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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year
ending September 30, 2018, and for other purposes, namely:

TITLE I

AGRICULTURAL PROGRAMS

PROCESSING, RESEARCH AND MARKETING

OFFICE OF THE SECRETARY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Secretary, $48,355,000, of which not to exceed $5,051,000 shall be available for the immediate Office of the Secretary; not to exceed $502,000 shall be available for the Office of Tribal Relations; not to exceed $800,000 shall be available for the Assistant to the Secretary for Rural Development: Provided, That funds made available by this Act to an agency in the Rural Development mission area for salaries and expenses are available to fund up to one administrative support staff for the Assistant; not to exceed $1,496,000 shall be available for the Office of Homeland Security and Emergency Coordination; not to exceed $4,209,000 shall be available for the Office of Advocacy and Outreach; not to exceed $24,928,000 shall be available for the Office of the Assistant Secretary for Administration, of which $24,124,000 shall be available for Departmental Administration to provide for necessary expenses for management support services to offices of the
Department and for general administration, security, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department: *Provided further*, That funds made available by this Act to an agency in the Administration mission area for salaries and expenses are available to fund up to one administrative support staff for the Office; not to exceed $3,869,000 shall be available for the Office of Assistant Secretary for Congressional Relations to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch; and not to exceed $7,500,000 shall be available for the Office of Communications: *Provided further*, That the Secretary of Agriculture is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided further*, That no appropriation for any office shall be increased or decreased by more than 5 percent: *Provided further*, That not to exceed $11,000 of the amount made available under this paragraph for the immediate Office of the Secretary shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary: *Provided further*, That the amount made available under this heading for Departmental Administration
shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551–558: Provided further, That funds made available under this heading for the Office of the Assistant Secretary for Congressional Relations may be transferred to agencies of the Department of Agriculture funded by this Act to maintain personnel at the agency level: Provided further, That no funds made available under this heading for the Office of Assistant Secretary for Congressional Relations may be obligated after 30 days from the date of enactment of this Act, unless the Secretary has notified the Committees on Appropriations of both Houses of Congress on the allocation of these funds by USDA agency.

EXECUTIVE OPERATIONS

OFFICE OF THE CHIEF ECONOMIST

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

OFFICE OF HEARINGS AND APPEALS

For necessary expenses of the Office of Hearings and Appeals, $13,399,000.
OFFICE OF BUDGET AND PROGRAM ANALYSIS

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

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, $58,950,000.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, $8,028,000.

OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

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

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $24,206,000.

AGRICULTURE BUILDINGS AND FACILITIES

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92–313, including authorities pursuant to the 1984 delegation of authority from the Adminis-
trator of General Services to the Department of Agri-
culture under 40 U.S.C. 121, for programs and activities
of the Department which are included in this Act, and for
alterations and other actions needed for the Department
and its agencies to consolidate unneeded space into con-igurations suitable for release to the Administrator of
General Services, and for the operation, maintenance, im-
provement, and repair of Agriculture buildings and facili-
ties, and for related costs, $67,293,000, to remain avail-
able until expended.

Hazardous Materials Management
(including transfers of funds)

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

For necessary expenses of the Office of Inspector General, including employment pursuant to the Inspector General Act of 1978, $98,208,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978, and including not to exceed $125,000 for certain confidential operational expenses, including the payment of informants, to be expended under the direction of the Inspector General pursuant to Public Law 95–452 and section 1337 of Public Law 97–98.

OFFICE OF THE GENERAL COUNSEL

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

OFFICE OF ETHICS

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

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

For necessary expenses of the Office of the Under Secretary for Research, Education, and Economics, $893,000: Provided, That funds made available by this Act to an agency in the Research, Education and Economics mission area for salaries and expenses are available
to fund up to one administrative support staff for the Office.

**Economic Research Service**

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

**National Agricultural Statistics Service**

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

**Agricultural Research Service**

*Salaries and Expenses*

For necessary expenses of the Agricultural Research Service and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed $100, and for land exchanges where the lands exchanged shall be of equal value or shall be equalized by a payment of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership, $1,182,435,000: *Provided*, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to
exceed one for replacement only: Provided further, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed $500,000, except for headhouses or greenhouses which shall each be limited to $1,800,000, except for 10 buildings to be constructed or improved at a cost not to exceed $1,100,000 each, and except for two buildings to be constructed at a cost not to exceed $3,000,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or $500,000, whichever is greater: Provided further, That appropriations hereunder shall be available for entering into lease agreements at any Agricultural Research Service location for the construction of a research facility by a non-Federal entity for use by the Agricultural Research Service and a condition of the lease shall be that any facility shall be owned, operated, and maintained by the non-Federal entity and shall be removed upon the expiration or termination of the lease agreement: Provided further, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: Provided further, That appropriations here-
under shall be available for granting easements at the
Beltsville Agricultural Research Center: Provided further,
That the foregoing limitations shall not apply to replace-
ment of buildings needed to carry out the Act of April
24, 1948 (21 U.S.C. 113a): Provided further, That appro-
priations hereunder shall be available for granting ease-
ments at any Agricultural Research Service location for
the construction of a research facility by a non-Federal
entity for use by, and acceptable to, the Agricultural Re-
search Service and a condition of the easements shall be
that upon completion the facility shall be accepted by the
Secretary, subject to the availability of funds herein, if the
Secretary finds that acceptance of the facility is in the
interest of the United States: Provided further, That funds
may be received from any State, other political subdivi-
sion, organization, or individual for the purpose of estab-
lishing or operating any research facility or research
project of the Agricultural Research Service, as authorized
by law.

NATIONAL INSTITUTE OF FOOD AND AGRICULTURE

RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for
effective forestry and other research, for facilities, and
for other expenses, $854,871,000, which shall be for the
purposes, and in the amounts, specified in the table titled
“National Institute of Food and Agriculture, Research and Education Activities” in the report accompanying this Act: Provided, That funds for research grants for 1994 institutions, education grants for 1890 institutions, capacity building for non-land-grant colleges of agriculture, the agriculture and food research initiative, veterinary medicine loan repayment, multicultural scholars, graduate fellowship and institution challenge grants, and grants management systems shall remain available until expended: Provided further, That each institution eligible to receive funds under the Evans-Allen program receives no less than $1,000,000: Provided further, That funds for education grants for Alaska Native and Native Hawaiian-serving institutions be made available to individual eligible institutions or consortia of eligible institutions with funds awarded equally to each of the States of Alaska and Hawaii: Provided further, That funds for education grants for 1890 institutions shall be made available to institutions eligible to receive funds under 7 U.S.C. 3221 and 3222: Provided further, That not more than 5 percent of the amounts made available by this or any other Act to carry out the Agriculture and Food Research Initiative under 7 U.S.C. 450i(b) may be retained by the Secretary of Agriculture to pay administrative costs incurred by the Secretary in carrying out that authority.
NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

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

EXTENSION ACTIVITIES

For payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, the Northern Marianas, and American Samoa, $481,376,000, which shall be for the purposes, and in the amounts, specified in the table titled “National Institute of Food and Agriculture, Extension Activities” in the report accompanying this Act: Provided, That funds for facility improvements at 1890 institutions shall remain available until expended: Provided further, That institutions eligible to receive funds under 7 U.S.C. 3221 for cooperative extension receive no less than $1,000,000: Provided further, That funds for cooperative extension under sections 3(b) and (c) of the Smith-Lever Act (7 U.S.C. 343(b) and (c)) and section 208(c) of Public Law 93–471 shall be available for retirement and employees’ compensation costs for extension agents.

INTEGRATED ACTIVITIES

For the integrated research, education, and extension grants programs, including necessary administrative expenses, $37,000,000, which shall be for the purposes, and
in the amounts, specified in the table titled “National Institute of Food and Agriculture, Integrated Activities” in
the report accompanying this Act: Provided, That funds for the Food and Agriculture Defense Initiative shall re-
main available until September 30, 2019: Provided further, That notwithstanding any other provision of law, indirect
costs shall not be charged against any Extension Implementation Program Area grant awarded under the Crop
Protection/Pest Management Program (7 U.S.C. 7626).

