

Calendar No. 177

115TH CONGRESS
1ST SESSION

S. 1603

[Report No. 115–131]

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

IN THE SENATE OF THE UNITED STATES

JULY 20, 2017

Mr. HOEVEN, from the Committee on Appropriations, reported the following original bill; which was read twice and placed on the calendar

A BILL

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

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

1 ending September 30, 2018, and for other purposes,
 2 namely:

3 TITLE I

4 AGRICULTURAL PROGRAMS

5 PROCESSING, RESEARCH AND MARKETING

6 OFFICE OF THE SECRETARY

7 (INCLUDING TRANSFERS OF FUNDS)

8 For necessary expenses of the Office of the Secretary,
 9 \$48,355,000, of which not to exceed \$5,051,000 shall be
 10 available for the immediate Office of the Secretary; not
 11 to exceed \$502,000 shall be available for the Office of
 12 Tribal Relations; not to exceed \$800,000 shall be available
 13 for the Assistant to the Secretary for Rural Development:
 14 *Provided*, That funds made available by this Act to an
 15 agency in the Rural Development mission area for salaries
 16 and expenses are available to fund up to one administra-
 17 tive support staff for the Assistant; not to exceed
 18 \$1,496,000 shall be available for the Office of Homeland
 19 Security and Emergency Coordination; not to exceed
 20 \$4,209,000 shall be available for the Office of Advocacy
 21 and Outreach; not to exceed \$24,928,000 shall be avail-
 22 able for the Office of the Assistant Secretary for Adminis-
 23 tration, of which \$24,124,000 shall be available for De-
 24 partmental Administration to provide for necessary ex-
 25 penses for management support services to offices of the

1 Department and for general administration, security, re-
2 pairs and alterations, and other miscellaneous supplies
3 and expenses not otherwise provided for and necessary for
4 the practical and efficient work of the Department: *Pro-*
5 *vided further*, That funds made available by this Act to
6 an agency in the Administration mission area for salaries
7 and expenses are available to fund up to one administra-
8 tive support staff for the Office; not to exceed \$3,869,000
9 shall be available for the Office of Assistant Secretary for
10 Congressional Relations to carry out the programs funded
11 by this Act, including programs involving intergovern-
12 mental affairs and liaison within the executive branch; and
13 not to exceed \$7,500,000 shall be available for the Office
14 of Communications: *Provided further*, That the Secretary
15 of Agriculture is authorized to transfer funds appropriated
16 for any office of the Office of the Secretary to any other
17 office of the Office of the Secretary: *Provided further*, That
18 no appropriation for any office shall be increased or de-
19 creased by more than 5 percent: *Provided further*, That
20 not to exceed \$11,000 of the amount made available under
21 this paragraph for the immediate Office of the Secretary
22 shall be available for official reception and representation
23 expenses, not otherwise provided for, as determined by the
24 Secretary: *Provided further*, That the amount made avail-
25 able under this heading for Departmental Administration

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

15 EXECUTIVE OPERATIONS

16 OFFICE OF THE CHIEF ECONOMIST

17 For necessary expenses of the Office of the Chief
 18 Economist, \$16,917,000, of which \$4,000,000 shall be for
 19 grants or cooperative agreements for policy research under
 20 7 U.S.C. 3155.

21 OFFICE OF HEARINGS AND APPEALS

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

4 OFFICE OF THE CHIEF INFORMATION OFFICER

7 OFFICE OF THE CHIEF FINANCIAL OFFICER

10 OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL

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.

18 OFFICE OF CIVIL RIGHTS

21 AGRICULTURE BUILDINGS AND FACILITIES

22 (INCLUDING TRANSFERS OF FUNDS)

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1 trator of General Services to the Department of Agri-
2 culture under 40 U.S.C. 121, for programs and activities
3 of the Department which are included in this Act, and for
4 alterations and other actions needed for the Department
5 and its agencies to consolidate unneeded space into con-
6 figurations suitable for release to the Administrator of
7 General Services, and for the operation, maintenance, im-
8 provement, and repair of Agriculture buildings and facili-
9 ties, and for related costs, \$67,293,000, to remain avail-
10 able until expended.

11 HAZARDOUS MATERIALS MANAGEMENT

12 (INCLUDING TRANSFERS OF FUNDS)

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

1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector
3 General, including employment pursuant to the Inspector
4 General Act of 1978, \$98,208,000, including such sums
5 as may be necessary for contracting and other arrange-
6 ments with public agencies and private persons pursuant
7 to section 6(a)(9) of the Inspector General Act of 1978,
8 and including not to exceed \$125,000 for certain confiden-
9 tial operational expenses, including the payment of inform-
10 ants, to be expended under the direction of the Inspector
11 General pursuant to Public Law 95–452 and section 1337
12 of Public Law 97–98.

13 OFFICE OF THE GENERAL COUNSEL

14 For necessary expenses of the Office of the General
15 Counsel, \$44,697,000.

16 OFFICE OF ETHICS

17 For necessary expenses of the Office of Ethics,
18 \$4,136,000.

19 OFFICE OF THE UNDER SECRETARY FOR RESEARCH,
20 EDUCATION, AND ECONOMICS

21 For necessary expenses of the Office of the Under
22 Secretary for Research, Education, and Economics,
23 \$893,000: *Provided*, That funds made available by this
24 Act to an agency in the Research, Education and Econom-
25 ics mission area for salaries and expenses are available

1 to fund up to one administrative support staff for the Of-
 2 fice.

3 ECONOMIC RESEARCH SERVICE

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

6 NATIONAL AGRICULTURAL STATISTICS SERVICE

7 For necessary expenses of the National Agricultural
 8 Statistics Service, \$191,717,000, of which up to
 9 \$63,350,000 shall be available until expended for the Cen-
 10 sus of Agriculture: *Provided*, That amounts made available
 11 for the Census of Agriculture may be used to conduct Cur-
 12 rent Industrial Report surveys subject to 7 U.S.C.
 13 2204g(d) and (f).

14 AGRICULTURAL RESEARCH SERVICE

15 SALARIES AND EXPENSES

16 For necessary expenses of the Agricultural Research
 17 Service and for acquisition of lands by donation, exchange,
 18 or purchase at a nominal cost not to exceed \$100, and
 19 for land exchanges where the lands exchanged shall be of
 20 equal value or shall be equalized by a payment of money
 21 to the grantor which shall not exceed 25 percent of the
 22 total value of the land or interests transferred out of Fed-
 23 eral ownership, \$1,182,435,000: *Provided*, That appro-
 24 priations hereunder shall be available for the operation
 25 and maintenance of aircraft and the purchase of not to

1 exceed one for replacement only: *Provided further*, That
2 appropriations hereunder shall be available pursuant to 7
3 U.S.C. 2250 for the construction, alteration, and repair
4 of buildings and improvements, but unless otherwise pro-
5 vided, the cost of constructing any one building shall not
6 exceed \$500,000, except for headhouses or greenhouses
7 which shall each be limited to \$1,800,000, except for 10
8 buildings to be constructed or improved at a cost not to
9 exceed \$1,100,000 each, and except for two buildings to
10 be constructed at a cost not to exceed \$3,000,000 each,
11 and the cost of altering any one building during the fiscal
12 year shall not exceed 10 percent of the current replace-
13 ment value of the building or \$500,000, whichever is
14 greater: *Provided further*, That appropriations hereunder
15 shall be available for entering into lease agreements at any
16 Agricultural Research Service location for the construction
17 of a research facility by a non-Federal entity for use by
18 the Agricultural Research Service and a condition of the
19 lease shall be that any facility shall be owned, operated,
20 and maintained by the non-Federal entity and shall be re-
21 moved upon the expiration or termination of the lease
22 agreement: *Provided further*, That the limitations on alter-
23 ations contained in this Act shall not apply to moderniza-
24 tion or replacement of existing facilities at Beltsville,
25 Maryland: *Provided further*, That appropriations here-

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

20 NATIONAL INSTITUTE OF FOOD AND AGRICULTURE
 21 RESEARCH AND EDUCATION ACTIVITIES

22 For payments to agricultural experiment stations, for
 23 cooperative forestry and other research, for facilities, and
 24 for other expenses, \$854,871,000, which shall be for the
 25 purposes, and in the amounts, specified in the table titled

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

1 NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

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

5 EXTENSION ACTIVITIES

6 For payments to States, the District of Columbia,
7 Puerto Rico, Guam, the Virgin Islands, Micronesia, the
8 Northern Marianas, and American Samoa, \$481,376,000,
9 which shall be for the purposes, and in the amounts, speci-
10 fied in the table titled “National Institute of Food and
11 Agriculture, Extension Activities” in the report accom-
12 panying this Act: *Provided*, That funds for facility im-
13 provements at 1890 institutions shall remain available
14 until expended: *Provided further*, That institutions eligible
15 to receive funds under 7 U.S.C. 3221 for cooperative ex-
16 tension receive no less than \$1,000,000: *Provided further*,
17 That funds for cooperative extension under sections 3(b)
18 and (c) of the Smith-Lever Act (7 U.S.C. 343(b) and (c))
19 and section 208(c) of Public Law 93–471 shall be avail-
20 able for retirement and employees’ compensation costs for
21 extension agents.

22 INTEGRATED ACTIVITIES

23 For the integrated research, education, and extension
24 grants programs, including necessary administrative ex-
25 penses, \$37,000,000, which shall be for the purposes, and

1 in the amounts, specified in the table titled “National In-
 2 stitute of Food and Agriculture, Integrated Activities” in
 3 the report accompanying this Act: *Provided*, That funds
 4 for the Food and Agriculture Defense Initiative shall re-
 5 main available until September 30, 2019: *Provided further*,
 6 That notwithstanding any other provision of law, indirect
 7 costs shall not be charged against any Extension Imple-
 8 mentation Program Area grant awarded under the Crop
 9 Protection/Pest Management Program (7 U.S.C. 7626).

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

12 For necessary expenses of the Office of the Under
 13 Secretary for Marketing and Regulatory Programs,
 14 \$901,000: *Provided*, That funds made available by this
 15 Act to an agency in the Marketing and Regulatory Pro-
 16 grams mission area for salaries and expenses are available
 17 to fund up to one administrative support staff for the Of-
 18 fice.

19 ANIMAL AND PLANT HEALTH INSPECTION SERVICE
 20 SALARIES AND EXPENSES
 21 (INCLUDING TRANSFERS OF FUNDS)

22 For necessary expenses of the Animal and Plant
 23 Health Inspection Service, including up to \$30,000 for
 24 representation allowances and for expenses pursuant to
 25 the Foreign Service Act of 1980 (22 U.S.C. 4085),

1 \$953,212,000, of which \$470,000, to remain available
2 until expended, shall be available for the control of out-
3 breaks of insects, plant diseases, animal diseases and for
4 control of pest animals and birds (“contingency fund”) to
5 the extent necessary to meet emergency conditions; of
6 which \$11,520,000, to remain available until expended,
7 shall be used for the cotton pests program for cost share
8 purposes or for debt retirement for active eradication
9 zones; of which \$37,857,000, to remain available until ex-
10 pended, shall be for Animal Health Technical Services; of
11 which \$697,000 shall be for activities under the authority
12 of the Horse Protection Act of 1970, as amended (15
13 U.S.C. 1831); of which \$55,340,000, to remain available
14 until expended, shall be used to support avian health; of
15 which \$4,251,000, to remain available until expended,
16 shall be for information technology infrastructure; of
17 which \$166,500,000, to remain available until expended,
18 shall be for specialty crop pests; of which, \$8,826,000, to
19 remain available until expended, shall be for field crop and
20 rangeland ecosystem pests; of which \$16,523,000, to re-
21 main available until expended, shall be for zoonotic disease
22 management; of which \$40,966,000, to remain available
23 until expended, shall be for emergency preparedness and
24 response; of which \$56,000,000, to remain available until
25 expended, shall be for tree and wood pests; of which

1 \$5,723,000, to remain available until expended, shall be
2 for the National Veterinary Stockpile; of which up to
3 \$1,500,000, to remain available until expended, shall be
4 for the scrapie program for indemnities; of which
5 \$2,500,000, to remain available until expended, shall be
6 for the wildlife damage management program for aviation
7 safety: *Provided*, That of amounts available under this
8 heading for wildlife services methods development,
9 \$1,000,000 shall remain available until expended: *Pro-*
10 *vided further*, That of amounts available under this head-
11 ing for the screwworm program, \$4,990,000 shall remain
12 available until expended; of which \$3,000,000, to remain
13 available until expended, shall be for National Bio and
14 Agro-Defense human capital development: *Provided fur-*
15 *ther*, That no funds shall be used to formulate or admin-
16 ister a brucellosis eradication program for the current fis-
17 cal year that does not require minimum matching by the
18 States of at least 40 percent: *Provided further*, That this
19 appropriation shall be available for the operation and
20 maintenance of aircraft and the purchase of not to exceed
21 five, of which two shall be for replacement only: *Provided*
22 *further*, That in addition, in emergencies which threaten
23 any segment of the agricultural production industry of this
24 country, the Secretary may transfer from other appropria-
25 tions or funds available to the agencies or corporations

1 of the Department such sums as may be deemed nec-
2 essary, to be available only in such emergencies for the
3 arrest and eradication of contagious or infectious disease
4 or pests of animals, poultry, or plants, and for expenses
5 in accordance with sections 10411 and 10417 of the Ani-
6 mal Health Protection Act (7 U.S.C. 8310 and 8316) and
7 sections 431 and 442 of the Plant Protection Act (7
8 U.S.C. 7751 and 7772), and any unexpended balances of
9 funds transferred for such emergency purposes in the pre-
10 ceding fiscal year shall be merged with such transferred
11 amounts: *Provided further*, That appropriations hereunder
12 shall be available pursuant to law (7 U.S.C. 2250) for the
13 repair and alteration of leased buildings and improve-
14 ments, but unless otherwise provided the cost of altering
15 any one building during the fiscal year shall not exceed
16 10 percent of the current replacement value of the build-
17 ing.

