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387)).

Sec. 770. None of the funds appropriated or otherwise made available by this Act or any other Act with respect to any fiscal year may, for cigars and pipe tobacco, and components and parts thereof, which the Secretary of Health and Human Services by regulation under section 901(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387a(b)) deems to be subject to chapter IX of such Act, be used to treat any reference in sections 905(j) or 910(a) of such Act (21 U.S.C. 387e(j), 387j(a)) to February 15, 2007, as other than a reference to April 25,
2014, the date of the regulation under which tobacco prod-
ucts were proposed to be deemed subject to the require-
ments of such chapter pursuant to section 901(b) of such
Act (21 U.S.C. 387a(b)).

Sec. 771. (a) Section 905(j)(1)(A)(i) of the Federal
Food, Drug, and Cosmetic Act (21 U.S.C.
387e(j)(1)(A)(i)) is amended by inserting “or to a tobacco
product subject to an order that the Secretary has issued
to such person under subsection (c)(1)(A)(i) of section
910,” after “as of February 15, 2007,”.

(b) Section 910(a)(2)(A)(i)(I) of the Federal Food,
is amended by inserting “, or to a tobacco product subject
to an order that the Secretary has issued to such person
under subsection (c)(1)(A)(i)” after “as of February 15,
2007”.

Sec. 772. (a) Notwithstanding any other provision
of law, not later than 21 months after the date of enact-
ment of this Act, the Secretary of Health and Human
Services shall issue a notice of proposed rulemaking to es-
tablish a product standard for vapor products pursuant
to section 907 of the Federal Food, Drug, and Cosmetic
Act (21 U.S.C. 387g) to include but not be limited to—
(1) characterizing flavors; and
(2) batteries.
(b) Notwithstanding any other provision of law, not later than 36 months after the date of enactment of this Act, the Secretary shall promulgate a final rule pursuant to such notice.

Sec. 773. (a) A vapor product shall be deemed to be misbranded under section 903(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387c(a)) if the advertising with respect to the vapor product is disseminated by a manufacturer, distributor, or retailer of the product in a newspaper, magazine, periodical, or other publication (including any publication of periodic or limited distribution) other than an adult publication.

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

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

(A) mail-order; or

(B) a vending machine or self-service display if, with respect to the facility in which such vending machine or display is located, the retailer of such products ensures that no person under 18 years of age is present or permitted to enter.
(3) A violation of this section is deemed to constitute a violation of the Federal Food, Drug, and Cosmetic Act relating to a tobacco product for purposes of section 303(f)(9) of such Act (21 U.S.C. 333(f)(9)).

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

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

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

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

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

(d)(1) Every person who owns or operates an establishment in any State engaged in the retail sale of a vapor product shall register that establishment with the Secretary of Health and Human Services within the later of 60 days after the date of enactment of this Act, or 30 days after first engaging in such retail sale.
(2) The requirements of this subsection do not apply with respect to any establishment subject to an active registration under—

(A) any State law relating to tobacco products;

or


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

(e) In this section:

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

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

(B) that is read by fewer than 2 million persons younger than 18 years of age as measured by competent and reliable survey evidence.

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

(4) The term “vapor product”—

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

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

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

Sec. 774. Section 1043 of the Pro-Children Act of 1994 (20 U.S.C. 6083) is amended—

(1) by striking “smoking” each place it appears in subsections (a), (b), and (c) and inserting “smoking or use of vapor products”; and
(2) by striking “smoking” each place it appears in subsection (e) and inserting “smoking or vapor product”.

Sec. 775. Section 906(d) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387f(d)) is amended by striking paragraph (4) and inserting the following:

“(4) AGE VERIFICATION FOR REMOTE SALES.—

A delivery seller of vapor products—

“(A) shall not sell, deliver, or cause to be delivered any vapor products to a person under the minimum age required for the legal sale or purchase of vapor products, as determined by the applicable law at the place of delivery; and

“(B) shall not accept a delivery sale order from a person without—

“(i) obtaining the full name, birth date, and residential address of that person; and

“(ii) verifying the information provided in clause (i), through the use of a commercially available database or aggregate of databases, consisting primarily of data from government sources, that are regularly used by government and businesses for the purpose of age and identity

VerDate Sep 11 2014 00:57 May 25, 2018 Jkt 079200 PO 00000 Frm 00115 Fmt 6652 Sfmt 6201 E:\BILLS\H5961.RH H5961pbinns on DSK79D2C42PROD with BILLS
verification and authentication, to ensure that the purchaser is at least the minimum age required for the legal sale or purchase of vapor products, as determined by the applicable law at the place of delivery.

“(C) LIMITATION.—No database being used for age and identity verification under subparagraph (B)(ii) shall be in the possession or under the control of the delivery seller, or be subject to any changes or supplementation by the delivery seller.

“(D) DEFINITIONS.—In this paragraph:

“(i) The term ‘delivery sale’ means a sale of vapor products in which—

“(I) the consumer submits the order for the sale by means of a telephone or other method of voice transmission, the mails, or the Internet or other online service, or the seller is otherwise not in the physical presence of the buyer when the request for purchase or order is made; or

“(II) the vapor products are delivered to the buyer by common carrier, private delivery service, or other
method of remote delivery, or the seller is not in the physical presence of the buyer when the buyer obtains possession of the vapor products.

“(ii) The term ‘delivery seller’ means a person who makes a delivery sale, or provides an online marketplace to facilitate a delivery sale.

“(iii) The term ‘online marketplace’ means an online portal or other digital or similar platform that facilitates the sale of products to consumers, through retail sale, auction, or similar transactions.”.

Sec. 776. Not later than 180 days after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit a report to the Committees on Appropriations of both Houses of Congress, the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Energy and Commerce of the House of Representatives, that includes a plan of action with respect to the development and operation of the Youth Vapor Product Education, Prevention, and Enforcement Program.

Sec. 777. (a) The Commissioner of Food and Drugs shall conduct a study on preventing the use of electronic
nicotine delivery systems (referred to in this section as “ENDS”) by youth. Such study shall include an analysis of—

(1) the potential costs and benefits of using, and requiring the use of, biometric security measures in ENDS—

(A) during premarket development;

(B) at the time of sale; and

(C) during postmarket use;

(2) the effectiveness of such biometric security measures in preventing usage by youth of ENDS;

(3) the potential costs and benefits of requiring such biometric security measures for sales of ENDS made through mail delivery and via the Internet; and

(4) alternative technologies that may assist in preventing usage by youth of ENDS.

(b) The Commissioner of Food and Drugs shall provide a report on the results of the study under subsection (a) to the Committee on Appropriations of both Houses of Congress not later than 180 days after the date of enactment of this Act.

Sec. 778. $0.
This division may be cited as the “Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2019”.
A BILL

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2019, and for other purposes.

MAY 24, 2018

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

May 24, 2018

A BILL
Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2019, and for other purposes.

115TH CONGRESS
2D SESSION
H. R. 5961
[Report No. 115-706]