OffICE OF THE UNDER SECRETARY FOR MARKETING
AND REGULATORY PROGRAMS

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

dice.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Animal and Plant Health Inspection Service, including up to $30,000 for
representation allowances and for expenses pursuant to the Foreign Service Act of 1980 (22 U.S.C. 4085),
$953,212,000, of which $470,000, to remain available until expended, shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds ("contingency fund") to the extent necessary to meet emergency conditions; of which $11,520,000, to remain available until expended, shall be used for the cotton pests program for cost share purposes or for debt retirement for active eradication zones; of which $37,857,000, to remain available until expended, shall be for Animal Health Technical Services; of which $697,000 shall be for activities under the authority of the Horse Protection Act of 1970, as amended (15 U.S.C. 1831); of which $55,340,000, to remain available until expended, shall be used to support avian health; of which $4,251,000, to remain available until expended, shall be for information technology infrastructure; of which $166,500,000, to remain available until expended, shall be for specialty crop pests; of which, $8,826,000, to remain available until expended, shall be for field crop and rangeland ecosystem pests; of which $16,523,000, to remain available until expended, shall be for zoonotic disease management; of which $40,966,000, to remain available until expended, shall be for emergency preparedness and response; of which $56,000,000, to remain available until expended, shall be for tree and wood pests; of which
$5,723,000, to remain available until expended, shall be
for the National Veterinary Stockpile; of which up to
$1,500,000, to remain available until expended, shall be
for the scrapie program for indemnities; of which
$2,500,000, to remain available until expended, shall be
for the wildlife damage management program for aviation
safety: Provided, That of amounts available under this
heading for wildlife services methods development,
$1,000,000 shall remain available until expended: Pro-
vided further, That of amounts available under this head-
ing for the screwworm program, $4,990,000 shall remain
available until expended; of which $3,000,000, to remain
available until expended, shall be for National Bio and
Agro-Defense human capital development: Provided fur-
ther, That no funds shall be used to formulate or admin-
ister a brucellosis eradication program for the current fis-
cal year that does not require minimum matching by the
States of at least 40 percent: Provided further, That this
appropriation shall be available for the operation and
maintenance of aircraft and the purchase of not to exceed
five, of which two shall be for replacement only: Provided
further, That in addition, in emergencies which threaten
any segment of the agricultural production industry of this
country, the Secretary may transfer from other appropria-
tions or funds available to the agencies or corporations
of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with sections 10411 and 10417 of the Animal Health Protection Act (7 U.S.C. 8310 and 8316) and sections 431 and 442 of the Plant Protection Act (7 U.S.C. 7751 and 7772), and any unexpended balances of funds transferred for such emergency purposes in the preceding fiscal year shall be merged with such transferred amounts: Provided further, That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

In fiscal year 2018, the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity’s liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such
fees shall be reimbursed to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.

BUILDINGS AND FACILITIES

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

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

For necessary expenses of the Agricultural Marketing Service, $88,933,000, of which $3,000,000 shall be available for the purposes of section 12306 of Public Law 113–79: Provided, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

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

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

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

(INCLUDING TRANSFERS OF FUNDS)

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

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricul-
19

1. Trade 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 pursuant to law (7 U.S.C. 2250) for the alteration and repair
9. of buildings and improvements, but the cost of altering
10. any one building during the fiscal year shall not exceed
11. 10 percent of the current replacement value of the build-
12. ing.

**LIMITATION ON INSPECTION AND WEIGHING SERVICES**

**EXPENSES**

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

**OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY**

19. For necessary expenses of the Office of the Under
Secretary for Food Safety, $819,000: *Provided*, That
funds made available by this Act to an agency in the Food Safety mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

**FOOD SAFETY AND INSPECTION SERVICE**

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, including not to exceed $50,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $1,038,069,000; and in addition, $1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1327 of the Food, Agriculture, Conservation and Trade Act of 1990 (7 U.S.C. 138f): Provided, That funds provided for the Public Health Data Communication Infrastructure system shall remain available until expended: Provided further, That no fewer than 148 full-time equivalent positions shall be employed during fiscal year 2018 for purposes dedicated solely to inspections and enforcement related to the Humane Methods of Slaughter Act: Provided further, That the Food Safety and Inspection Service shall continue implementation of section 11016 of Public Law 110–246 as further clarified by the amendments made in section...
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.
TITLE II

OFFICE OF THE UNDER SECRETARY FOR FARM PRODUCTION AND CONSERVATION

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

FARM SERVICE AGENCY

SALARIES AND EXPENSES (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Farm Service Agency, $1,212,116,000: Provided, That not more than 50 percent of the $78,013,000 made available under this heading for information technology related to farm program delivery, including the Modernize and Innovate the Delivery of Agricultural Systems and other farm program delivery systems, may be obligated until the Secretary submits to the Committees on Appropriations of both Houses of Congress a plan for expenditure that (1) identifies for each project/investment over $25,000 (a) the functional and performance capabilities to be delivered and the mission benefits to be realized, (b) the estimated lifecycle cost, including
estimates for development as well as maintenance and operations, and (e) key milestones to be met; (2) demonstrates that each project/investment is, (a) consistent with the Farm Service Agency Information Technology Roadmap, (b) being managed in accordance with applicable lifecycle management policies and guidance, and (c) subject to the applicable Department’s capital planning and investment control requirements; and (3) has been reviewed by the Government Accountability Office and approved by the Committees on Appropriations of both Houses of Congress: Provided further, That the agency shall submit a report by the end of the fourth quarter of fiscal year 2018 to the Committees on Appropriations and the Government Accountability Office, that identifies for each project/investment that is operational (a) current performance against key indicators of customer satisfaction, (b) current performance of service level agreements or other technical metrics, (c) current performance against a pre-established cost baseline, (d) a detailed breakdown of current and planned spending on operational enhancements or upgrades, and (e) an assessment of whether the investment continues to meet business needs as intended as well as alternatives to the investment: Provided further, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity
Credit Corporation to make program payments for all programs administered by the Agency: Provided further, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: Provided further, That funds made available to county committees shall remain available until expended: Provided further, That none of the funds available to the Farm Service Agency shall be used to close Farm Service Agency county offices: Provided further, That none of the funds available to the Farm Service Agency shall be used to permanently relocate county based employees that would result in an office with two or fewer employees without prior notification and approval of the Committees on Appropriations of both Houses of Congress.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987, as amended (7 U.S.C. 5101–5106), $3,904,000.

GRASSROOTS SOURCE WATER PROTECTION PROGRAM

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

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers and manufacturers of dairy products under a dairy indemnity program, such sums as may be necessary, to remain available until expended: Provided, That such program is carried out by the Secretary in the same manner as the dairy indemnity program described in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387, 114 Stat. 1549A–12).

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM

ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed farm ownership (7 U.S.C. 1922 et seq.) and operating (7 U.S.C. 1941 et seq.) loans, emergency loans (7 U.S.C. 1961 et seq.), Indian tribe land acquisition loans (25 U.S.C. 488), boll weevil loans (7 U.S.C. 1989), guaranteed conservation loans (7 U.S.C. 1924 et seq.), and Indian highly fractionated land loans (25 U.S.C. 488) to be available from funds in the Agricultural Credit Insurance Fund, as follows: $2,750,000,000 for guaranteed farm ownership loans and $1,500,000,000
for farm ownership direct loans; $1,960,000,000 for unsubsidized guaranteed operating loans and $1,530,000,000 for direct operating loans; emergency loans, $22,581,000; Indian tribe land acquisition loans, $20,000,000; guaranteed conservation loans, $150,000,000; Indian highly fractionated land loans, $10,000,000; and for boll weevil eradication program loans, $60,000,000: Provided, That the Secretary shall deem the pink bollworm to be a boll weevil for the purpose of boll weevil eradication program loans.

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

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

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

**RISK MANAGEMENT AGENCY**

**SALARIES AND EXPENSES**

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

**NATURAL RESOURCES CONSERVATION SERVICE**

**CONSERVATION OPERATIONS**

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal
cost not to exceed $100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, $874,107,000, to remain available until September 30, 2019: Provided, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed $250,000: Provided further, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a: Provided further, That of the amounts made available under this heading, $5,600,000, shall remain available until expended for the authorities under 16 U.S.C. 1001–1005 and 1007–1009 for authorized ongoing watershed projects with a primary purpose of providing water to rural communities.

WATERSHED AND FLOOD PREVENTION OPERATIONS

For necessary expenses to carry out preventive measures, including but not limited to surveys and investigations, engineering operations, works of improvement, and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001–
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.