18 In fiscal year 2018, the agency is authorized to collect
19 fees to cover the total costs of providing technical assist-
20 ance, goods, or services requested by States, other political
21 subdivisions, domestic and international organizations,
22 foreign governments, or individuals, provided that such
23 fees are structured such that any entity's liability for such
24 fees is reasonably based on the technical assistance, goods,
25 or services provided to the entity by the agency, and such

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

4 BUILDINGS AND FACILITIES

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

11 AGRICULTURAL MARKETING SERVICE

12 MARKETING SERVICES

13 For necessary expenses of the Agricultural Marketing
 14 Service, \$88,933,000, of which \$3,000,000 shall be avail-
 15 able for the purposes of section 12306 of Public Law 113–
 16 79: *Provided*, That this appropriation shall be available
 17 pursuant to law (7 U.S.C. 2250) for the alteration and
 18 repair of buildings and improvements, but the cost of al-
 19 tering any one building during the fiscal year shall not
 20 exceed 10 percent of the current replacement value of the
 21 building.

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

1 LIMITATION ON ADMINISTRATIVE EXPENSES

2 Not to exceed \$60,982,000 (from fees collected) shall
 3 be obligated during the current fiscal year for administra-
 4 tive expenses: *Provided*, That if crop size is understated
 5 and/or other uncontrollable events occur, the agency may
 6 exceed this limitation by up to 10 percent with notification
 7 to the Committees on Appropriations of both Houses of
 8 Congress.

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

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

22 PAYMENTS TO STATES AND POSSESSIONS

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

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

3 GRAIN INSPECTION, PACKERS AND STOCKYARDS

4 ADMINISTRATION

5 SALARIES AND EXPENSES

6 For necessary expenses of the Grain Inspection,
 7 Packers and Stockyards Administration, \$43,482,000:
 8 *Provided*, That this appropriation shall be available pursu-
 9 ant to law (7 U.S.C. 2250) for the alteration and repair
 10 of buildings and improvements, but the cost of altering
 11 any one building during the fiscal year shall not exceed
 12 10 percent of the current replacement value of the build-
 13 ing.

14 LIMITATION ON INSPECTION AND WEIGHING SERVICES

15 EXPENSES

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

23 OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

24 For necessary expenses of the Office of the Under
 25 Secretary for Food Safety, \$819,000: *Provided*, That

1 funds made available by this Act to an agency in the Food
2 Safety mission area for salaries and expenses are available
3 to fund up to one administrative support staff for the Of-
4 fice.

5 FOOD SAFETY AND INSPECTION SERVICE

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

1 12106 of Public Law 113–79: *Provided further*, That this
2 appropriation shall be available pursuant to law (7 U.S.C.
3 2250) for the alteration and repair of buildings and im-
4 provements, but the cost of altering any one building dur-
5 ing the fiscal year shall not exceed 10 percent of the cur-
6 rent replacement value of the building.

1 TITLE II

2 OFFICE OF THE UNDER SECRETARY FOR FARM

3 PRODUCTION AND CONSERVATION

4 For necessary expenses of the Office of the Under
5 Secretary for Farm Production and Conservation,
6 \$901,000: *Provided*, That funds made available by this
7 Act to an agency in the Farm Production and Conserva-
8 tion mission area for salaries and expenses are available
9 to fund up to one administrative support staff for the Of-
10 fice.

11 FARM SERVICE AGENCY

12 SALARIES AND EXPENSES

13 (INCLUDING TRANSFERS OF FUNDS)

14 For necessary expenses of the Farm Service Agency,
15 \$1,212,116,000: *Provided*, That not more than 50 percent
16 of the \$78,013,000 made available under this heading for
17 information technology related to farm program delivery,
18 including the Modernize and Innovate the Delivery of Ag-
19 ricultural Systems and other farm program delivery sys-
20 tems, may be obligated until the Secretary submits to the
21 Committees on Appropriations of both Houses of Congress
22 a plan for expenditure that (1) identifies for each project/
23 investment over \$25,000 (a) the functional and perform-
24 ance capabilities to be delivered and the mission benefits
25 to be realized, (b) the estimated lifecycle cost, including

1 estimates for development as well as maintenance and op-
2 erations, and (c) key milestones to be met; (2) dem-
3 onstrates that each project/investment is, (a) consistent
4 with the Farm Service Agency Information Technology
5 Roadmap, (b) being managed in accordance with applica-
6 ble lifecycle management policies and guidance, and (c)
7 subject to the applicable Department's capital planning
8 and investment control requirements; and (3) has been re-
9 viewed by the Government Accountability Office and ap-
10 proved by the Committees on Appropriations of both
11 Houses of Congress: *Provided further*, That the agency
12 shall submit a report by the end of the fourth quarter of
13 fiscal year 2018 to the Committees on Appropriations and
14 the Government Accountability Office, that identifies for
15 each project/investment that is operational (a) current
16 performance against key indicators of customer satisfac-
17 tion, (b) current performance of service level agreements
18 or other technical metrics, (c) current performance against
19 a pre-established cost baseline, (d) a detailed breakdown
20 of current and planned spending on operational enhance-
21 ments or upgrades, and (e) an assessment of whether the
22 investment continues to meet business needs as intended
23 as well as alternatives to the investment: *Provided further*,
24 That the Secretary is authorized to use the services, facili-
25 ties, and authorities (but not the funds) of the Commodity

1 Credit Corporation to make program payments for all pro-
 2 grams administered by the Agency: *Provided further*, That
 3 other funds made available to the Agency for authorized
 4 activities may be advanced to and merged with this ac-
 5 count: *Provided further*, That funds made available to
 6 county committees shall remain available until expended:
 7 *Provided further*, That none of the funds available to the
 8 Farm Service Agency shall be used to close Farm Service
 9 Agency county offices: *Provided further*, That none of the
 10 funds available to the Farm Service Agency shall be used
 11 to permanently relocate county based employees that
 12 would result in an office with two or fewer employees with-
 13 out prior notification and approval of the Committees on
 14 Appropriations of both Houses of Congress.

15 STATE MEDIATION GRANTS

16 For grants pursuant to section 502(b) of the Agricul-
 17 tural Credit Act of 1987, as amended (7 U.S.C. 5101–
 18 5106), \$3,904,000.

19 GRASSROOTS SOURCE WATER PROTECTION PROGRAM

20 For necessary expenses to carry out wellhead or
 21 groundwater protection activities under section 1240O of
 22 the Food Security Act of 1985 (16 U.S.C. 3839bb–2),
 23 \$6,500,000, to remain available until expended.

1 DAIRY INDEMNITY PROGRAM

2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses involved in making indemnity
 4 payments to dairy farmers and manufacturers of dairy
 5 products under a dairy indemnity program, such sums as
 6 may be necessary, to remain available until expended: *Pro-*
 7 *vided*, That such program is carried out by the Secretary
 8 in the same manner as the dairy indemnity program de-
 9 scribed in the Agriculture, Rural Development, Food and
 10 Drug Administration, and Related Agencies Appropria-
 11 tions Act, 2001 (Public Law 106–387, 114 Stat. 1549A–
 12 12).

13 AGRICULTURAL CREDIT INSURANCE FUND PROGRAM

14 ACCOUNT

15 (INCLUDING TRANSFERS OF FUNDS)

16 For gross obligations for the principal amount of di-
 17 rect and guaranteed farm ownership (7 U.S.C. 1922 et
 18 seq.) and operating (7 U.S.C. 1941 et seq.) loans, emer-
 19 gency loans (7 U.S.C. 1961 et seq.), Indian tribe land ac-
 20 quisition loans (25 U.S.C. 488), boll weevil loans (7
 21 U.S.C. 1989), guaranteed conservation loans (7 U.S.C.
 22 1924 et seq.), and Indian highly fractionated land loans
 23 (25 U.S.C. 488) to be available from funds in the Agricul-
 24 tural Credit Insurance Fund, as follows: \$2,750,000,000
 25 for guaranteed farm ownership loans and \$1,500,000,000

1 for farm ownership direct loans; \$1,960,000,000 for un-
 2 subsidized guaranteed operating loans and
 3 \$1,530,000,000 for direct operating loans; emergency
 4 loans, \$22,581,000; Indian tribe land acquisition loans,
 5 \$20,000,000; guaranteed conservation loans,
 6 \$150,000,000; Indian highly fractionated land loans,
 7 \$10,000,000; and for boll weevil eradication program
 8 loans, \$60,000,000: *Provided*, That the Secretary shall
 9 deem the pink bollworm to be a boll weevil for the purpose
 10 of boll weevil eradication program loans.

11 For the cost of direct and guaranteed loans and
 12 grants, including the cost of modifying loans as defined
 13 in section 502 of the Congressional Budget Act of 1974,
 14 as follows: farm operating loans, \$61,812,000 for direct
 15 operating loans, \$21,756,000 for unsubsidized guaranteed
 16 operating loans, emergency loans, \$1,111,000 and
 17 \$2,272,000 for Indian highly fractionated land loans to
 18 remain available until expended.

19 In addition, for administrative expenses necessary to
 20 carry out the direct and guaranteed loan programs,
 21 \$317,068,000, of which \$306,998,000 shall be transferred
 22 to and merged with the appropriation for “Farm Service
 23 Agency, Salaries and Expenses”.

24 Funds appropriated by this Act to the Agricultural
 25 Credit Insurance Program Account for farm ownership,

1 operating and conservation direct loans and guaranteed
 2 loans may be transferred among these programs: *Pro-*
 3 *vided*, That the Committees on Appropriations of both
 4 Houses of Congress are notified at least 15 days in ad-
 5 vance of any transfer.

6 RISK MANAGEMENT AGENCY

7 SALARIES AND EXPENSES

8 For necessary expenses of the Risk Management
 9 Agency, \$74,829,000: *Provided*, That not to exceed
 10 \$1,000 shall be available for official reception and rep-
 11 resentation expenses, as authorized by 7 U.S.C. 1506(i).

12 NATURAL RESOURCES CONSERVATION SERVICE

13 CONSERVATION OPERATIONS

14 For necessary expenses for carrying out the provi-
 15 sions of the Act of April 27, 1935 (16 U.S.C. 590a–f),
 16 including preparation of conservation plans and establish-
 17 ment of measures to conserve soil and water (including
 18 farm irrigation and land drainage and such special meas-
 19 ures for soil and water management as may be necessary
 20 to prevent floods and the siltation of reservoirs and to con-
 21 trol agricultural related pollutants); operation of conserva-
 22 tion plant materials centers; classification and mapping of
 23 soil; dissemination of information; acquisition of lands,
 24 water, and interests therein for use in the plant materials
 25 program by donation, exchange, or purchase at a nominal

1 cost not to exceed \$100 pursuant to the Act of August
 2 3, 1956 (7 U.S.C. 428a); purchase and erection or alter-
 3 ation or improvement of permanent and temporary build-
 4 ings; and operation and maintenance of aircraft,
 5 \$874,107,000, to remain available until September 30,
 6 2019: *Provided*, That appropriations hereunder shall be
 7 available pursuant to 7 U.S.C. 2250 for construction and
 8 improvement of buildings and public improvements at
 9 plant materials centers, except that the cost of alterations
 10 and improvements to other buildings and other public im-
 11 provements shall not exceed \$250,000: *Provided further*,
 12 That when buildings or other structures are erected on
 13 non-Federal land, that the right to use such land is ob-
 14 tained as provided in 7 U.S.C. 2250a: *Provided further*,
 15 That of the amounts made available under this heading,
 16 \$5,600,000, shall remain available until expended for the
 17 authorities under 16 U.S.C. 1001–1005 and 1007–1009
 18 for authorized ongoing watershed projects with a primary
 19 purpose of providing water to rural communities.