CORPORATIONS

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

Federal Crop Insurance Corporation Fund

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

Commodity Credit Corporation Fund

Reimbursement for Net Realized Losses

(Including Transfers of Funds)

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

(LIMITATION ON EXPENSES)

For the current fiscal year, the Commodity Credit
Corporation shall not expend more than $5,000,000 for
site investigation and cleanup expenses, and operations
and maintenance expenses to comply with the requirement
of section 107(g) of the Comprehensive Environmental
Response, Compensation, and Liability Act (42 U.S.C.
9607(g)), and section 6001 of the Resource Conservation
and Recovery Act (42 U.S.C. 6961).
TITLE III

RURAL DEVELOPMENT PROGRAMS

Office of the Under Secretary for Rural Development

For necessary expenses of the Office of the Under Secretary for Rural Development, $896,000: Provided, That funds made available by this Act to an agency in the Rural Development mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

RURAL DEVELOPMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs in the Rural Development mission area, including activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements; $225,835,000: Provided, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that support the Rural Development mission area: Provided further, That any balances available from prior years for the Rural Utilities Service, Rural Housing Service, and the Rural Business—Cooperative Service salaries and ex-
penses accounts shall be transferred to and merged with this appropriation.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

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

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, $38,500,000 shall be for direct loans; section 504 housing repair loans, $3,240,000; repair, rehabilitation, and new construction of section 515 rental housing, $9,209,000; section 523 self-help land development loans, $368,000; section 524 site development loans, $58,000:
Provided, That to support the loan program level for section 538 guaranteed loans made available under this heading the Secretary may charge or adjust any fees to cover the projected cost of such loan guarantees pursuant to the provisions of the Credit Reform Act of 1990 (2 U.S.C. 661 et seq.), and the interest on such loans may not be subsidized: Provided further, That applicants in communities that have a current rural area waiver under section 541 of the Housing Act of 1949 (42 U.S.C. 1490q) shall be treated as living in a rural area for purposes of section 502 guaranteed loans provided under this heading: Provided further, That of the amounts available under this paragraph for section 502 direct loans, no less than $5,000,000 shall be available for direct loans for individuals whose homes will be built pursuant to a program funded with a mutual and self-help housing grant authorized by section 523 of the Housing Act of 1949 until June 1, 2018: Provided further, That the Secretary shall implement provisions to provide incentives to nonprofit organizations and public housing authorities to facilitate the acquisition of Rural Housing Service (RHS) multifamily housing properties by such nonprofit organizations and public housing authorities that commit to keep such properties in the RHS multifamily housing program for a period of time as determined by the Secretary. Incentives
provided will include, but not be limited to, the following:

allow such nonprofit entities and public housing authorities to earn a Return on Investment (ROI) on their own resources to include proceeds from low income housing tax credit syndication, own contributions, grants, and developer loans at favorable rates and terms, invested in a deal; and allow reimbursement of organizational costs associated with owner’s oversight of asset referred to as “Asset Management Fee” (AMF) of up to $7,500 per property.

In addition, for the cost of direct loans, grants, and contracts, as authorized by 42 U.S.C. 1484 and 1486, $14,710,000, to remain available until expended, for direct farm labor housing loans and domestic farm labor housing grants and contracts: Provided, That any balances available for the Farm Labor Program Account shall be transferred to and merged with this account.

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

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) or agreements entered into in lieu of debt forgiveness or
payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, $1,345,293,000, of which $40,000,000 shall be available until September 30, 2019; and in addition such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: Provided, That rental assistance agreements entered into or renewed during the current fiscal year shall be funded for a one-year period: Provided further, That any unexpended balances remaining at the end of such one-year agreements may be transferred and used for purposes of any debt reduction; maintenance, repair, or rehabilitation of any existing projects; preservation; and rental assistance activities authorized under title V of the Act: Provided further, That rental assistance provided under agreements entered into prior to fiscal year 2018 for a farm labor multi-family housing project financed under section 514 or 516 of the Act may not be recaptured for use in another project until such assistance has remained unused for a period of 12 consecutive months, if such project has a waiting list of tenants seeking such assistance or the project has rental assistance eligible tenants who are not receiving such assistance: Provided further, That such recaptured rental assistance shall,
to the extent practicable, be applied to another farm labor
multi-family housing project financed under section 514
or 516 of the Act: *Provided further*, That the Secretary
shall provide to the Committees on Appropriations of both
Houses of Congress quarterly reports on the number of
renewals approved, on the amount of rental assistance
available, and the anticipated need for rental assistance
for the remainder of the fiscal year: *Provided further*, That
except as provided in the third proviso under this heading
and notwithstanding any other provision of the Act, the
Secretary may recapture rental assistance provided under
agreements entered into prior to fiscal year 2018 for a
project that the Secretary determines no longer needs
rental assistance and use such recaptured funds for cur-
rent needs.

**MULTI-FAMILY HOUSING REVITALIZATION PROGRAM**

**ACCOUNT**

For the rural housing voucher program as authorized
under section 542 of the Housing Act of 1949, but not-
withstanding subsection (b) of such section, and for addi-
tional costs to conduct a demonstration program for the
preservation and revitalization of multi-family rental hous-
ing properties described in this paragraph, $41,400,000,
to remain available until expended: *Provided*, That of the
funds made available under this heading, $19,400,000,
shall be available for rural housing vouchers to any low-income household (including those not receiving rental assistance) residing in a property financed with a section 515 loan which has been prepaid after September 30, 2005: Provided further, That the amount of such voucher shall be the difference between comparable market rent for the section 515 unit and the tenant paid rent for such unit: Provided further, That funds made available for such vouchers shall be subject to the availability of annual appropriations: Provided further, That the Secretary shall, to the maximum extent practicable, administer such vouchers with current regulations and administrative guidance applicable to section 8 housing vouchers administered by the Secretary of the Department of Housing and Urban Development: Provided further, That if the Secretary determines that the amount made available for vouchers in this or any other Act is not needed for vouchers, the Secretary may use such funds for the demonstration program for the preservation and revitalization of multi-family rental housing properties described in this paragraph: Provided further, That of the funds made available under this heading, $22,000,000 shall be available for a demonstration program for the preservation and revitalization of the sections 514, 515, and 516 multi-family rental housing properties to restructure existing USDA multi-family
housing loans, as the Secretary deems appropriate, ex-
pressly for the purposes of ensuring the project has suffi-
cient resources to preserve the project for the purpose of
providing safe and affordable housing for low-income resi-
dents and farm laborers including reducing or eliminating
interest; deferring loan payments, subordinating, reducing
or reamortizing loan debt; and other financial assistance
including advances, payments and incentives (including
the ability of owners to obtain reasonable returns on in-
vestment) required by the Secretary: Provided further,
That the Secretary shall as part of the preservation and
revitalization agreement obtain a restrictive use agreement
consistent with the terms of the restructuring: Provided
further, That if the Secretary determines that additional
funds for vouchers described in this paragraph are needed,
funds for the preservation and revitalization demonstra-
tion program may be used for such vouchers: Provided fur-
ther, That if Congress enacts legislation to permanently
authorize a multi-family rental housing loan restructuring
program similar to the demonstration program described
herein, the Secretary may use funds made available for
the demonstration program under this heading to carry
out such legislation with the prior approval of the Commit-
tees on Appropriations of both Houses of Congress: Pro-
vided further, That in addition to any other available
funds, the Secretary may expend not more than
$1,000,000 total, from the program funds made available
under this heading, for administrative expenses for activi-
ties funded under this heading.

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

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

RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT
(INCLUDING TRANSFERS OF FUNDS)
For gross obligations for the principal amount of di-
rect and guaranteed loans as authorized by section 306
and described in section 381E(d)(1) of the Consolidated
Farm and Rural Development Act, $3,000,000,000 for di-
rect loans and $148,305,000 for guaranteed loans.
For the cost of guaranteed loans, including the cost
of modifying loans, as defined in section 502 of the Con-
gressional Budget Act of 1974, $4,850,000, to remain
available until expended.
For the cost of grants for rural community facilities programs as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, $43,778,000, to remain available until expended: Provided, That $4,000,000 of the amount appropriated under this heading shall be available for a Rural Community Development Initiative: Provided further, That such funds shall be used solely to develop the capacity and ability of private, nonprofit community-based housing and community development organizations, low-income rural communities, and Federally Recognized Native American Tribes to undertake projects to improve housing, community facilities, community and economic development projects in rural areas: Provided further, That such funds shall be made available to qualified private, nonprofit and public intermediary organizations proposing to carry out a program of financial and technical assistance: Provided further, That such intermediary organizations shall provide matching funds from other sources, including Federal funds for related activities, in an amount not less than funds provided: Provided further, That $5,778,000 of the amount appropriated under this heading shall be to provide grants for facilities in rural communities with extreme unemployment and severe economic depression (Public Law 106–387), with up to 5 per-
cent for administration and capacity building in the State rural development offices: *Provided further,* That $4,000,000 of the amount appropriated under this heading shall be available for community facilities grants to tribal colleges, as authorized by section 306(a)(19) of such Act: *Provided further,* That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading: *Provided further,* That for the purposes of determining eligibility or level of program assistance the Secretary shall not include incarcerated prison populations.

**Rural Business—Cooperative Service**

**Rural Business Program Account**

*(including transfers of funds)*

For the cost of loan guarantees and grants, for the rural business development programs authorized by section 310B and described in subsections (a), (c), (f) and (g) of section 310B of the Consolidated Farm and Rural Development Act, $64,342,000, to remain available until expended: *Provided,* That of the amount appropriated under this heading, not to exceed $500,000 shall be made available for one grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development and $3,000,000 shall be for grants to the Delta Regional Authority (7
U.S.C. 2009aa et seq.) for any Rural Community Advancement Program purpose as described in section 381E(d) of the Consolidated Farm and Rural Development Act, of which not more than 5 percent may be used for administrative expenses: Provided further, That $4,000,000 of the amount appropriated under this heading shall be for business grants to benefit Federally Recognized Native American Tribes, including $250,000 for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development: Provided further, That for purposes of determining eligibility or level of program assistance the Secretary shall not include incarcerated prison populations: Provided further, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to funds made available under this heading.

INTERMEDIARY RELENDING PROGRAM FUND ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

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

For the cost of direct loans, $4,361,000, as authorized by the Intermediary Relending Program Fund Account (7 U.S.C. 1936b), of which $557,000 shall be avail-
able through June 30, 2018, for Federally Recognized Native American Tribes; and of which $1,072,000 shall be available through June 30, 2018, for Mississippi Delta Region counties (as determined in accordance with Public Law 100–460): Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

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

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT
(INCLUDING RESCISSION OF FUNDS)

For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, $42,213,000.

Of the funds derived from interest on the cushion of credit payments, as authorized by section 313 of the Rural Electrification Act of 1936, $196,000,000 shall not be obligated and $196,000,000 are rescinded.

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

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932), $26,550,000, of which $2,750,000 shall be for cooperative agreements for the appropriate technology transfer for rural areas program: Provided, That not to exceed $3,000,000 shall be for grants for cooperative development centers, individual cooperatives, or groups of cooperatives that serve socially disadvantaged groups and a majority of the boards of directors or governing boards of which are comprised of individuals who are members of socially disadvantaged groups; and of which $15,000,000, to remain available until expended, shall be for value-added agricultural product market development grants, as authorized by section 231 of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1632a), of which $1,000,000 shall be for Agriculture Innovation Centers authorized pursuant to section 6402 of Public Law 107–171.

For the cost of a program of loan guarantees, under the same terms and conditions as authorized by section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107), $293,000: Provided, That the cost
of loan guarantees, including the cost of modifying such
loans, shall be as defined in section 502 of the Congress-

RURAL UTILITIES SERVICE

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

For the cost of direct loans, loan guarantees, and
grants for the rural water, waste water, waste disposal,
and solid waste management programs authorized by sec-
tions 306, 306A, 306C, 306D, 306E, and 310B and de-
scribed in sections 306C(a)(2), 306D, 306E, and
381E(d)(2) of the Consolidated Farm and Rural Develop-
ment Act, $550,383,000, to remain available until ex-
pended, of which not to exceed $1,000,000 shall be avail-
able for the rural utilities program described in section
306(a)(2)(B) of such Act, and of which not to exceed
$993,000 shall be available for the rural utilities program
described in section 306E of such Act: Provided, That not
to exceed $10,000,000 of the amount appropriated under
this heading shall be for grants authorized by section
306A(i)(2) of the Consolidated Farm and Rural Develop-
ment Act in addition to funding authorized by section
306A(i)(1) of such Act: Provided further, That
$66,500,000 of the amount appropriated under this head-
ing shall be for loans and grants including water and
waste disposal systems grants authorized by section 306C(a)(2)(B) and section 306D of the Consolidated Farm and Rural Development Act, and Federally Recognized Native American Tribes authorized by 306C(a)(1) of such Act: Provided further, That funding provided for section 306D of the Consolidated Farm and Rural Development Act may be provided to a consortium formed pursuant to section 325 of Public Law 105–83: Provided further, That not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by the State of Alaska for training and technical assistance programs and not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by a consortium formed pursuant to section 325 of Public Law 105–83 for training and technical assistance programs: Provided further, That not to exceed $20,000,000 of the amount appropriated under this heading shall be for technical assistance grants for rural water and waste systems pursuant to section 306(a)(14) of such Act, unless the Secretary makes a determination of extreme need, of which $6,500,000 shall be made available for a grant to a qualified nonprofit multi-State regional technical assistance organization, with experience in working with small communities on water and waste water
problems, the principal purpose of such grant shall be to assist rural communities with populations of 3,300 or less, in improving the planning, financing, development, operation, and management of water and waste water systems, and of which not less than $800,000 shall be for a qualified national Native American organization to provide technical assistance for rural water systems for tribal communities: Provided further, That not to exceed $18,000,000 of the amount appropriated under this heading shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: Provided further, That not to exceed $4,000,000 shall be for solid waste management grants: Provided further, That $10,000,000 of the amount appropriated under this heading shall be transferred to, and merged with, the Rural Utilities Service, High Energy Cost Grants Account to provide grants authorized under section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a): Provided further, That any prior year balances for high-energy cost grants authorized by section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a) shall be transferred to and merged with the Rural Utilities Service, High Energy Cost Grants Account: Provided further, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are
not applicable to the funds made available under this heading.

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

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

For the cost of direct loans as authorized by section 305 of the Rural Electrification Act of 1936 (7 U.S.C. 935), including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, cost of money rural telecommunications loans, $863,000.
In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $33,270,000, which shall be transferred to and merged with the appropriation for “Rural Development, Salaries and Expenses”.

DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM

For the principal amount of broadband telecommunication loans, $27,043,000.

For grants for telemedicine and distance learning services in rural areas, as authorized by 7 U.S.C. 950aaa et seq., $26,600,000, to remain available until expended: Provided, That $3,000,000 shall be made available for grants authorized by 379G of the Consolidated Farm and Rural Development Act: Provided further, That funding provided under this heading for grants under 379G of the Consolidated Farm and Rural Development Act may only be provided to entities that meet all of the eligibility criteria for a consortium as established by this section.

For the cost of broadband loans, as authorized by section 601 of the Rural Electrification Act, $4,530,000, to remain available until expended: Provided, That the cost of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.
In addition, $30,000,000, to remain available until expended, for a grant program to finance broadband transmission in rural areas eligible for Distance Learning and Telemedicine Program benefits authorized by 7 U.S.C. 950aaa.
TITLE IV

DOMESTIC FOOD PROGRAMS

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

For necessary expenses of the Office of the Under Secretary for Food, Nutrition, and Consumer Services, $814,000: Provided, That funds made available by this Act to an agency in the Food, Nutrition and Consumer Services mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

Food and Nutrition Service

Child Nutrition Programs

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; $24,296,505,000 to remain available through September 30, 2019, of which such sums as are made available under section 14222(b)(1) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246), as amended by this Act, shall be merged with and available for the same time period and purposes as provided herein: Provided, That of the total amount available, $17,004,000
shall be available to carry out section 19 of the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.): Provided further, That of the total amount available, $30,000,000 shall be available to provide competitive grants to State agencies for subgrants to local educational agencies and schools to purchase the equipment needed to serve healthier meals, improve food safety, and to help support the establishment, maintenance, or expansion of the school breakfast program: Provided further, That of the total amount available, $23,000,000 shall remain available until expended to carry out section 749(g) of the Agriculture Appropriations Act of 2010 (Public Law 111–80): Provided further, That section 26(d) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769g(d)) is amended in the first sentence by striking “2010 through 2017” and inserting “2010 through 2018”: Provided further, That section 9(h)(3) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(h)(3)) is amended in the first sentence by striking “For fiscal year 2017” and inserting “For fiscal year 2018”: Provided further, That section 9(h)(4) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(h)(4)) is amended in the first sentence by striking “For fiscal year 2017” and inserting “For fiscal year 2018”.