20 WATERSHED AND FLOOD PREVENTION OPERATIONS

21 For necessary expenses to carry out preventive meas-
 22 ures, including but not limited to surveys and investiga-
 23 tions, engineering operations, works of improvement, and
 24 changes in use of land, in accordance with the Watershed
 25 Protection and Flood Prevention Act (16 U.S.C. 1001–

1 1005 and 1007–1009) and in accordance with the provi-
 2 sions of laws relating to the activities of the Department,
 3 \$150,000,000, to remain available until expended: *Pro-*
 4 *vided*, That of the amounts made available under this
 5 heading, \$50,000,000 shall be allocated to projects and
 6 activities that can commence promptly following enact-
 7 ment; that address regional priorities for flood prevention,
 8 agricultural water management, inefficient irrigation sys-
 9 tems, fish and wildlife habitat, or watershed protection;
 10 or that address authorized ongoing projects under the au-
 11 thorities of section 13 of the Flood Control Act of Decem-
 12 ber 22, 1944 (Public Law 78–534) with a primary pur-
 13 pose of watershed protection by preventing floodwater
 14 damage and stabilizing stream channels, tributaries, and
 15 banks to reduce erosion and sediment transport.

16 CORPORATIONS

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

1 fiscal year for such corporation or agency, except as here-
 2 inafter provided.

3 FEDERAL CROP INSURANCE CORPORATION FUND

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

7 COMMODITY CREDIT CORPORATION FUND

8 REIMBURSEMENT FOR NET REALIZED LOSSES

9 (INCLUDING TRANSFERS OF FUNDS)

10 For the current fiscal year, such sums as may be nec-
 11 essary to reimburse the Commodity Credit Corporation for
 12 net realized losses sustained, but not previously reim-
 13 bursed, pursuant to section 2 of the Act of August 17,
 14 1961 (15 U.S.C. 713a–11): *Provided*, That of the funds
 15 available to the Commodity Credit Corporation under sec-
 16 tion 11 of the Commodity Credit Corporation Charter Act
 17 (15 U.S.C. 714i) for the conduct of its business with the
 18 Foreign Agricultural Service, up to \$5,000,000 may be
 19 transferred to and used by the Foreign Agricultural Serv-
 20 ice for information resource management activities of the
 21 Foreign Agricultural Service that are not related to Com-
 22 modity 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. 9607(g)), and section 6001 of the Resource Conservation and Recovery Act (42 U.S.C. 6961).

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

5 For necessary expenses of the Office of the Under
 6 Secretary for Rural Development, \$896,000: *Provided*,
 7 That funds made available by this Act to an agency in
 8 the Rural Development mission area for salaries and ex-
 9 penses are available to fund up to one administrative sup-
 10 port staff for the Office.

11 RURAL DEVELOPMENT
 12 SALARIES AND EXPENSES
 13 (INCLUDING TRANSFERS OF FUNDS)

14 For necessary expenses for carrying out the adminis-
 15 tration and implementation of programs in the Rural De-
 16 velopment mission area, including activities with institu-
 17 tions concerning the development and operation of agricul-
 18 tural cooperatives; and for cooperative agreements;
 19 \$225,835,000: *Provided*, That notwithstanding any other
 20 provision of law, funds appropriated under this heading
 21 may be used for advertising and promotional activities
 22 that support the Rural Development mission area: *Pro-*
 23 *vided further*, That any balances available from prior years
 24 for the Rural Utilities Service, Rural Housing Service, and
 25 the Rural Business—Cooperative Service salaries and ex-

1 penses accounts shall be transferred to and merged with
 2 this appropriation.

3 RURAL HOUSING SERVICE

4 RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

5 (INCLUDING TRANSFERS OF FUNDS)

6 For gross obligations for the principal amount of di-
 7 rect and guaranteed loans as authorized by title V of the
 8 Housing Act of 1949, to be available from funds in the
 9 rural housing insurance fund, as follows: \$1,000,000,000
 10 shall be for direct loans and \$24,000,000,000 shall be for
 11 unsubsidized guaranteed loans; \$26,278,000 for section
 12 504 housing repair loans; \$35,000,000 for section 515
 13 rental housing; \$230,000,000 for section 538 guaranteed
 14 multi-family housing loans; \$10,000,000 for credit sales
 15 of single family housing acquired property; \$5,000,000 for
 16 section 523 self-help housing land development loans; and
 17 \$5,000,000 for section 524 site development loans.

18 For the cost of direct and guaranteed loans, including
 19 the cost of modifying loans, as defined in section 502 of
 20 the Congressional Budget Act of 1974, as follows: section
 21 502 loans, \$38,500,000 shall be for direct loans; section
 22 504 housing repair loans, \$3,240,000; repair, rehabilita-
 23 tion, and new construction of section 515 rental housing,
 24 \$9,209,000; section 523 self-help land development loans,
 25 \$368,000; section 524 site development loans, \$58,000:

1 *Provided*, That to support the loan program level for sec-
2 tion 538 guaranteed loans made available under this head-
3 ing the Secretary may charge or adjust any fees to cover
4 the projected cost of such loan guarantees pursuant to the
5 provisions of the Credit Reform Act of 1990 (2 U.S.C.
6 661 et seq.), and the interest on such loans may not be
7 subsidized: *Provided further*, That applicants in commu-
8 nities that have a current rural area waiver under section
9 541 of the Housing Act of 1949 (42 U.S.C. 1490q) shall
10 be treated as living in a rural area for purposes of section
11 502 guaranteed loans provided under this heading: *Pro-*
12 *vided further*, That of the amounts available under this
13 paragraph for section 502 direct loans, no less than
14 \$5,000,000 shall be available for direct loans for individ-
15 uals whose homes will be built pursuant to a program
16 funded with a mutual and self-help housing grant author-
17 ized by section 523 of the Housing Act of 1949 until June
18 1, 2018: *Provided further*, That the Secretary shall imple-
19 ment provisions to provide incentives to nonprofit organi-
20 zations and public housing authorities to facilitate the ac-
21 quisition of Rural Housing Service (RHS) multifamily
22 housing properties by such nonprofit organizations and
23 public housing authorities that commit to keep such prop-
24 erties in the RHS multifamily housing program for a pe-
25 riod of time as determined by the Secretary. Incentives

1 provided will include, but not be limited to, the following:
 2 allow such nonprofit entities and public housing authori-
 3 ties to earn a Return on Investment (ROI) on their own
 4 resources to include proceeds from low income housing tax
 5 credit syndication, own contributions, grants, and devel-
 6 oper loans at favorable rates and terms, invested in a deal;
 7 and allow reimbursement of organizational costs associ-
 8 ated with owner's oversight of asset referred to as "Asset
 9 Management Fee" (AMF) of up to \$7,500 per property.

10 In addition, for the cost of direct loans, grants, and
 11 contracts, as authorized by 42 U.S.C. 1484 and 1486,
 12 \$14,710,000, to remain available until expended, for direct
 13 farm labor housing loans and domestic farm labor housing
 14 grants and contracts: *Provided*, That any balances avail-
 15 able for the Farm Labor Program Account shall be trans-
 16 ferred to and merged with this account.

17 In addition, for administrative expenses necessary to
 18 carry out the direct and guaranteed loan programs,
 19 \$412,254,000 shall be transferred to and merged with the
 20 appropriation for "Rural Development, Salaries and Ex-
 21 penses".

22 RENTAL ASSISTANCE PROGRAM

23 For rental assistance agreements entered into or re-
 24 newed pursuant to the authority under section 521(a)(2)
 25 or agreements entered into in lieu of debt forgiveness or

1 payments for eligible households as authorized by section
2 502(c)(5)(D) of the Housing Act of 1949,
3 \$1,345,293,000, of which \$40,000,000 shall be available
4 until September 30, 2019; and in addition such sums as
5 may be necessary, as authorized by section 521(c) of the
6 Act, to liquidate debt incurred prior to fiscal year 1992
7 to carry out the rental assistance program under section
8 521(a)(2) of the Act: *Provided*, That rental assistance
9 agreements entered into or renewed during the current fis-
10 cal year shall be funded for a one-year period: *Provided*
11 *further*, That any unexpended balances remaining at the
12 end of such one-year agreements may be transferred and
13 used for purposes of any debt reduction; maintenance, re-
14 pair, or rehabilitation of any existing projects; preserva-
15 tion; and rental assistance activities authorized under title
16 V of the Act: *Provided further*, That rental assistance pro-
17 vided under agreements entered into prior to fiscal year
18 2018 for a farm labor multi-family housing project fi-
19 nanced under section 514 or 516 of the Act may not be
20 recaptured for use in another project until such assistance
21 has remained unused for a period of 12 consecutive
22 months, if such project has a waiting list of tenants seek-
23 ing such assistance or the project has rental assistance
24 eligible tenants who are not receiving such assistance: *Pro-*
25 *vided further*, That such recaptured rental assistance shall,

1 to the extent practicable, be applied to another farm labor
 2 multi-family housing project financed under section 514
 3 or 516 of the Act: *Provided further*, That the Secretary
 4 shall provide to the Committees on Appropriations of both
 5 Houses of Congress quarterly reports on the number of
 6 renewals approved, on the amount of rental assistance
 7 available, and the anticipated need for rental assistance
 8 for the remainder of the fiscal year: *Provided further*, That
 9 except as provided in the third proviso under this heading
 10 and notwithstanding any other provision of the Act, the
 11 Secretary may recapture rental assistance provided under
 12 agreements entered into prior to fiscal year 2018 for a
 13 project that the Secretary determines no longer needs
 14 rental assistance and use such recaptured funds for cur-
 15 rent needs.

16 MULTI-FAMILY HOUSING REVITALIZATION PROGRAM

17 ACCOUNT

18 For the rural housing voucher program as authorized
 19 under section 542 of the Housing Act of 1949, but not-
 20 withstanding subsection (b) of such section, and for addi-
 21 tional costs to conduct a demonstration program for the
 22 preservation and revitalization of multi-family rental hous-
 23 ing properties described in this paragraph, \$41,400,000,
 24 to remain available until expended: *Provided*, That of the
 25 funds made available under this heading, \$19,400,000,

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

1 housing loans, as the Secretary deems appropriate, ex-
2 pressly for the purposes of ensuring the project has suffi-
3 cient resources to preserve the project for the purpose of
4 providing safe and affordable housing for low-income resi-
5 dents and farm laborers including reducing or eliminating
6 interest; deferring loan payments, subordinating, reducing
7 or reamortizing loan debt; and other financial assistance
8 including advances, payments and incentives (including
9 the ability of owners to obtain reasonable returns on in-
10 vestment) required by the Secretary: *Provided further,*
11 That the Secretary shall as part of the preservation and
12 revitalization agreement obtain a restrictive use agreement
13 consistent with the terms of the restructuring: *Provided*
14 *further,* That if the Secretary determines that additional
15 funds for vouchers described in this paragraph are needed,
16 funds for the preservation and revitalization demonstra-
17 tion program may be used for such vouchers: *Provided fur-*
18 *ther,* That if Congress enacts legislation to permanently
19 authorize a multi-family rental housing loan restructuring
20 program similar to the demonstration program described
21 herein, the Secretary may use funds made available for
22 the demonstration program under this heading to carry
23 out such legislation with the prior approval of the Commit-
24 tees on Appropriations of both Houses of Congress: *Pro-*
25 *vided further,* That in addition to any other available

1 funds, the Secretary may expend not more than
 2 \$1,000,000 total, from the program funds made available
 3 under this heading, for administrative expenses for activi-
 4 ties funded under this heading.

5 MUTUAL AND SELF-HELP HOUSING GRANTS

6 For grants and contracts pursuant to section
 7 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C.
 8 1490c), \$30,000,000, to remain available until expended.

9 RURAL HOUSING ASSISTANCE GRANTS

10 For grants for very low-income housing repair and
 11 rural housing preservation made by the Rural Housing
 12 Service, as authorized by 42 U.S.C. 1474, and 1490m,
 13 \$33,701,000, to remain available until expended.

14 RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

15 (INCLUDING TRANSFERS OF FUNDS)

16 For gross obligations for the principal amount of di-
 17 rect and guaranteed loans as authorized by section 306
 18 and described in section 381E(d)(1) of the Consolidated
 19 Farm and Rural Development Act, \$3,000,000,000 for di-
 20 rect loans and \$148,305,000 for guaranteed loans.

21 For the cost of guaranteed loans, including the cost
 22 of modifying loans, as defined in section 502 of the Con-
 23 gressional Budget Act of 1974, \$4,850,000, to remain
 24 available until expended.