•S 1603 PCS
SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR
WOMEN, INFANTS, AND CHILDREN (WIC)

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $6,350,000,000, to remain available through September 30, 2019: Provided, That notwithstanding section 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(10)), not less than $80,000,000 shall be used for breastfeeding peer counselors and other related activities, and $14,000,000 shall be used for infrastructure: Provided further, That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of such Act: Provided further, That none of the funds provided shall be available for activities that are not fully reimbursed by other Federal Government departments or agencies unless authorized by section 17 of such Act: Provided further, That upon termination of a federally mandated vendor moratorium and subject to terms and conditions established by the Secretary, the Secretary may waive the requirement at 7 CFR 246.12(g)(6) at the request of a State agency.
SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

For necessary expenses to carry out the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), $73,612,502,000, of which $3,000,000,000, to remain available through December 31, 2019, shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: Provided, That funds provided herein shall be expended in accordance with section 16 of the Food and Nutrition Act of 2008: Provided further, That of the funds made available under this heading, $998,000 may be used to provide nutrition education services to State agencies and Federally Recognized Tribes participating in the Food Distribution Program on Indian Reservations: Provided further, That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: Provided further, That funds made available for Employment and Training under this heading shall remain available through September 30, 2019: Provided further, That funds made available under this heading for section 28(d)(1), section 4(b), and section 27(a) of the Food and Nutrition Act of 2008 shall remain available through September 30, 2019: Provided further, That funds made available under this heading may be used to enter into contracts and employ staff to conduct studies,
evaluations, or to conduct activities related to program integrity provided that such activities are authorized by the Food and Nutrition Act of 2008.

**COMMODITY ASSISTANCE PROGRAM**

For necessary expenses to carry out disaster assistance and the Commodity Supplemental Food Program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note); the Emergency Food Assistance Act of 1983; special assistance for the nuclear affected islands, as authorized by section 103(f)(2) of the Compact of Free Association Amendments Act of 2003 (Public Law 108–188); and the Farmers’ Market Nutrition Program, as authorized by section 17(m) of the Child Nutrition Act of 1966, $317,139,000, to remain available through September 30, 2019: Provided, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program: Provided further, That notwithstanding any other provision of law, effective with funds made available in fiscal year 2018 to support the Seniors Farmers’ Market Nutrition Program, as authorized by section 4402 of the Farm Security and Rural Investment Act of 2002, such funds shall remain available through September 30, 2019: Provided further, That of the funds made available under section 27(a) of the Food and Nutri-
tion Act of 2008 (7 U.S.C. 2036(a)), the Secretary may
use up to 10 percent for costs associated with the distribu-
tion of commodities.

NUTRITION PROGRAMS ADMINISTRATION

For necessary administrative expenses of the Food
and Nutrition Service for carrying out any domestic nutri-
tion assistance program, $153,841,000: Provided, That of
the funds provided herein, $2,000,000 shall be used for
the purposes of section 4404 of Public Law 107–171, as
amended by section 4401 of Public Law 110–246.
TITLE V
FOREIGN ASSISTANCE AND RELATED PROGRAMS
OFFICE OF THE UNDER SECRETARY FOR TRADE AND FOREIGN AGRICULTURAL AFFAIRS
For necessary expenses of the Office of the Under Secretary for Trade and Foreign Agricultural Affairs, $875,000: Provided, That funds made available by this Act to any agency in the Trade and Foreign Agricultural Affairs mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

FOREIGN AGRICULTURAL SERVICE
SALARIES AND EXPENSES
(INCLUDING TRANSFERS OF FUNDS)
For necessary expenses of the Foreign Agricultural Service, including not to exceed $250,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $197,506,000, of which no more than 6 percent shall remain available until September 30, 2019, for overseas operations to include the payment of locally employed staff: Provided, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organiza-
tions and institutions under agreements executed pursu-
ant to the agricultural food production assistance pro-
grams (7 U.S.C. 1737) and the foreign assistance pro-
grams of the United States Agency for International De-
development: *Provided further,* That funds made available
for middle-income country training programs, funds made
available for the Borlaug International Agricultural
Science and Technology Fellowship program, and up to
$2,000,000 of the Foreign Agricultural Service appropria-
tion solely for the purpose of offsetting fluctuations in
international currency exchange rates, subject to docu-
mentation by the Foreign Agricultural Service, shall re-
main available until expended.

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

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

**FOOD FOR PEACE TITLE II GRANTS**

For expenses during the current fiscal year, not oth-
erwise recoverable, and unrecovered prior years’ costs, in-
cluding interest thereon, under the Food for Peace Act
(Public Law 83–480), for commodities supplied in connection with dispositions abroad under title II of said Act, $1,600,000,000, to remain available until expended.

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

For necessary expenses to carry out the provisions of section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1), $206,626,000, to remain available until expended: Provided, That the Commodity Credit Corporation is authorized to provide the services, facilities, and authorities for the purpose of implementing such section, subject to reimbursement from amounts provided herein: Provided further, That of the amount made available under this heading, $15,000,000, shall remain available until expended for necessary expenses to carry out the provisions of section 3207 of the Agricultural Act of 2014 (7 U.S.C. 1726c).

COMMODITY CREDIT CORPORATION EXPORT (LOANS) CREDIT GUARANTEE PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's Export Guarantee Program, GSM 102 and GSM 103, $8,537,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity
with the Federal Credit Reform Act of 1990, of which $6,074,000 shall be transferred to and merged with the appropriation for “Foreign Agricultural Service, Salaries and Expenses”, and of which $2,463,000 shall be transferred to and merged with the appropriation for “Farm Service Agency, Salaries and Expenses”.
TITLE VI
RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION
DEPARTMENT OF HEALTH AND HUMAN SERVICES
FOOD AND DRUG ADMINISTRATION
SALARIES AND EXPENSES
For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92–313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary’s certificate, not to exceed $25,000; and notwithstanding section 521 of Public Law 107–188; $5,146,945,000: Provided, That of the amount provided under this heading, $937,434,000 shall be derived from prescription drug user fees authorized by 21 U.S.C. 379h, and shall be credited to this account and remain available until expended; $193,291,000 shall be derived from medical device user fees authorized by 21 U.S.C. 379j, and shall be credited to this account and remain available until expended; $493,600,000 shall be de-
rived from human generic drug user fees authorized by 21 U.S.C. 379j–42, and shall be credited to this account and remain available until expended; $54,000,000 shall be derived from biosimilar biological product user fees authorized by 21 U.S.C. 379j–52, and shall be credited to this account and remain available until expended; $24,142,000 shall be derived from animal drug user fees authorized by 21 U.S.C. 379j–12, and shall be credited to this account and remain available until expended; $12,100,000 shall be derived from animal generic drug user fees authorized by 21 U.S.C. 379j–21, and shall be credited to this account and remain available until expended; $672,000,000 shall be derived from tobacco product user fees authorized by 21 U.S.C. 387s, and shall be credited to this account and remain available until expended: Provided further, That in addition to and notwithstanding any other provision under this heading, amounts collected for prescription drug user fees, medical device user fees, human generic drug user fees, biosimilar biological product user fees, animal drug user fees, and animal generic drug user fees that exceed the respective fiscal year 2018 limitations are appropriated and shall be credited to this account and remain available until expended: Provided further, That fees derived from prescription drug, medical device, human generic drug, biosimilar biological
product, animal drug, and animal generic drug assessments for fiscal year 2018, including any such fees collected prior to fiscal year 2018 but credited for fiscal year 2018, shall be subject to the fiscal year 2018 limitations: 

Provided further, That the Secretary may accept payment during fiscal year 2018 of user fees specified under this heading and authorized for fiscal year 2019, prior to the due date for such fees, and that amounts of such fees assessed for fiscal year 2019 for which the Secretary accepts payment in fiscal year 2018 shall not be included in amounts under this heading: Provided further, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701: Provided further, That of the total amount appropriated: (1) $1,026,003,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs; (2) $1,634,678,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs; (3) $374,233,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) $195,349,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) $487,536,000 shall be for the Cen-
ter for Devices and Radiological Health and for related
field activities in the Office of Regulatory Affairs; (6)
$63,331,000 shall be for the National Center for Toxi-
cological Research; (7) $625,646,000 shall be for the Cen-
ter for Tobacco Products and for related field activities
in the Office of Regulatory Affairs; (8) not to exceed
$178,785,000 shall be for Rent and Related activities, of
which $51,973,000 is for White Oak Consolidation, other
than the amounts paid to the General Services Adminis-
tration for rent; (9) not to exceed $237,871,000 shall be
for payments to the General Services Administration for
rent; and (10) $323,513,000 shall be for other activities,
including the Office of the Commissioner of Food and
Drugs, the Office of Foods and Veterinary Medicine, the
Office of Medical and Tobacco Products, the Office of
Global and Regulatory Policy, the Office of Operations,
the Office of the Chief Scientist, and central services for
these offices: Provided further, That not to exceed $25,000
of this amount shall be for official reception and represen-
tation expenses, not otherwise provided for, as determined
by the Commissioner: Provided further, That any transfer
of funds pursuant to section 770(n) of the Federal Food,
Drug, and Cosmetic Act (21 U.S.C. 379dd(n)) shall only
be from amounts made available under this heading for
other activities: Provided further, That of the amounts
that are made available under this heading for “other ac-
tivities”, and that are not derived from user fees,
$1,500,000 shall be transferred to and merged with the
appropriation for “Department of Health and Human
Services—Office of Inspector General” for oversight of the
programs and operations of the Food and Drug Adminis-
tration and shall be in addition to funds otherwise made
available for oversight of the Food and Drug Administra-
tion: Provided further, That funds may be transferred
from one specified activity to another with the prior ap-
proval of the Committees on Appropriations of both
Houses of Congress.

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

BUILDINGS AND FACILITIES

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

FDA INNOVATION ACCOUNT, CURES ACT

For necessary expenses to carry out the purposes described under section 1002(b)(4) of the 21st Century Cures Act, in addition to amounts available for such purposes under the heading “Salaries and Expenses”, $60,000,000, to remain available until expended: Provided, That amounts appropriated in this paragraph are appropriated pursuant to section 1002(b)(3) of the 21st Century Cures Act, are to be derived from amounts transferred under section 1002(b)(2)(A) of such Act, and may be transferred by the Commissioner of Food and Drugs to the appropriation for “Department of Health and Human Services—Food and Drug Administration—Salaries and Expenses” solely for the purposes provided in such Act: Provided further, That upon a determination by the Commissioner that funds transferred pursuant to the previous proviso are not necessary for the purposes pro-
vided, such amounts may be transferred back to the ac-
count: Provided further, That such transfer authority is
in addition to any other transfer authority provided by
law.

INDEPENDENT AGENCY
FARM CREDIT ADMINISTRATION
LIMITATION ON ADMINISTRATIVE EXPENSES
Not to exceed $69,000,000 (from assessments col-
lected from farm credit institutions, including the Federal
Agricultural Mortgage Corporation) shall be obligated
during the current fiscal year for administrative expenses
as authorized under 12 U.S.C. 2249: Provided, That this
limitation shall not apply to expenses associated with re-
ceiverships: Provided further, That the agency may exceed
this limitation by up to 10 percent with notification to the
Committees on Appropriations of both Houses of Con-
gress.
TITLE VII

GENERAL PROVISIONS

(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

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

Sec. 702. Notwithstanding any other provision of this Act, the Secretary of Agriculture may transfer unobligated balances of discretionary funds appropriated by this Act or any other available unobligated discretionary balances that are remaining available of the Department of Agriculture to the Working Capital Fund for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture, such transferred funds to re-
main available until expended: Provided, That none of the funds made available by this Act or any other Act shall be transferred to the Working Capital Fund without the prior approval of the agency administrator: Provided further, That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: Provided further, That none of the funds appropriated by this Act or made available to the Department’s Working Capital Fund shall be available for obligation or expenditure to make any changes to the Department’s National Finance Center without written notification to and prior approval of the Committees on Appropriations of both Houses of Congress as required by section 717 of this Act: Provided further, That of annual income amounts in the Working Capital Fund of the Department of Agriculture allocated for the National Finance Center, the Secretary may reserve not more than 4 percent for the replacement or acquisition of capital equipment, including equipment for the improvement and implementation of a financial management plan, information technology, and other systems of the National Finance Center or to pay any unforeseen, extraordinary cost of the National Finance Center: Provided further, That
none of the amounts reserved shall be available for obliga-
tion unless the Secretary submits written notification of
the obligation to the Committees on Appropriations of
both Houses of Congress: Provided further, That the limi-
tation on the obligation of funds pending notification to
Congressional Committees shall not apply to any obliga-
tion that, as determined by the Secretary, is necessary to
respond to a declared state of emergency that significantly
impacts the operations of the National Finance Center;
or to evacuate employees of the National Finance Center
to a safe haven to continue operations of the National Fi-
nance Center.

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

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

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

SEC. 706. None of the funds made available to the
Department of Agriculture by this Act may be used to ac-
quire new information technology systems or significant
upgrades, as determined by the Office of the Chief Infor-
mation Officer, without the approval of the Chief Informa-
tion Officer and the concurrence of the Executive Informa-
tion Technology Investment Review Board: Provided, That
notwithstanding any other provision of law, none of the
funds appropriated or otherwise made available by this
Act may be transferred to the Office of the Chief Informa-
tion Officer without written notification to and the prior
approval of the Committees on Appropriations of both
Houses of Congress: Provided further, That, notwith-
standing section 11319 of title 40, United States Code,
none of the funds available to the Department of Agri-
culture for information technology shall be obligated for
projects, contracts, or other agreements over $25,000
prior to receipt of written approval by the Chief Informa-
tion Officer: Provided further, That the Chief Information
Officer may authorize an agency to obligate funds without
written approval from the Chief Information Officer for
projects, contracts, or other agreements up to $250,000
based upon the performance of an agency measured
against the performance plan requirements described in
the explanatory statement accompanying Public Law 113–
235.

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

SEC. 708. Notwithstanding any other provision of
law, any former RUS borrower that has repaid or prepaid
an insured, direct or guaranteed loan under the Rural
Electrification Act of 1936, or any not-for-profit utility
that is eligible to receive an insured or direct loan under
such Act, shall be eligible for assistance under section
313(b)(2)(B) of such Act in the same manner as a bor-
rower under such Act.
SEC. 709. Except as otherwise specifically provided by law, not more than $20,000,000 in unobligated balances from appropriations made available for salaries and expenses in this Act for the Farm Service Agency shall remain available through September 30, 2019, for information technology expenses: Provided, That except as otherwise specifically provided by law, unobligated balances from appropriations made available for salaries and expenses in this Act for the Rural Development mission area shall remain available through September 30, 2019, for information technology expenses.

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

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

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

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

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

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

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

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

(2) The Environmental Quality Incentives Pro-
gram as authorized by sections 1240–1240H of the
3839aa–8) in excess of $1,456,000,000: Provided,
That this limitation shall apply only to funds pro-
vided by section 1241(a)(5)(E) of the Food Security

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

(4) The Biorefinery, Renewable Chemical and
Biobased Product Manufacturing Assistance pro-
gram as authorized by section 9003 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8103) in excess of $139,000,000 of the funding made available by subsection (g)(1)(A) of that section for all fiscal years.

Sec. 715. Notwithstanding subsection (b) of section 14222 of Public Law 110–246 (7 U.S.C. 612c–6; in this section referred to as "section 14222"), none of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out a program under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c; in this section referred to as "section 32") in excess of $878,255,000 (exclusive of carryover appropriations from prior fiscal years), as follows: Child Nutrition Programs Entitlement Commodities—$465,000,000; State Option Contracts—$5,000,000; Removal of Defective Commodities—$2,500,000; Administration of Section 32 Commodity Purchases—$35,853,000: Provided, That of the total funds made available in the matter preceding this proviso that remain unobligated on October 1, 2018, such unobligated balances shall carryover into the next fiscal year and shall remain available until expended for any of the three stated purposes of section 32, except that any such carryover funds used in accordance with clause (3) of section...
32 may not exceed $75,000,000 and may not be obligated until the Secretary of Agriculture provides written notification of the expenditures to the Committees on Appropriations of both Houses of Congress at least two weeks in advance: Provided further, That none of the funds made available in this Act or any other Act shall be used for salaries and expenses to carry out in this fiscal year subsection (i)(1)(E) of section 19 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769a), except in an amount that excludes the transfer of $125,000,000 of the funds to be transferred under subsection (c) of section 14222, until October 1, 2018: Provided further, That $125,000,000 made available on October 1, 2018, to carry out such section 19 shall be excluded from the limitation described in subsection (b)(2)(A)(x) of section 14222: Provided further, That, with the exception of any available carryover funds authorized in the first proviso of this section to be used for the purposes of clause (3) of section 32, none of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries or expenses of any employee of the Department of Agriculture or officer of the Commodity Credit Corporation to carry out clause (3) of section 32, or for any surplus removal activities or price support activities under section 5 of the Commodity Credit Corporation.
Charter Act (15 U.S.C. 714c): Provided further, That the available unobligated balances under (b)(2)(A)(x) of section 14222 in excess of the limitation set forth in this section, excluding the amounts to be transferred pursuant to the second proviso of this section, are hereby permanently rescinded.

SEC. 716. None of the funds appropriated by this or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President’s budget submission to the Congress for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the budget unless such budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2019 appropriations Act.