1 For the cost of grants for rural community facilities
2 programs as authorized by section 306 and described in
3 section 381E(d)(1) of the Consolidated Farm and Rural
4 Development Act, \$43,778,000, to remain available until
5 expended: *Provided*, That \$4,000,000 of the amount ap-
6 propriated under this heading shall be available for a
7 Rural Community Development Initiative: *Provided fur-*
8 *ther*, That such funds shall be used solely to develop the
9 capacity and ability of private, nonprofit community-based
10 housing and community development organizations, low-
11 income rural communities, and Federally Recognized Na-
12 tive American Tribes to undertake projects to improve
13 housing, community facilities, community and economic
14 development projects in rural areas: *Provided further*,
15 That such funds shall be made available to qualified pri-
16 vate, nonprofit and public intermediary organizations pro-
17 posing to carry out a program of financial and technical
18 assistance: *Provided further*, That such intermediary orga-
19 nizations shall provide matching funds from other sources,
20 including Federal funds for related activities, in an
21 amount not less than funds provided: *Provided further*,
22 That \$5,778,000 of the amount appropriated under this
23 heading shall be to provide grants for facilities in rural
24 communities with extreme unemployment and severe eco-
25 nomic depression (Public Law 106–387), with up to 5 per-

1 cent for administration and capacity building in the State
 2 rural development offices: *Provided further*, That
 3 \$4,000,000 of the amount appropriated under this head-
 4 ing shall be available for community facilities grants to
 5 tribal colleges, as authorized by section 306(a)(19) of such
 6 Act: *Provided further*, That sections 381E–H and 381N
 7 of the Consolidated Farm and Rural Development Act are
 8 not applicable to the funds made available under this
 9 heading: *Provided further*, That for the purposes of deter-
 10 mining eligibility or level of program assistance the Sec-
 11 retary shall not include incarcerated prison populations.

12 RURAL BUSINESS—COOPERATIVE SERVICE

13 RURAL BUSINESS PROGRAM ACCOUNT

14 (INCLUDING TRANSFERS OF FUNDS)

15 For the cost of loan guarantees and grants, for the
 16 rural business development programs authorized by sec-
 17 tion 310B and described in subsections (a), (c), (f) and
 18 (g) of section 310B of the Consolidated Farm and Rural
 19 Development Act, \$64,342,000, to remain available until
 20 expended: *Provided*, That of the amount appropriated
 21 under this heading, not to exceed \$500,000 shall be made
 22 available for one grant to a qualified national organization
 23 to provide technical assistance for rural transportation in
 24 order to promote economic development and \$3,000,000
 25 shall be for grants to the Delta Regional Authority (7

1 U.S.C. 2009aa et seq.) for any Rural Community Ad-
 2 vancement Program purpose as described in section
 3 381E(d) of the Consolidated Farm and Rural Develop-
 4 ment Act, of which not more than 5 percent may be used
 5 for administrative expenses: *Provided further*, That
 6 \$4,000,000 of the amount appropriated under this head-
 7 ing shall be for business grants to benefit Federally Recog-
 8 nized Native American Tribes, including \$250,000 for a
 9 grant to a qualified national organization to provide tech-
 10 nical assistance for rural transportation in order to pro-
 11 mote economic development: *Provided further*, That for
 12 purposes of determining eligibility or level of program as-
 13 sistance the Secretary shall not include incarcerated pris-
 14 on populations: *Provided further*, That sections 381E–H
 15 and 381N of the Consolidated Farm and Rural Develop-
 16 ment Act are not applicable to funds made available under
 17 this heading.

18 INTERMEDIARY RELENDING PROGRAM FUND ACCOUNT

19 (INCLUDING TRANSFER OF FUNDS)

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

23 For the cost of direct loans, \$4,361,000, as author-
 24 ized by the Intermediary Relending Program Fund Ac-
 25 count (7 U.S.C. 1936b), of which \$557,000 shall be avail-

1 able through June 30, 2018, for Federally Recognized Na-
 2 tive American Tribes; and of which \$1,072,000 shall be
 3 available through June 30, 2018, for Mississippi Delta Re-
 4 gion counties (as determined in accordance with Public
 5 Law 100–460): *Provided*, That such costs, including the
 6 cost of modifying such loans, shall be as defined in section
 7 502 of the Congressional Budget Act of 1974.

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

12 RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM

13 ACCOUNT

14 (INCLUDING RESCISSION OF FUNDS)

15 For the principal amount of direct loans, as author-
 16 ized under section 313 of the Rural Electrification Act,
 17 for the purpose of promoting rural economic development
 18 and job creation projects, \$42,213,000.

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

23 The cost of grants authorized under section 313 of
 24 the Rural Electrification Act, for the purpose of promoting

1 rural economic development and job creation projects shall
 2 not exceed \$10,000,000.

3 RURAL COOPERATIVE DEVELOPMENT GRANTS

4 For rural cooperative development grants authorized
 5 under section 310B(e) of the Consolidated Farm and
 6 Rural Development Act (7 U.S.C. 1932), \$26,550,000, of
 7 which \$2,750,000 shall be for cooperative agreements for
 8 the appropriate technology transfer for rural areas pro-
 9 gram: *Provided*, That not to exceed \$3,000,000 shall be
 10 for grants for cooperative development centers, individual
 11 cooperatives, or groups of cooperatives that serve socially
 12 disadvantaged groups and a majority of the boards of di-
 13 rectors or governing boards of which are comprised of in-
 14 dividuals who are members of socially disadvantaged
 15 groups; and of which \$15,000,000, to remain available
 16 until expended, shall be for value-added agricultural prod-
 17 uct market development grants, as authorized by section
 18 231 of the Agricultural Risk Protection Act of 2000 (7
 19 U.S.C. 1632a), of which \$1,000,000 shall be for Agri-
 20 culture Innovation Centers authorized pursuant to section
 21 6402 of Public Law 107–171.

22 For the cost of a program of loan guarantees, under
 23 the same terms and conditions as authorized by section
 24 9007 of the Farm Security and Rural Investment Act of
 25 2002 (7 U.S.C. 8107), \$293,000: *Provided*, That the cost

1 of loan guarantees, including the cost of modifying such
 2 loans, shall be as defined in section 502 of the Congres-
 3 sional Budget Act of 1974.

4 RURAL UTILITIES SERVICE

5 RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT 6 (INCLUDING TRANSFERS OF FUNDS)

7 For the cost of direct loans, loan guarantees, and
 8 grants for the rural water, waste water, waste disposal,
 9 and solid waste management programs authorized by sec-
 10 tions 306, 306A, 306C, 306D, 306E, and 310B and de-
 11 scribed in sections 306C(a)(2), 306D, 306E, and
 12 381E(d)(2) of the Consolidated Farm and Rural Develop-
 13 ment Act, \$550,383,000, to remain available until ex-
 14 pended, of which not to exceed \$1,000,000 shall be avail-
 15 able for the rural utilities program described in section
 16 306(a)(2)(B) of such Act, and of which not to exceed
 17 \$993,000 shall be available for the rural utilities program
 18 described in section 306E of such Act: *Provided*, That not
 19 to exceed \$10,000,000 of the amount appropriated under
 20 this heading shall be for grants authorized by section
 21 306A(i)(2) of the Consolidated Farm and Rural Develop-
 22 ment Act in addition to funding authorized by section
 23 306A(i)(1) of such Act: *Provided further*, That
 24 \$66,500,000 of the amount appropriated under this head-
 25 ing shall be for loans and grants including water and

1 waste disposal systems grants authorized by section
2 306C(a)(2)(B) and section 306D of the Consolidated
3 Farm and Rural Development Act, and Federally Recog-
4 nized Native American Tribes authorized by 306C(a)(1)
5 of such Act: *Provided further*, That funding provided for
6 section 306D of the Consolidated Farm and Rural Devel-
7 opment Act may be provided to a consortium formed pur-
8 suant to section 325 of Public Law 105–83: *Provided fur-*
9 *ther*, That not more than 2 percent of the funding pro-
10 vided for section 306D of the Consolidated Farm and
11 Rural Development Act may be used by the State of Alas-
12 ka for training and technical assistance programs and not
13 more than 2 percent of the funding provided for section
14 306D of the Consolidated Farm and Rural Development
15 Act may be used by a consortium formed pursuant to sec-
16 tion 325 of Public Law 105–83 for training and technical
17 assistance programs: *Provided further*, That not to exceed
18 \$20,000,000 of the amount appropriated under this head-
19 ing shall be for technical assistance grants for rural water
20 and waste systems pursuant to section 306(a)(14) of such
21 Act, unless the Secretary makes a determination of ex-
22 treme need, of which \$6,500,000 shall be made available
23 for a grant to a qualified nonprofit multi-State regional
24 technical assistance organization, with experience in work-
25 ing with small communities on water and waste water

1 problems, the principal purpose of such grant shall be to
 2 assist rural communities with populations of 3,300 or less,
 3 in improving the planning, financing, development, oper-
 4 ation, and management of water and waste water systems,
 5 and of which not less than \$800,000 shall be for a quali-
 6 fied national Native American organization to provide
 7 technical assistance for rural water systems for tribal com-
 8 munities: *Provided further*, That not to exceed
 9 \$18,000,000 of the amount appropriated under this head-
 10 ing shall be for contracting with qualified national organi-
 11 zations for a circuit rider program to provide technical as-
 12 sistance for rural water systems: *Provided further*, That
 13 not to exceed \$4,000,000 shall be for solid waste manage-
 14 ment grants: *Provided further*, That \$10,000,000 of the
 15 amount appropriated under this heading shall be trans-
 16 ferred to, and merged with, the Rural Utilities Service,
 17 High Energy Cost Grants Account to provide grants au-
 18 thorized under section 19 of the Rural Electrification Act
 19 of 1936 (7 U.S.C. 918a): *Provided further*, That any prior
 20 year balances for high-energy cost grants authorized by
 21 section 19 of the Rural Electrification Act of 1936 (7
 22 U.S.C. 918a) shall be transferred to and merged with the
 23 Rural Utilities Service, High Energy Cost Grants Ac-
 24 count: *Provided further*, That sections 381E–H and 381N
 25 of the Consolidated Farm and Rural Development Act are

1 not applicable to the funds made available under this
2 heading.

3 RURAL ELECTRIFICATION AND TELECOMMUNICATIONS

4 LOANS PROGRAM ACCOUNT

5 (INCLUDING TRANSFER OF FUNDS)

6 The principal amount of direct and guaranteed loans
7 as authorized by sections 305, 306, and 317 of the Rural
8 Electrification Act of 1936 (7 U.S.C. 935, 936, and 940g)
9 shall be made as follows: loans made pursuant to sections
10 305, 306, and 317, notwithstanding 317(c), of that Act,
11 rural electric, \$5,500,000,000; guaranteed underwriting
12 loans pursuant to section 313A, \$750,000,000; 5 percent
13 rural telecommunications loans, cost of money rural tele-
14 communications loans, and for loans made pursuant to
15 section 306 of that Act, rural telecommunications loans,
16 \$690,000,000: *Provided*, That up to \$2,000,000,000 shall
17 be used for the construction, acquisition, or improvement
18 of fossil-fueled electric generating plants (whether new or
19 existing) that utilize carbon sequestration systems.

20 For the cost of direct loans as authorized by section
21 305 of the Rural Electrification Act of 1936 (7 U.S.C.
22 935), including the cost of modifying loans, as defined in
23 section 502 of the Congressional Budget Act of 1974, cost
24 of money rural telecommunications loans, \$863,000.

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

20 For the cost of broadband loans, as authorized by
21 section 601 of the Rural Electrification Act, \$4,530,000,
22 to remain available until expended: *Provided*, That the
23 cost of direct loans shall be as defined in section 502 of
24 the Congressional Budget Act of 1974.

1 In addition, \$30,000,000, to remain available until
2 expended, for a grant program to finance broadband
3 transmission in rural areas eligible for Distance Learning
4 and Telemedicine Program benefits authorized by 7
5 U.S.C. 950aaa.

1 TITLE IV

2 DOMESTIC FOOD PROGRAMS

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

5 For necessary expenses of the Office of the Under
6 Secretary for Food, Nutrition, and Consumer Services,
7 \$814,000: *Provided*, That funds made available by this
8 Act to an agency in the Food, Nutrition and Consumer
9 Services mission area for salaries and expenses are avail-
10 able to fund up to one administrative support staff for
11 the Office.