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

1. creates new programs;
2. eliminates a program, project, or activity;
3. increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;
4. relocates an office or employees;
5. reorganizes offices, programs, or activities;
6. contracts out or privatizes any functions or activities presently performed by Federal employees;

unless the Secretary of Agriculture or the Secretary of Health and Human Services (as the case may be) notifies in writing and receives approval from the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming of such funds or the use of such authority.
(b) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming or use of the authorities referred to in subsection (a) involving funds in excess of $500,000 or 10 percent, whichever is less, that—

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

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

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

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

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

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

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

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

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

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

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

Sec. 720. Unless otherwise authorized by existing law, none of the funds provided in this Act, may be used by an executive branch agency to produce any pre-packaged news story intended for broadcast or distribution in the United States unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

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

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

(1) in contravention of section 7606 of the Agricultural Act of 2014 (7 U.S.C. 5940); or
(2) to prohibit the transportation, processing, sale, or use of industrial hemp, or seeds of such plant, that is grown or cultivated in accordance with subsection section 7606 of the Agricultural Act of 2014, within or outside the State in which the industrial hemp is grown or cultivated.

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

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

Sec. 725. The Secretary shall continue an intermediary loan packaging program based on the pilot program in effect for fiscal year 2013 for packaging and reviewing section 502 single family direct loans. The Secretary shall continue agreements with current intermediary organizations and with additional qualified intermediary organizations. The Secretary shall work with these organizations to increase effectiveness of the section
502 single family direct loan program in rural communities and shall set aside and make available from the national reserve section 502 loans an amount necessary to support the work of such intermediaries and provide a priority for review of such loans.

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

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

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

(1) DESIGNATION OF COTTONSEED AS A COVERED COMMODITY.—Section 1111(6) of the Agricultural Act of 2014 (7 U.S.C. 9011(6)) is amended—

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

“(A) IN GENERAL.—The term”; and

(B) by adding at the end the following:

“(B) INCLUSION.—Effective beginning with the 2018 crop year, the term ‘covered commodity’ includes cottonseed.”.

(2) REFERENCE PRICE FOR COTTONSEED.—
Section 1111(18) of the Agricultural Act of 2014 (7 U.S.C. 9011(18)) is amended by adding at the end the following:

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

(3) PAYMENT YIELD FOR COTTONSEED.—Section 1113(b) of the Agricultural Act of 2014 (7 U.S.C. 9013(b)) is amended by adding at the end the following:

“(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
shall be allocated to unassigned crop base for which no payments may be made under section 1116 or 1117.

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

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

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

“(II) the average number of cottonseed acres planted or prevented from being planted on the farm during each of the 2009 through 2012 crop years (not to exceed the total generic base acres on the farm); or

“(ii) to base acres for covered commodities (including cottonseed), by applying subparagraphs (B), (D), (E), and (F) of section 1112(a)(3).

“(C) In the case of a farm on which generic base acres are allocated under subparagraph (B)(i)(I), the remaining 20 percent of generic base acres shall be allocated to unassigned
crop base for which no payments may be made
under section 1116 or 1117.”.

(5) Recordkeeping regarding unassigned
crop base.—Section 1114 of the Agricultural Act
of 2014 (7 U.S.C. 9014) is amended by adding at
the end the following:

“(f) Unassigned Crop Base.—The Secretary shall
maintain information on generic base acres on a farm allo-
cated as unassigned crop base under subparagraphs (A)
and (C) of subsection (b)(4).”.

(6) Special election period for price
loss coverage or agriculture risk cov-
erage.—Section 1115 of the Agricultural Act of
2014 (7 U.S.C. 9015) is amended—

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

(B) by adding at the end the following:

“(g) Special Election.—In the case of a farm on
which generic base acres are attributed to cottonseed or
on which generic base acres are allocated to cottonseed,
the producers on the farm shall be given the opportunity
to make a new 1-time election under subsection (a) for
the 2018 crop year and each crop year thereafter to reflect
the designation of cottonseed as a covered commodity under section 1111(6)(B).’’.

(7) LOAN RATE.—Section 1202 of the Agricultural Act of 2014 (7 U.S.C. 9032) is amended by adding at the end the following:

“(c) COTTONSEED.—

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

“(2) EFFECT.—Nothing in this subsection authorizes any nonrecourse marketing assistance loan under this subtitle for cottonseed.”.

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

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

“(1) price loss coverage under section 1116 of the Agricultural Act of 2014 (7 U.S.C. 9016); or
“(2) agriculture risk coverage under section 1117 of that Act (7 U.S.C. 9017).”.

(9) ADMINISTRATION.—The Secretary of Agriculture shall carry out the amendments made by this subsection in accordance with section 1601 of the Agricultural Act of 2014 (7 U.S.C. 9091).

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

(11) CLERICAL AMENDMENT.—Section 1114(b)(2) of the Agricultural Act of 2014 (7 U.S.C. 9014(b)(2)) is amended by striking “paragraphs (1)(B) and (2)(B)” and inserting “paragraphs (1) and (2)”.

(b) MARGIN PROTECTION PROGRAM FOR DAIRY PRODUCERS.—

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

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

(i) by striking paragraph (4); and

(ii) by redesignating paragraphs (5) through (11) as paragraphs (4) through (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
date each coverage year by which a dairy operation shall register for the coverage year” before the period at the end;
(II) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and
(III) by inserting after paragraph (1) the following:
“(2) ELECTION.—
“(A) IN GENERAL.—For the 2019 through 2023 coverage years, a dairy operation may make an irrevocable election to participate in the margin protection program.
“(B) COVERAGE YEARS.—A dairy operation that elects to participate in the margin protection program under subparagraph (A) shall participate in the margin protection program for the coverage year for which the participating dairy operation elects to participate and each subsequent coverage year through coverage year 2023.”; and
(ii) in subsection (c), by adding at the end the following:
“(4) Exemption.—A limited resource, beginning, veteran, or socially disadvantaged farmer, as defined by the Secretary, shall be exempt from the administrative fee under this subsection.”.

(B) Effective date.—The amendments made by this paragraph take effect on the date of enactment of this Act.

(3) Production history of participating dairy operations.—Section 1405(a) of the Agricultural Act of 2014 (7 U.S.C. 9055(a)) is amended by adding at the end the following:

“(3) Continued applicability of base production history.—A production history established for a dairy operation under paragraph (1) shall be the base production history for the dairy operation in subsequent years (as adjusted under paragraph (2)).”.

(4) Premiums for margin protection program.—Section 1407 of the Agricultural Act of 2014 (7 U.S.C. 9057) is amended—

(A) in subsection (b)—

(i) by striking the subsection heading and inserting the following: “Tier I: Premium Per Hundredweight for First 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 inserting “None”; (II) by striking “$0.025” and inserting “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 inserting “$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: Premium Per Hundredweight for Production in Excess of 5,000,000 Pounds.—”; and
(ii) in paragraph (1), by striking “4,000,000” and inserting “5,000,000”;

and

(C) in subsection (e)(2), by striking “for a calendar year shall be legally obligated to pay the applicable premium for that calendar year” and inserting “shall be legally obligated to pay the applicable premium elected by the participating dairy operation for the coverage year”.

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

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

“(a) ESTABLISHMENT.—During each of the 2002 through 2019 fiscal years, the Secretary shall provide payments to producers that enter into contracts with the Secretary under the program.”.

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

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “2018” and inserting “2018 (and
fiscal year 2019 in the case of the program
specified in paragraph (5))’’; and

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

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

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

SEC. 731. There is hereby appropriated $8,000,000,
to remain available until expended, to carry out section
6407 of the Farm Security and Rural Investment Act of
2002 (7 U.S.C. 8107a): Provided, That the Secretary may
allow eligible entities to offer loans to customers in any
part of their service territory and to offer loans to replace
a manufactured housing unit with another manufactured
housing unit, if replacement would be more cost effective
in saving energy.
Sec. 732. In carrying out subsection (h) of section 502 of the Housing Act of 1949 (42 U.S.C. 1472), the Secretary of Agriculture shall have the same authority with respect to loans guaranteed under such section and eligible lenders for such loans as the Secretary has under subsections (h) and (j) of section 538 of such Act (42 U.S.C. 1490p–2) with respect to loans guaranteed under such section 538 and eligible lenders for such loans.

Sec. 733. None of the funds made available by this Act may be used to propose, promulgate, or implement any rule, or take any other action with respect to, allowing or requiring information intended for a prescribing health care professional, in the case of a drug or biological product subject to section 503(b)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353(b)(1)), to be distributed to such professional electronically (in lieu of in paper form) unless and until a Federal law is enacted to allow or require such distribution.