12 FOOD AND NUTRITION SERVICE

13 CHILD NUTRITION PROGRAMS

14 (INCLUDING TRANSFERS OF FUNDS)

15 For necessary expenses to carry out the Richard B.
16 Russell National School Lunch Act (42 U.S.C. 1751 et
17 seq.), except section 21, and the Child Nutrition Act of
18 1966 (42 U.S.C. 1771 et seq.), except sections 17 and
19 21; \$24,296,505,000 to remain available through Sep-
20 tember 30, 2019, of which such sums as are made avail-
21 able under section 14222(b)(1) of the Food, Conservation,
22 and Energy Act of 2008 (Public Law 110–246), as
23 amended by this Act, shall be merged with and available
24 for the same time period and purposes as provided herein:
25 *Provided*, That of the total amount available, \$17,004,000

1 shall be available to carry out section 19 of the Child Nu-
2 trition Act of 1966 (42 U.S.C. 1771 et seq.): *Provided*
3 *further*, That of the total amount available, \$30,000,000
4 shall be available to provide competitive grants to State
5 agencies for subgrants to local educational agencies and
6 schools to purchase the equipment needed to serve
7 healthier meals, improve food safety, and to help support
8 the establishment, maintenance, or expansion of the school
9 breakfast program: *Provided further*, That of the total
10 amount available, \$23,000,000 shall remain available until
11 expended to carry out section 749(g) of the Agriculture
12 Appropriations Act of 2010 (Public Law 111–80): *Pro-*
13 *vided further*, That section 26(d) of the Richard B. Russell
14 National School Lunch Act (42 U.S.C. 1769g(d)) is
15 amended in the first sentence by striking “2010 through
16 2017” and inserting “2010 through 2018”: *Provided fur-*
17 *ther*, That section 9(h)(3) of the Richard B. Russell Na-
18 tional School Lunch Act (42 U.S.C. 1758(h)(3)) is amend-
19 ed in the first sentence by striking “For fiscal year 2017”
20 and inserting “For fiscal year 2018”: *Provided further*,
21 That section 9(h)(4) of the Richard B. Russell National
22 School Lunch Act (42 U.S.C. 1758(h)(4)) is amended in
23 the first sentence by striking “For fiscal year 2017” and
24 inserting “For fiscal year 2018”.

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

3 For necessary expenses to carry out the special sup-
4 plemental nutrition program as authorized by section 17
5 of the Child Nutrition Act of 1966 (42 U.S.C. 1786),
6 \$6,350,000,000, to remain available through September
7 30, 2019: *Provided*, That notwithstanding section
8 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C.
9 1786(h)(10)), not less than \$80,000,000 shall be used for
10 breastfeeding peer counselors and other related activities,
11 and \$14,000,000 shall be used for infrastructure: *Pro-*
12 *vided further*, That none of the funds provided in this ac-
13 count shall be available for the purchase of infant formula
14 except in accordance with the cost containment and com-
15 petitive bidding requirements specified in section 17 of
16 such Act: *Provided further*, That none of the funds pro-
17 vided shall be available for activities that are not fully re-
18 imbursed by other Federal Government departments or
19 agencies unless authorized by section 17 of such Act: *Pro-*
20 *vided further*, That upon termination of a federally man-
21 dated vendor moratorium and subject to terms and condi-
22 tions established by the Secretary, the Secretary may
23 waive the requirement at 7 CFR 246.12(g)(6) at the re-
24 quest of a State agency.

1 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

2 For necessary expenses to carry out the Food and
3 Nutrition Act of 2008 (7 U.S.C. 2011 et seq.),
4 \$73,612,502,000, of which \$3,000,000,000, to remain
5 available through December 31, 2019, shall be placed in
6 reserve for use only in such amounts and at such times
7 as may become necessary to carry out program operations:
8 *Provided*, That funds provided herein shall be expended
9 in accordance with section 16 of the Food and Nutrition
10 Act of 2008: *Provided further*, That of the funds made
11 available under this heading, \$998,000 may be used to
12 provide nutrition education services to State agencies and
13 Federally Recognized Tribes participating in the Food
14 Distribution Program on Indian Reservations: *Provided*
15 *further*, That this appropriation shall be subject to any
16 work registration or workfare requirements as may be re-
17 quired by law: *Provided further*, That funds made available
18 for Employment and Training under this heading shall re-
19 main available through September 30, 2019: *Provided fur-*
20 *ther*, That funds made available under this heading for
21 section 28(d)(1), section 4(b), and section 27(a) of the
22 Food and Nutrition Act of 2008 shall remain available
23 through September 30, 2019: *Provided further*, That
24 funds made available under this heading may be used to
25 enter into contracts and employ staff to conduct studies,

1 evaluations, or to conduct activities related to program in-
 2 tegrity provided that such activities are authorized by the
 3 Food and Nutrition Act of 2008.

4 COMMODITY ASSISTANCE PROGRAM

5 For necessary expenses to carry out disaster assist-
 6 ance and the Commodity Supplemental Food Program as
 7 authorized by section 4(a) of the Agriculture and Con-
 8 sumer Protection Act of 1973 (7 U.S.C. 612c note); the
 9 Emergency Food Assistance Act of 1983; special assist-
 10 ance for the nuclear affected islands, as authorized by sec-
 11 tion 103(f)(2) of the Compact of Free Association Amend-
 12 ments Act of 2003 (Public Law 108–188); and the Farm-
 13 ers’ Market Nutrition Program, as authorized by section
 14 17(m) of the Child Nutrition Act of 1966, \$317,139,000,
 15 to remain available through September 30, 2019: *Pro-*
 16 *vided*, That none of these funds shall be available to reim-
 17 burse the Commodity Credit Corporation for commodities
 18 donated to the program: *Provided further*, That notwith-
 19 standing any other provision of law, effective with funds
 20 made available in fiscal year 2018 to support the Seniors
 21 Farmers’ Market Nutrition Program, as authorized by
 22 section 4402 of the Farm Security and Rural Investment
 23 Act of 2002, such funds shall remain available through
 24 September 30, 2019: *Provided further*, That of the funds
 25 made available under section 27(a) of the Food and Nutri-

1 tion Act of 2008 (7 U.S.C. 2036(a)), the Secretary may
2 use up to 10 percent for costs associated with the distribu-
3 tion of commodities.

4 NUTRITION PROGRAMS ADMINISTRATION

5 For necessary administrative expenses of the Food
6 and Nutrition Service for carrying out any domestic nutri-
7 tion assistance program, \$153,841,000: *Provided*, That of
8 the funds provided herein, \$2,000,000 shall be used for
9 the purposes of section 4404 of Public Law 107–171, as
10 amended by section 4401 of Public Law 110–246.

1 TITLE V
2 FOREIGN ASSISTANCE AND RELATED
3 PROGRAMS

4 OFFICE OF THE UNDER SECRETARY FOR TRADE AND
5 FOREIGN AGRICULTURAL AFFAIRS

6 For necessary expenses of the Office of the Under
7 Secretary for Trade and Foreign Agricultural Affairs,
8 \$875,000: *Provided*, That funds made available by this
9 Act to any agency in the Trade and Foreign Agricultural
10 Affairs mission area for salaries and expenses are avail-
11 able to fund up to one administrative support staff for
12 the Office.

13 FOREIGN AGRICULTURAL SERVICE

14 SALARIES AND EXPENSES

15 (INCLUDING TRANSFERS OF FUNDS)

16 For necessary expenses of the Foreign Agricultural
17 Service, including not to exceed \$250,000 for representa-
18 tion allowances and for expenses pursuant to section 8 of
19 the Act approved August 3, 1956 (7 U.S.C. 1766),
20 \$197,506,000, of which no more than 6 percent shall re-
21 main available until September 30, 2019, for overseas op-
22 erations to include the payment of locally employed staff:
23 *Provided*, That the Service may utilize advances of funds,
24 or reimburse this appropriation for expenditures made on
25 behalf of Federal agencies, public and private organiza-

1 tions and institutions under agreements executed pursu-
 2 ant to the agricultural food production assistance pro-
 3 grams (7 U.S.C. 1737) and the foreign assistance pro-
 4 grams of the United States Agency for International De-
 5 velopment: *Provided further*, That funds made available
 6 for middle-income country training programs, funds made
 7 available for the Borlaug International Agricultural
 8 Science and Technology Fellowship program, and up to
 9 \$2,000,000 of the Foreign Agricultural Service appropria-
 10 tion solely for the purpose of offsetting fluctuations in
 11 international currency exchange rates, subject to docu-
 12 mentation by the Foreign Agricultural Service, shall re-
 13 main available until expended.

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

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

22 FOOD FOR PEACE TITLE II GRANTS

23 For expenses during the current fiscal year, not oth-
 24 erwise recoverable, and unrecovered prior years’ costs, in-
 25 cluding interest thereon, under the Food for Peace Act

1 (Public Law 83–480), for commodities supplied in connec-
 2 tion with dispositions abroad under title II of said Act,
 3 \$1,600,000,000, to remain available until expended.

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

6 For necessary expenses to carry out the provisions
 7 of section 3107 of the Farm Security and Rural Invest-
 8 ment Act of 2002 (7 U.S.C. 1736o–1), \$206,626,000, to
 9 remain available until expended: *Provided*, That the Com-
 10 modity Credit Corporation is authorized to provide the
 11 services, facilities, and authorities for the purpose of im-
 12 plementing such section, subject to reimbursement from
 13 amounts provided herein: *Provided further*, That of the
 14 amount made available under this heading, \$15,000,000,
 15 shall remain available until expended for necessary ex-
 16 penses to carry out the provisions of section 3207 of the
 17 Agricultural Act of 2014 (7 U.S.C. 1726c).

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

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

1 with the Federal Credit Reform Act of 1990, of which
2 \$6,074,000 shall be transferred to and merged with the
3 appropriation for “Foreign Agricultural Service, Salaries
4 and Expenses”, and of which \$2,463,000 shall be trans-
5 ferred to and merged with the appropriation for “Farm
6 Service Agency, Salaries and Expenses”.

1 TITLE VI
2 RELATED AGENCIES AND FOOD AND DRUG
3 ADMINISTRATION
4 DEPARTMENT OF HEALTH AND HUMAN SERVICES
5 FOOD AND DRUG ADMINISTRATION
6 SALARIES AND EXPENSES
7 For necessary expenses of the Food and Drug Ad-
8 ministration, including hire and purchase of passenger
9 motor vehicles; for payment of space rental and related
10 costs pursuant to Public Law 92–313 for programs and
11 activities of the Food and Drug Administration which are
12 included in this Act; for rental of special purpose space
13 in the District of Columbia or elsewhere; for miscellaneous
14 and emergency expenses of enforcement activities, author-
15 ized and approved by the Secretary and to be accounted
16 for solely on the Secretary’s certificate, not to exceed
17 \$25,000; and notwithstanding section 521 of Public Law
18 107–188; \$5,146,945,000: *Provided*, That of the amount
19 provided under this heading, \$937,434,000 shall be de-
20 rived from prescription drug user fees authorized by 21
21 U.S.C. 379h, and shall be credited to this account and
22 remain available until expended; \$193,291,000 shall be de-
23 rived from medical device user fees authorized by 21
24 U.S.C. 379j, and shall be credited to this account and re-
25 main available until expended; \$493,600,000 shall be de-

1 rived from human generic drug user fees authorized by
2 21 U.S.C. 379j–42, and shall be credited to this account
3 and remain available until expended; \$54,000,000 shall be
4 derived from biosimilar biological product user fees au-
5 thorized by 21 U.S.C. 379j–52, and shall be credited to
6 this account and remain available until expended;
7 \$24,142,000 shall be derived from animal drug user fees
8 authorized by 21 U.S.C. 379j–12, and shall be credited
9 to this account and remain available until expended;
10 \$12,100,000 shall be derived from animal generic drug
11 user fees authorized by 21 U.S.C. 379j–21, and shall be
12 credited to this account and remain available until ex-
13 pended; \$672,000,000 shall be derived from tobacco prod-
14 uct user fees authorized by 21 U.S.C. 387s, and shall be
15 credited to this account and remain available until ex-
16 pended: *Provided further*, That in addition to and notwith-
17 standing any other provision under this heading, amounts
18 collected for prescription drug user fees, medical device
19 user fees, human generic drug user fees, biosimilar biologi-
20 cal product user fees, animal drug user fees, and animal
21 generic drug user fees that exceed the respective fiscal
22 year 2018 limitations are appropriated and shall be cred-
23 ited to this account and remain available until expended:
24 *Provided further*, That fees derived from prescription drug,
25 medical device, human generic drug, biosimilar biological

1 product, animal drug, and animal generic drug assess-
2 ments for fiscal year 2018, including any such fees col-
3 lected prior to fiscal year 2018 but credited for fiscal year
4 2018, shall be subject to the fiscal year 2018 limitations:
5 *Provided further*, That the Secretary may accept payment
6 during fiscal year 2018 of user fees specified under this
7 heading and authorized for fiscal year 2019, prior to the
8 due date for such fees, and that amounts of such fees as-
9 sessed for fiscal year 2019 for which the Secretary accepts
10 payment in fiscal year 2018 shall not be included in
11 amounts under this heading: *Provided further*, That none
12 of these funds shall be used to develop, establish, or oper-
13 ate any program of user fees authorized by 31 U.S.C.
14 9701: *Provided further*, That of the total amount appro-
15 priated: (1) \$1,026,003,000 shall be for the Center for
16 Food Safety and Applied Nutrition and related field activi-
17 ties in the Office of Regulatory Affairs; (2)
18 \$1,634,678,000 shall be for the Center for Drug Evalua-
19 tion and Research and related field activities in the Office
20 of Regulatory Affairs; (3) \$374,233,000 shall be for the
21 Center for Biologics Evaluation and Research and for re-
22 lated field activities in the Office of Regulatory Affairs;
23 (4) \$195,349,000 shall be for the Center for Veterinary
24 Medicine and for related field activities in the Office of
25 Regulatory Affairs; (5) \$487,536,000 shall be for the Cen-

1 ter for Devices and Radiological Health and for related
2 field activities in the Office of Regulatory Affairs; (6)
3 \$63,331,000 shall be for the National Center for Toxi-
4 cological Research; (7) \$625,646,000 shall be for the Cen-
5 ter for Tobacco Products and for related field activities
6 in the Office of Regulatory Affairs; (8) not to exceed
7 \$178,785,000 shall be for Rent and Related activities, of
8 which \$51,973,000 is for White Oak Consolidation, other
9 than the amounts paid to the General Services Adminis-
10 tration for rent; (9) not to exceed \$237,871,000 shall be
11 for payments to the General Services Administration for
12 rent; and (10) \$323,513,000 shall be for other activities,
13 including the Office of the Commissioner of Food and
14 Drugs, the Office of Foods and Veterinary Medicine, the
15 Office of Medical and Tobacco Products, the Office of
16 Global and Regulatory Policy, the Office of Operations,
17 the Office of the Chief Scientist, and central services for
18 these offices: *Provided further*, That not to exceed \$25,000
19 of this amount shall be for official reception and represen-
20 tation expenses, not otherwise provided for, as determined
21 by the Commissioner: *Provided further*, That any transfer
22 of funds pursuant to section 770(n) of the Federal Food,
23 Drug, and Cosmetic Act (21 U.S.C. 379dd(n)) shall only
24 be from amounts made available under this heading for
25 other activities: *Provided further*, That of the amounts

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

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

1 360bbb–4a, shall be credited to this account, to remain
 2 available until expended.

3 BUILDINGS AND FACILITIES

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

9 FDA INNOVATION ACCOUNT, CURES ACT

10 For necessary expenses to carry out the purposes de-
 11 scribed under section 1002(b)(4) of the 21st Century
 12 Cures Act, in addition to amounts available for such pur-
 13 poses under the heading “Salaries and Expenses”,
 14 \$60,000,000, to remain available until expended: *Pro-*
 15 *vided*, That amounts appropriated in this paragraph are
 16 appropriated pursuant to section 1002(b)(3) of the 21st
 17 Century Cures Act, are to be derived from amounts trans-
 18 ferred under section 1002(b)(2)(A) of such Act, and may
 19 be transferred by the Commissioner of Food and Drugs
 20 to the appropriation for “Department of Health and
 21 Human Services—Food and Drug Administration—Sala-
 22 ries and Expenses” solely for the purposes provided in
 23 such Act: *Provided further*, That upon a determination by
 24 the Commissioner that funds transferred pursuant to the
 25 previous proviso are not necessary for the purposes pro-

1 vided, such amounts may be transferred back to the ac-
 2 count: *Provided further*, That such transfer authority is
 3 in addition to any other transfer authority provided by
 4 law.

5 INDEPENDENT AGENCY

6 FARM CREDIT ADMINISTRATION

7 LIMITATION ON ADMINISTRATIVE EXPENSES

8 Not to exceed \$69,000,000 (from assessments col-
 9 lected from farm credit institutions, including the Federal
 10 Agricultural Mortgage Corporation) shall be obligated
 11 during the current fiscal year for administrative expenses
 12 as authorized under 12 U.S.C. 2249: *Provided*, That this
 13 limitation shall not apply to expenses associated with re-
 14 ceiverships: *Provided further*, That the agency may exceed
 15 this limitation by up to 10 percent with notification to the
 16 Committees on Appropriations of both Houses of Con-
 17 gress.

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

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

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

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

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

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

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

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

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

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

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

1 SEC. 709. Except as otherwise specifically provided
2 by law, not more than \$20,000,000 in unobligated bal-
3 ances from appropriations made available for salaries and
4 expenses in this Act for the Farm Service Agency shall
5 remain available through September 30, 2019, for infor-
6 mation technology expenses: *Provided*, That except as oth-
7 erwise specifically provided by law, unobligated balances
8 from appropriations made available for salaries and ex-
9 penses in this Act for the Rural Development mission area
10 shall remain available through September 30, 2019, for
11 information technology expenses.

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

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

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

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

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

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

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

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

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

10 (1) The Watershed Rehabilitation program au-
11 thorized by section 14(h)(1) of the Watershed Pro-
12 tection and Flood Prevention Act (16 U.S.C.
13 1012(h)(1));

14 (2) The Environmental Quality Incentives Pro-
15 gram as authorized by sections 1240–1240H of the
16 Food Security Act of 1985 (16 U.S.C. 3839aa–
17 3839aa–8) in excess of \$1,456,000,000: *Provided*,
18 That this limitation shall apply only to funds pro-
19 vided by section 1241(a)(5)(E) of the Food Security
20 Act of 1985 (16 U.S.C. 3841(a)(5)(E));

21 (3) The Biomass Crop Assistance Program au-
22 thorized by section 9011 of the Farm Security and
23 Rural Investment Act of 2002 (7 U.S.C. 8111); and

24 (4) The Biorefinery, Renewable Chemical and
25 Biobased Product Manufacturing Assistance pro-

1 gram as authorized by section 9003 of the Farm Se-
2 curity and Rural Investment Act of 2002 (7 U.S.C.
3 8103) in excess of \$139,000,000 of the funding
4 made available by subsection (g)(1)(A) of that sec-
5 tion for all fiscal years.

6 SEC. 715. Notwithstanding subsection (b) of section
7 14222 of Public Law 110–246 (7 U.S.C. 612c–6; in this
8 section referred to as “section 14222”), none of the funds
9 appropriated or otherwise made available by this or any
10 other Act shall be used to pay the salaries and expenses
11 of personnel to carry out a program under section 32 of
12 the Act of August 24, 1935 (7 U.S.C. 612c; in this section
13 referred to as “section 32”) in excess of \$878,255,000 (ex-
14 clusive of carryover appropriations from prior fiscal
15 years), as follows: Child Nutrition Programs Entitlement
16 Commodities—\$465,000,000; State Option Contracts—
17 \$5,000,000; Removal of Defective Commodities—
18 \$2,500,000; Administration of Section 32 Commodity
19 Purchases—\$35,853,000: *Provided*, That of the total
20 funds made available in the matter preceding this proviso
21 that remain unobligated on October 1, 2018, such unobli-
22 gated balances shall carryover into the next fiscal year and
23 shall remain available until expended for any of the three
24 stated purposes of section 32, except that any such carry-
25 over funds used in accordance with clause (3) of section

1 32 may not exceed \$75,000,000 and may not be obligated
2 until the Secretary of Agriculture provides written notifi-
3 cation of the expenditures to the Committees on Appro-
4 priations of both Houses of Congress at least two weeks
5 in advance: *Provided further*, That none of the funds made
6 available in this Act or any other Act shall be used for
7 salaries and expenses to carry out in this fiscal year sub-
8 section (i)(1)(E) of section 19 of the Richard B. Russell
9 National School Lunch Act (42 U.S.C. 1769a), except in
10 an amount that excludes the transfer of \$125,000,000 of
11 the funds to be transferred under subsection (c) of section
12 14222, until October 1, 2018: *Provided further*, That
13 \$125,000,000 made available on October 1, 2018, to carry
14 out such section 19 shall be excluded from the limitation
15 described in subsection (b)(2)(A)(x) of section 14222: *Pro-*
16 *vided further*, That, with the exception of any available
17 carryover funds authorized in the first proviso of this sec-
18 tion to be used for the purposes of clause (3) of section
19 32, none of the funds appropriated or otherwise made
20 available by this or any other Act shall be used to pay
21 the salaries or expenses of any employee of the Depart-
22 ment of Agriculture or officer of the Commodity Credit
23 Corporation to carry out clause (3) of section 32, or for
24 any surplus removal activities or price support activities
25 under section 5 of the Commodity Credit Corporation

1 Charter Act (15 U.S.C. 714e): *Provided further*, That the
2 available unobligated balances under (b)(2)(A)(x) of sec-
3 tion 14222 in excess of the limitation set forth in this sec-
4 tion, excluding the amounts to be transferred pursuant to
5 the second proviso of this section, are hereby permanently
6 rescinded.

7 SEC. 716. None of the funds appropriated by this or
8 any other Act shall be used to pay the salaries and ex-
9 penses of personnel who prepare or submit appropriations
10 language as part of the President's budget submission to
11 the Congress for programs under the jurisdiction of the
12 Appropriations Subcommittees on Agriculture, Rural De-
13 velopment, Food and Drug Administration, and Related
14 Agencies that assumes revenues or reflects a reduction
15 from the previous year due to user fees proposals that
16 have not been enacted into law prior to the submission
17 of the budget unless such budget submission identifies
18 which additional spending reductions should occur in the
19 event the user fees proposals are not enacted prior to the
20 date of the convening of a committee of conference for
21 the fiscal year 2019 appropriations Act.

22 SEC. 717. (a) None of the funds provided by this Act,
23 or provided by previous appropriations Acts to the agen-
24 cies funded by this Act that remain available for obligation
25 or expenditure in the current fiscal year, or provided from

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

- 10 (1) creates new programs;
 - 11 (2) eliminates a program, project, or activity;
 - 12 (3) increases funds or personnel by any means
13 for any project or activity for which funds have been
14 denied or restricted;
 - 15 (4) relocates an office or employees;
 - 16 (5) reorganizes offices, programs, or activities;
 - 17 or
 - 18 (6) contracts out or privatizes any functions or
19 activities presently performed by Federal employees;
- 20 unless the Secretary of Agriculture or the Secretary of
21 Health and Human Services (as the case may be) notifies
22 in writing and receives approval from the Committees on
23 Appropriations of both Houses of Congress at least 30
24 days in advance of the reprogramming of such funds or
25 the use of such authority.

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

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

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

17 (3) results from any general savings from a re-
18 duction in personnel which would result in a change
19 in existing programs, activities, or projects as ap-
20 proved by Congress; unless the Secretary of Agri-
21 culture or the Secretary of Health and Human Serv-
22 ices (as the case may be) notifies in writing and re-
23 ceives approval from the Committees on Appropria-
24 tions of both Houses of Congress at least 30 days

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 SEC. 728. (a) CLARIFICATION ON COTTONSEED.—

4 (1) DESIGNATION OF COTTONSEED AS A COV-
 5 ERED COMMODITY.—Section 1111(6) of the Agricul-
 6 tural Act of 2014 (7 U.S.C. 9011(6)) is amended—

7 (A) by striking “The term” and inserting
 8 the following:

9 “(A) IN GENERAL.—The term”; and

10 (B) by adding at the end the following:

11 “(B) INCLUSION.—Effective beginning
 12 with the 2018 crop year, the term ‘covered com-
 13 modity’ includes cottonseed.”.

14 (2) REFERENCE PRICE FOR COTTONSEED.—

15 Section 1111(18) of the Agricultural Act of 2014 (7
 16 U.S.C. 9011(18)) is amended by adding at the end
 17 the following:

18 “(O) For cottonseed, \$15.00 per hundred-
 19 weight.”.

20 (3) PAYMENT YIELD FOR COTTONSEED.—Sec-

21 tion 1113(b) of the Agricultural Act of 2014 (7
 22 U.S.C. 9013(b)) is amended by adding at the end
 23 the following:

24 “(4) PAYMENT YIELD FOR COTTONSEED.—

“(A) PAYMENT YIELD.—Subject to subparagraph (B), the payment yield for a farm for cottonseed shall be equal to 1.4 times the payment yield for upland cotton for the farm established under section 1104(e)(3) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8714(e)(3)) (as in effect on February 6, 2014).

“(B) UPDATE.—At the sole discretion of the owner of a farm, the owner of a farm shall have a 1-time opportunity to update the payment yield described in subparagraph (A) in accordance with subsection (d).”.

(4) PAYMENT ACRES.—Section 1114(b) of the Agricultural Act of 2014 (7 U.S.C. 9014(b)) is amended by adding at the end the following:

“(4) COTTONSEED.—Effective for the 2018 crop year and each crop year thereafter, the Secretary shall allocate generic base acres for producers on a farm as follows:

“(A) In the case of a farm on which no covered commodities (including cottonseed) were planted or were prevented from being planted at any time during each of the 2009 through 2016 crop years, generic base acres

1 shall be allocated to unassigned crop base for
 2 which no payments may be made under section
 3 1116 or 1117.

4 “(B) In the case of a farm not described
 5 in subparagraph (A), generic base acres shall be
 6 allocated—

7 “(i) to cottonseed base acres in a
 8 quantity equal to the greater of—

9 “(I) subject to subparagraph (C),
 10 80 percent of the generic base acres
 11 on the farm; and

12 “(II) the average number of cot-
 13 tonseed acres planted or prevented
 14 from being planted on the farm dur-
 15 ing each of the 2009 through 2012
 16 crop years (not to exceed the total ge-
 17 neric base acres on the farm); or

18 “(ii) to base acres for covered com-
 19 modities (including cottonseed), by apply-
 20 ing subparagraphs (B), (D), (E), and (F)
 21 of section 1112(a)(3).

22 “(C) In the case of a farm on which ge-
 23 neric base acres are allocated under subpara-
 24 graph (B)(i)(I), the remaining 20 percent of ge-
 25 neric base acres shall be allocated to unassigned

1 crop base for which no payments may be made
 2 under section 1116 or 1117.”.

3 (5) RECORDKEEPING REGARDING UNASSIGNED
 4 CROP BASE.—Section 1114 of the Agricultural Act
 5 of 2014 (7 U.S.C. 9014) is amended by adding at
 6 the end the following:

7 “(f) UNASSIGNED CROP BASE.—The Secretary shall
 8 maintain information on generic base acres on a farm allo-
 9 cated as unassigned crop base under subparagraphs (A)
 10 and (C) of subsection (b)(4).”.

11 (6) SPECIAL ELECTION PERIOD FOR PRICE
 12 LOSS COVERAGE OR AGRICULTURE RISK COV-
 13 ERAGE.—Section 1115 of the Agricultural Act of
 14 2014 (7 U.S.C. 9015) is amended—

15 (A) in subsection (a), by striking “For”
 16 and inserting “Except as provided in subsection
 17 (g), for”; and

18 (B) by adding at the end the following:

19 “(g) SPECIAL ELECTION.—In the case of a farm on
 20 which generic base acres are attributed to cottonseed or
 21 on which generic base acres are allocated to cottonseed,
 22 the producers on the farm shall be given the opportunity
 23 to make a new 1-time election under subsection (a) for
 24 the 2018 crop year and each crop year thereafter to reflect

1 the designation of cottonseed as a covered commodity
 2 under section 1111(6)(B).”.

3 (7) LOAN RATE.—Section 1202 of the Agricul-
 4 tural Act of 2014 (7 U.S.C. 9032) is amended by
 5 adding at the end the following:

6 “(c) COTTONSEED.—

7 “(1) IN GENERAL.—For purposes of section
 8 1116(b)(2) and paragraphs (1)(B)(ii) and
 9 (2)(A)(ii)(II) of section 1117(b), the loan rate for
 10 cottonseed shall be equal to \$8.00 per hundred-
 11 weight.

12 “(2) EFFECT.—Nothing in this subsection au-
 13 thorizes any nonrecourse marketing assistance loan
 14 under this subtitle for cottonseed.”.

15 (8) LIMITATION ON STACKED INCOME PROTEC-
 16 TION PLAN FOR PRODUCERS OF UPLAND COTTON.—
 17 Section 508B of the Federal Crop Insurance Act (7
 18 U.S.C. 1508b) is amended by adding at the end the
 19 following:

20 “(f) LIMITATION.—Effective beginning with the 2018
 21 crop year, a farm shall not be eligible for the Stacked In-
 22 come Protection Plan for a crop year for which the farm
 23 is enrolled in coverage for cottonseed under—

24 “(1) price loss coverage under section 1116 of
 25 the Agricultural Act of 2014 (7 U.S.C. 9016); or

1 “(2) agriculture risk coverage under section
2 1117 of that Act (7 U.S.C. 9017).”.

3 (9) ADMINISTRATION.—The Secretary of Agri-
4 culture shall carry out the amendments made by this
5 subsection in accordance with section 1601 of the
6 Agricultural Act of 2014 (7 U.S.C. 9091).

7 (10) APPLICATION.—The amendments made by
8 this subsection shall apply beginning with the 2018
9 crop year.

10 (11) CLERICAL AMENDMENT.—Section
11 1114(b)(2) of the Agricultural Act of 2014 (7
12 U.S.C. 9014(b)(2)) is amended by striking “para-
13 graphs (1)(B) and (2)(B)” and inserting “para-
14 graphs (1) and (2)”.

15 (b) MARGIN PROTECTION PROGRAM FOR DAIRY PRO-
16 DUCERS.—

17 (1) MONTHLY CALCULATION OF ACTUAL DAIRY
18 PRODUCTION MARGIN.—

19 (A) DEFINITIONS.—Section 1401 of the
20 Agricultural Act of 2014 (7 U.S.C. 9051) is
21 amended—

22 (i) by striking paragraph (4); and

23 (ii) by redesignating paragraphs (5)
24 through (11) as paragraphs (4) through
25 (10), respectively.

(B) CALCULATION OF ACTUAL DAIRY PRODUCTION MARGIN.—Section 1402(b)(1) of the Agricultural Act of 2014 (7 U.S.C. 9052(b)(1)) is amended by striking “consecutive 2-month period” each place it appears and inserting “month”.

(C) MARGIN PROTECTION PAYMENTS.—Section 1406 of the Agricultural Act of 2014 (7 U.S.C. 9056) is amended—

(i) by striking “consecutive 2-month period” each place it appears and inserting “month”; and

(ii) in subsection (c)(2)(B), by striking “6” and inserting “12”.

(D) EFFECTIVE DATE.—The amendments made by this paragraph take effect on September 1, 2018.

(2) PARTICIPATION OF DAIRY OPERATIONS IN MARGIN PROTECTION PROGRAM.—

(A) IN GENERAL.—Section 1404 of the Agricultural Act of 2014 (7 U.S.C. 9054) is amended—

(i) in subsection (b)—

(I) in paragraph (1), by inserting “, including the establishment of a

1 date each coverage year by which a
 2 dairy operation shall register for the
 3 coverage year” before the period at
 4 the end;

5 (II) by redesignating paragraphs
 6 (2) and (3) as paragraphs (3) and
 7 (4), respectively; and

8 (III) by inserting after paragraph
 9 (1) the following:

10 “(2) ELECTION.—

11 “(A) IN GENERAL.—For the 2019 through
 12 2023 coverage years, a dairy operation may
 13 make an irrevocable election to participate in
 14 the margin protection program.

15 “(B) COVERAGE YEARS.—A dairy oper-
 16 ation that elects to participate in the margin
 17 protection program under subparagraph (A)
 18 shall participate in the margin protection pro-
 19 gram for the coverage year for which the par-
 20 ticipating dairy operation elects to participate
 21 and each subsequent coverage year through cov-
 22 erage year 2023.”; and

23 (ii) in subsection (c), by adding at the
 24 end the following:

1 “(4) EXEMPTION.—A limited resource, begin-
 2 ning, veteran, or socially disadvantaged farmer, as
 3 defined by the Secretary, shall be exempt from the
 4 administrative fee under this subsection.”.

5 (B) EFFECTIVE DATE.—The amendments
 6 made by this paragraph take effect on the date
 7 of enactment of this Act.

8 (3) PRODUCTION HISTORY OF PARTICIPATING
 9 DAIRY OPERATIONS.—Section 1405(a) of the Agri-
 10 cultural Act of 2014 (7 U.S.C. 9055(a)) is amended
 11 by adding at the end the following:

12 “(3) CONTINUED APPLICABILITY OF BASE PRO-
 13 DUCTION HISTORY.—A production history estab-
 14 lished for a dairy operation under paragraph (1)
 15 shall be the base production history for the dairy op-
 16 eration in subsequent years (as adjusted under para-
 17 graph (2)).”.

18 (4) PREMIUMS FOR MARGIN PROTECTION PRO-
 19 GRAM.—Section 1407 of the Agricultural Act of
 20 2014 (7 U.S.C. 9057) is amended—

21 (A) in subsection (b)—

22 (i) by striking the subsection heading
 23 and inserting the following: “Tier I: Pre-
 24 mium Per Hundredweight for First
 25 5,000,000 Pounds of Production.—”;

(ii) in paragraph (1), by striking
“4,000,000” and inserting “5,000,000”;
and

(iii) in paragraph (2)—

(I) by striking “\$0.010” and in-
serting “None”;

(II) by striking “\$0.025” and in-
serting “None”;

(III) by striking “\$0.040” and
inserting “\$0.009”;

(IV) by striking “\$0.055” and
inserting “\$0.017”;

(V) by striking “\$0.090” and in-
serting “\$0.043”;

(VI) by striking “\$0.217” and
inserting “\$0.068”;

(VII) by striking “\$0.300” and
inserting “\$0.094”; and

(VIII) by striking “\$0.475” and
inserting “\$0.153”;

(B) in subsection (c)—

(i) by striking the subsection heading
and inserting the following: “Tier II: Pre-
mium Per Hundredweight for Production
in Excess of 5,000,000 Pounds.—”; and

1 (ii) in paragraph (1), by striking
 2 “4,000,000” and inserting “5,000,000”;
 3 and

4 (C) in subsection (e)(2), by striking “for a
 5 calendar year shall be legally obligated to pay
 6 the applicable premium for that calendar year”
 7 and inserting “shall be legally obligated to pay
 8 the applicable premium elected by the partici-
 9 pating dairy operation for the coverage year”.

10 (5) EFFECTIVE DATE.—Except as provided in
 11 paragraphs (1)(D) and (2)(B), the amendments
 12 made by this subsection take effect on October 1,
 13 2018.

14 SEC. 729. (a) Section 1240B of the Food Security
 15 Act of 1985 (16 U.S.C. 3839aa–2) is amended by striking
 16 subsection (a) and inserting the following:

17 “(a) ESTABLISHMENT.—During each of the 2002
 18 through 2019 fiscal years, the Secretary shall provide pay-
 19 ments to producers that enter into contracts with the Sec-
 20 retary under the program.”.

21 (b) Section 1241 of the Food Security Act of 1985
 22 (16 U.S.C. 3841) is amended—

23 (1) in subsection (a)—

24 (A) in the matter preceding paragraph (1),
 25 by striking “2018” and inserting “2018 (and

1 fiscal year 2019 in the case of the program
2 specified in paragraph (5))”; and

3 (B) in paragraph (5)(E), by striking “fis-
4 cal year 2018” and inserting “each of fiscal
5 years 2018 through 2019”; and

6 (2) in subsection (b), by striking “2018” and
7 inserting “2018 (and fiscal year 2019 in the case of
8 the program specified in subsection (a)(5))”.

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

17 SEC. 731. There is hereby appropriated \$8,000,000,
18 to remain available until expended, to carry out section
19 6407 of the Farm Security and Rural Investment Act of
20 2002 (7 U.S.C. 8107a): *Provided*, That the Secretary may
21 allow eligible entities to offer loans to customers in any
22 part of their service territory and to offer loans to replace
23 a manufactured housing unit with another manufactured
24 housing unit, if replacement would be more cost effective
25 in saving energy.

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

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

19 SEC. 734. None of the funds made available by this
20 Act may be used to notify a sponsor or otherwise acknowl-
21 edge receipt of a submission for an exemption for inves-
22 tigational use of a drug or biological product under section
23 505(i) of the Federal Food, Drug, and Cosmetic Act (21
24 U.S.C. 355(i)) or section 351(a)(3) of the Public Health
25 Service Act (42 U.S.C. 262(a)(3)) in research in which

1 a human embryo is intentionally created or modified to
2 include a heritable genetic modification. Any such submis-
3 sion shall be deemed to have not been received by the Sec-
4 retary, and the exemption may not go into effect.

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

15 SEC. 736. There is hereby appropriated \$1,000,000
16 for the Secretary to carry out a pilot program that pro-
17 vides forestry inventory analysis, forest management and
18 economic outcomes modelling for certain currently en-
19 rolled Conservation Reserve Program participants. The
20 Secretary shall allow the Commodity Credit Corporation
21 to enter into agreements with and provide grants to quali-
22 fied non-profit organizations dedicated to conservation,
23 forestry and wildlife habitats, that also have experience in
24 conducting accurate forest inventory analysis through the
25 use of advanced, cost-effective technology. The Secretary

1 shall focus the analysis on lands enrolled for at least eight
2 years and located in areas with a substantial concentration
3 of acres enrolled under conservation practices devoted to
4 multiple bottomland hardwood tree species including
5 CP03, CP03A, CP11, CP22, CP31 and CP40.

6 SEC. 737. In addition to amounts otherwise made
7 available by this Act and notwithstanding the last sentence
8 of 16 U.S.C. 1310, there is appropriated \$4,000,000, to
9 remain available until expended, to implement non-renew-
10 able agreements on eligible lands, including flooded agri-
11 cultural lands, as determined by the Secretary, under the
12 Water Bank Act (16 U.S.C. 1301–1311).

13 SEC. 738. No partially hydrogenated oils as defined
14 in the order published by the Food and Drug Administra-
15 tion in the Federal Register on June 17, 2015 (80 Fed.
16 Reg. 34650 et seq.) shall be deemed unsafe within the
17 meaning of section 409(a) and no food that is introduced
18 or delivered for introduction into interstate commerce that
19 bears or contains a partially hydrogenated oil shall be
20 deemed adulterated under sections 402(a)(1) or
21 402(a)(2)(C)(i) by virtue of bearing or containing a par-
22 tially hydrogenated oil until the compliance date as speci-
23 fied in such order (June 18, 2018).

24 SEC. 739. There is hereby appropriated \$5,000,000,
25 to remain available until September 30, 2019, for a pilot

1 program for the National Institute of Food and Agri-
2 culture to provide grants to nonprofit organizations for
3 programs and services to establish and enhance farming
4 and ranching opportunities for military veterans.

5 SEC. 740. Section 1244 of the Food Security Act of
6 1985 (16 U.S.C. 3844) is amended by adding at the end
7 the following:

8 “(m) EXEMPTION FROM CERTAIN REPORTING RE-
9 QUIREMENTS.—

10 “(1) DEFINITION OF EXEMPTED PRODUCER.—

11 In this subsection, the term ‘exempted producer’
12 means a producer or landowner eligible to partici-
13 pate in any conservation program administered by
14 the Secretary.

15 “(2) EXEMPTION.—Notwithstanding the Fed-
16 eral Funding Accountability and Transparency Act
17 of 2006 (Public Law 109–282; 31 U.S.C. 6101
18 note), the requirements of parts 25 and 170 of title
19 2, Code of Federal Regulations (and any successor
20 regulations), shall not apply with respect to assist-
21 ance received by an exempted producer from the
22 Secretary, acting through the Natural Resources
23 Conservation Service.”.

24 SEC. 741. Of the unobligated balances from amounts
25 made available for the supplemental nutrition program as

1 authorized by section 17 of the Child Nutrition Act of
2 1966 (42 U.S.C. 1786), \$800,000,000 are hereby re-
3 scinded.

4 SEC. 742. The Secretary shall set aside for Rural
5 Economic Area Partnership (REAP) Zones, until August
6 15, 2018, an amount of funds made available in title III
7 under the headings of Rural Housing Insurance Fund
8 Program Account, Mutual and Self-Help Housing Grants,
9 Rural Housing Assistance Grants, Rural Community Fa-
10 cilities Program Account, Rural Business Program Ac-
11 count, Rural Development Loan Fund Program Account,
12 and Rural Water and Waste Disposal Program Account,
13 equal to the amount obligated in REAP Zones with re-
14 spect to funds provided under such headings in the most
15 recent fiscal year any such funds were obligated under
16 such headings for REAP Zones.

17 SEC. 743. The Secretary may charge a fee for lenders
18 to access Department loan guarantee systems in connec-
19 tion with such lenders' participation in loan guarantee
20 programs of the Rural Housing Service: *Provided*, That
21 the funds collected from such fees shall be made available
22 to the Secretary without further appropriation and such
23 funds shall be deposited into the Rural Development Sala-
24 ries and Expense Account and shall remain available until
25 expended for obligation and expenditure by the Secretary

1 for administrative expenses of the Rural Housing Service
2 Loan Guarantee Program in addition to other available
3 funds: *Provided further*, That such fees collected shall not
4 exceed \$50 per loan.

5 SEC. 744. There is hereby appropriated \$1,000,000,
6 to remain available until expended, for the cost of loans
7 and grants that is consistent with section 4206 of the Ag-
8 ricultural Act of 2014, for necessary expenses of the Sec-
9 retary to support projects that provide access to healthy
10 food in underserved areas, to create and preserve quality
11 jobs, and to revitalize low-income communities.

12 SEC. 745. There is hereby appropriated \$1,000,000,
13 to remain available until expended, for a pilot program
14 for the Secretary to provide grants to qualified non-profit
15 organizations and public housing authorities to provide
16 technical assistance, including financial and legal services,
17 to RHS multi-family housing borrowers to facilitate the
18 acquisition of RHS multi-family housing properties in
19 areas where the Secretary determines a risk of loss of af-
20 fordable housing, by non-profit housing organizations and
21 public housing authorities as authorized by law that com-
22 mit to keep such properties in the RHS multi-family hous-
23 ing program for a period of time as determined by the
24 Secretary.

1 SEC. 746. (a) The Secretary of Agriculture (referred
2 to in this section as the “Secretary”) shall carry out a
3 pilot program during fiscal year 2018 with respect to the
4 2017 crop year for county-level agriculture risk coverage
5 payments under section 1117(b)(1) of the Agricultural Act
6 of 2014 (7 U.S.C. 9017(b)(1)), that provides all or some
7 of the State Farm Service Agency offices in each State
8 the opportunity to provide agricultural producers in the
9 State a supplemental payment described in subsection (c)
10 based on the alternate calculation method described in
11 subsection (b) for 1 or more counties in a State if the
12 office for that State determines that the alternate calcula-
13 tion method is necessary to ensure that, to the maximum
14 extent practicable, there are not significant yield calcula-
15 tion disparities between comparable counties in the State.

16 (b) The alternate calculation method referred to in
17 subsection (a) is a method of calculating the actual yield
18 for the 2017 crop year for county-level agriculture risk
19 coverage payments under section 1117(b)(1) of the Agri-
20 cultural Act of 2014 (7 U.S.C. 9017(b)(1)), under
21 which—

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

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

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

19 (c)(1) A supplemental payment made under the pilot
20 program established under this section may be made to
21 an agricultural producer who is subject to the alternate
22 calculation method described in subsection (b) if that agri-
23 cultural producer would otherwise receive a county-level
24 agriculture risk coverage payment for the 2017 crop year
25 in an amount that is less than the payment that the agri-

1 cultural producer would receive under the alternate cal-
2 culation method.

3 (2) The amount of a supplemental payment to
4 an agricultural producer under this section may not
5 exceed the difference between—

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

10 (B) the payment that the agricultural pro-
11 ducer would receive using the alternate calcula-
12 tion method.

13 (d)(1) There is appropriated to the Secretary, out of
14 funds of the Treasury not otherwise appropriated,
15 \$5,000,000, to remain available until September 30, 2019,
16 to carry out the pilot program described in this section.

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

20 (e)(1) To the maximum extent practicable, the Sec-
21 retary shall select States to participate in the pilot pro-
22 gram under this section so the cost of the pilot program
23 equals the amount provided under subsection (d).

24 (2) To the extent that the cost of the pilot pro-
25 gram exceeds the amount made available, the Sec-

1 retary shall reduce all payments under the pilot pro-
2 gram on a pro rata basis.

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

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

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

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

13 SEC. 748. There is hereby appropriated \$600,000 for
14 the purposes of section 727 of division A of Public Law
15 112–55.

16 SEC. 749. In addition to amounts otherwise made
17 available by this Act under the heading “Domestic Food
18 Programs—Food and Nutrition Services—Child Nutrition
19 Programs”, there is appropriated \$2,000,000, to remain
20 available until September 30, 2019, to allow allied profes-
21 sional associations to develop a training program for
22 school nutrition personnel that focuses on school food serv-
23 ice meal preparation and workforce development.

24 SEC. 750. (a) None of the funds made available in
25 this Act may be used to maintain or establish a computer

1 network unless such network blocks the viewing,
2 downloading, and exchanging of pornography.

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

7 SEC. 751. None of the funds made available by this
8 Act may be used by the Food and Drug Administration
9 to develop, issue, promote, or advance any regulations applicable
10 to food manufacturers for population-wide sodium
11 reduction actions or to develop, issue, promote or advance
12 final guidance applicable to food manufacturers for long
13 term population-wide sodium reduction actions until the
14 date on which a dietary reference intake report with respect
15 to sodium is completed.

16 SEC. 752. (a) There is hereby established in the
17 Treasury of the United States a Working Capital Fund
18 (the Fund) to be administered by the Food and Drug Administration
19 (FDA), without fiscal year limitation, for the
20 payment of salaries, travel, and other expenses necessary
21 to the maintenance and operation of (1) a supply service
22 for the purchase, storage, handling, issuance, packing, or
23 shipping of stationery, supplies, materials, equipment, and
24 blank forms, for which stocks may be maintained to meet,
25 in whole or in part, the needs of the FDA and requisitions

1 of other Government Offices, and (2) such other services
2 as the Commissioner of the FDA, subject to review by the
3 Secretary of Health and Human Services, determines may
4 be performed more advantageously as central services. The
5 Fund shall be reimbursed from applicable discretionary re-
6 sources, notwithstanding any otherwise applicable purpose
7 limitations, available when services are performed or stock
8 furnished, or in advance, on a basis of rates which shall
9 include estimated or actual charges for personal services,
10 materials, equipment, information technology, and other
11 expenses. Charges for equipment and information tech-
12 nology shall include costs associated with maintenance, re-
13 pair, and depreciation (including improvement and re-
14 placement).

15 (b) Of any discretionary resources appropriated in
16 this Act for fiscal year 2018 for “Department of Health
17 and Human Services, Food and Drug Administration, Sal-
18 aries and Expenses”, not to exceed \$5,000,000 of amounts
19 available as of September 30 may be transferred to and
20 merged with the Fund established under subsection (a),
21 notwithstanding any otherwise applicable purpose limita-
22 tions.

23 (c) No amounts may be transferred pursuant to this
24 section that are designated by the Congress as an emer-
25 gency requirement pursuant to a concurrent resolution on

1 the budget or the Balanced Budget and Emergency Def-
 2 icit Control Act of 1985.

3 SEC. 753. For an additional amount for “Animal and
 4 Plant Health Inspection Service—Salaries and Expenses”,
 5 \$5,500,000, to remain available until September 30, 2019,
 6 for one-time control and management and associated ac-
 7 tivities directly related to the multiple-agency response to
 8 citrus greening.

9 SEC. 754. (a) Section 2 of the Watershed Protection
 10 and Flood Prevention Act (16 U.S.C. 1002) is amended
 11 in the matter following paragraph (3) by striking
 12 “\$5,000,000” and inserting “\$25,000,000”.

13 (b) Section 5 of the Watershed Protection and Flood
 14 Prevention Act (16 U.S.C. 1005) is amended—

15 (1) in paragraph (3), by striking “\$5,000,000”
 16 and inserting “\$25,000,000”; and

17 (2) in paragraph (4), by striking “\$5,000,000”
 18 and inserting “\$25,000,000”.

19 SEC. 755. (a) IN GENERAL.—Section 231 of the De-
 20 partment of Agriculture Reorganization Act of 1994 (7
 21 U.S.C. 6941) is amended—

22 (1) in subsection (a), by striking “is authorized
 23 to” and inserting “shall”;

24 (2) in subsection (b), by striking “If the Sec-
 25 retary” and all that follows through “the Under Sec-

1 retary” and inserting “The Under Secretary of Agri-
2 culture for Rural Development”;

3 (3) by striking subsection (d); and

4 (4) by redesignating subsection (e) as sub-
5 section (d).

6 (b) AUTHORITY.—Section 296(b) of the Department
7 of Agriculture Reorganization Act of 1994 (7 U.S.C.
8 7014(b)) is amended by adding at the end the following:

9 “(9) The authority of the Secretary to establish
10 in the Department the position of Under Secretary
11 of Agriculture for Rural Development under section
12 231.”.

13 SEC. 756. Funds made available for ELAP assistance
14 shall also be made available for the transporting of hay
15 and livestock due to an eligible drought.

16 SEC. 757. (a) Notwithstanding any other provision
17 of law, for purposes of applying the Federal Food, Drug,
18 and Cosmetic Act (21 U.S.C. 301 et seq.), the acceptable
19 market name of any salmon that is genetically engineered
20 shall include the words “genetically engineered” or “GE”
21 prior to the existing acceptable market name.

22 (b) During fiscal year 2018, the Food and Drug Ad-
23 ministration shall not allow the introduction or delivery
24 for introduction into interstate commerce of any food that
25 contains genetically engineered salmon until the Food and

1 Drug Administration publishes final labeling guidelines for
2 informing consumers of such content.

3 (c) For purposes of this section, salmon is genetically
4 engineered if it has been modified by recombinant DNA
5 (rDNA) techniques, including the entire lineage of salmon
6 that contain the rDNA modification.

7 SEC. 758. None of the funds made available by this
8 Act may be used to pay the salaries or expenses of per-
9 sonnel—

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

12 (2) to inspect horses under section 903 of the
13 Federal Agriculture Improvement and Reform Act of
14 1996 (7 U.S.C. 1901 note; Public Law 104–127); or

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

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

Calendar No. 177

115TH CONGRESS
1ST Session

S. 1603

[Report No. 115–131]

A BILL

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

JULY 20, 2017

Read twice and placed on the calendar