Sec. 734. None of the funds made available by this Act may be used to notify a sponsor or otherwise acknowledge receipt of a submission for an exemption for investigational use of a drug or biological product under section 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)) or section 351(a)(3) of the Public Health Service Act (42 U.S.C. 262(a)(3)) in research in which
• a human embryo is intentionally created or modified to include a heritable genetic modification. Any such submission shall be deemed to have not been received by the Secretary, and the exemption may not go into effect.

Sec. 735. None of the funds made available by this or any other Act may be used to carry out the final rule promulgated by the Food and Drug Administration and put into effect November 16, 2015, in regards to the hazard analysis and risk-based preventive control requirements of the current good manufacturing practice, hazard analysis, and risk-based preventive controls for food for animals rule with respect to the regulation of the production, distribution, sale, or receipt of dried spent grain by-products of the alcoholic beverage production process.

Sec. 736. There is hereby appropriated $1,000,000 for the Secretary to carry out a pilot program that provides forestry inventory analysis, forest management and economic outcomes modelling for certain currently enrolled Conservation Reserve Program participants. The Secretary shall allow the Commodity Credit Corporation to enter into agreements with and provide grants to qualified non-profit organizations dedicated to conservation, forestry and wildlife habitats, that also have experience in conducting accurate forest inventory analysis through the use of advanced, cost-effective technology. The Secretary
shall focus the analysis on lands enrolled for at least eight years and located in areas with a substantial concentration of acres enrolled under conservation practices devoted to multiple bottomland hardwood tree species including CP03, CP03A, CP11, CP22, CP31 and CP40.

Sec. 737. In addition to amounts otherwise made available by this Act and notwithstanding the last sentence of 16 U.S.C. 1310, there is appropriated $4,000,000, to remain available until expended, to implement non-renewable agreements on eligible lands, including flooded agricultural lands, as determined by the Secretary, under the Water Bank Act (16 U.S.C. 1301–1311).

Sec. 738. No partially hydrogenated oils as defined in the order published by the Food and Drug Administration in the Federal Register on June 17, 2015 (80 Fed. Reg. 34650 et seq.) shall be deemed unsafe within the meaning of section 409(a) and no food that is introduced or delivered for introduction into interstate commerce that bears or contains a partially hydrogenated oil shall be deemed adulterated under sections 402(a)(1) or 402(a)(2)(C)(i) by virtue of bearing or containing a partially hydrogenated oil until the compliance date as specified in such order (June 18, 2018).

Sec. 739. There is hereby appropriated $5,000,000, to remain available until September 30, 2019, for a pilot
program for the National Institute of Food and Agriculture to provide grants to nonprofit organizations for programs and services to establish and enhance farming and ranching opportunities for military veterans.

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

“(m) Exemption from Certain Reporting Requirements.—

“(1) Definition of Exempted Producer.—
In this subsection, the term ‘exempted producer’ means a producer or landowner eligible to participate in any conservation program administered by the Secretary.

“(2) Exemption.—Notwithstanding the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109–282; 31 U.S.C. 6101 note), the requirements of parts 25 and 170 of title 2, Code of Federal Regulations (and any successor regulations), shall not apply with respect to assistance received by an exempted producer from the Secretary, acting through the Natural Resources Conservation Service.”.

SEC. 741. Of the unobligated balances from amounts made available for the supplemental nutrition program as
authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $800,000,000 are hereby re-scinded.

Sec. 742. The Secretary shall set aside for Rural Economic Area Partnership (REAP) Zones, until August 15, 2018, an amount of funds made available in title III under the headings of Rural Housing Insurance Fund Program Account, Mutual and Self-Help Housing Grants, Rural Housing Assistance Grants, Rural Community Facilities Program Account, Rural Business Program Account, Rural Development Loan Fund Program Account, and Rural Water and Waste Disposal Program Account, equal to the amount obligated in REAP Zones with respect to funds provided under such headings in the most recent fiscal year any such funds were obligated under such headings for REAP Zones.

Sec. 743. The Secretary may charge a fee for lenders to access Department loan guarantee systems in connection with such lenders’ participation in loan guarantee programs of the Rural Housing Service: Provided, That the funds collected from such fees shall be made available to the Secretary without further appropriation and such funds shall be deposited into the Rural Development Salaries and Expense Account and shall remain available until expended for obligation and expenditure by the Secretary.
for administrative expenses of the Rural Housing Service Loan Guarantee Program in addition to other available funds: Provided further, That such fees collected shall not exceed $50 per loan.

SEC. 744. There is hereby appropriated $1,000,000, to remain available until expended, for the cost of loans and grants that is consistent with section 4206 of the Agricultural Act of 2014, for necessary expenses of the Secretary to support projects that provide access to healthy food in underserved areas, to create and preserve quality jobs, and to revitalize low-income communities.

SEC. 745. There is hereby appropriated $1,000,000, to remain available until expended, for a pilot program for the Secretary to provide grants to qualified non-profit organizations and public housing authorities to provide technical assistance, including financial and legal services, to RHS multi-family housing borrowers to facilitate the acquisition of RHS multi-family housing properties in areas where the Secretary determines a risk of loss of affordable housing, by non-profit housing organizations and public housing authorities as authorized by law that commit to keep such properties in the RHS multi-family housing program for a period of time as determined by the Secretary.
SEC. 746. (a) The Secretary of Agriculture (referred to in this section as the “Secretary”) shall carry out a pilot program during fiscal year 2018 with respect to the 2017 crop year for county-level agriculture risk coverage payments under section 1117(b)(1) of the Agricultural Act of 2014 (7 U.S.C. 9017(b)(1)), that provides all or some of the State Farm Service Agency offices in each State the opportunity to provide agricultural producers in the State a supplemental payment described in subsection (c) based on the alternate calculation method described in subsection (b) for 1 or more counties in a State if the office for that State determines that the alternate calculation method is necessary to ensure that, to the maximum extent practicable, there are not significant yield calculation disparities between comparable counties in the State.

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

(1) county data of the National Agricultural Statistics Service (referred to in this section as “NASS data”) is used for the calculations;
(2) if there is insufficient NASS data for a county (as determined under standards of the Secretary in effect as of the date of enactment of this Act) or the available NASS data produces a substantially disparate result, the calculation of the county yield is determined using comparable contiguous county NASS data as determined by the Farm Service Agency office in the applicable State; and

(3) if there is insufficient NASS data for a comparable contiguous county (as determined under standards of the Secretary in effect as of the date of enactment of this Act), the calculation of the county yield is determined using reliable yield data from other sources, such as Risk Management Agency data, National Agricultural Statistics Service district data, National Agricultural Statistics Service State yield data, or other data as determined by the Farm Service Agency office in the applicable State.

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

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

(A) the payment that the agricultural producer would have received without the alternate calculation method described in subsection (b); and

(B) the payment that the agricultural producer would receive using the alternate calculation method.

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

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

(e)(1) To the maximum extent practicable, the Secretary shall select States to participate in the pilot program under this section so the cost of the pilot program equals the amount provided under subsection (d).

(2) To the extent that the cost of the pilot program exceeds the amount made available, the Sec-
retary shall reduce all payments under the pilot pro-
gram on a pro rata basis.

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

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

SEC. 747. None of the funds made available by this
Act may be used to implement, administer, or enforce the
“variety” requirements of the final rule entitled “Enhanc-
ing Retailer Standards in the Supplemental Nutrition As-
stance Program (SNAP)” published by the Department
of Agriculture in the Federal Register on December 15,
2016 (81 Fed. Reg. 90675) until the Secretary of Agri-
culture amends the definition of the term “variety” as de-
dined in section 278.1(b)(1)(ii)(C) of title 7, Code of Fed-
eral Regulations, and “variety” as applied in the definition
of the term “staple food” as defined in section 271.2 of
title 7, Code of Federal Regulations, to increase the number of items that qualify as acceptable varieties in each staple food category so that the total number of such items in each staple food category exceeds the number of such items in each staple food category included in the final rule as published on December 15, 2016: Provided, That until the Secretary promulgates such regulatory amendments, the Secretary shall apply the requirements regarding acceptable varieties and breadth of stock to Supplemental Nutrition Assistance Program retailers that were in effect on the day before the date of the enactment of the Agricultural Act of 2014 (Public Law 113–79).

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

SEC. 749. In addition to amounts otherwise made available by this Act under the heading “Domestic Food Programs—Food and Nutrition Services—Child Nutrition Programs”, there is appropriated $2,000,000, to remain available until September 30, 2019, to allow allied professional associations to develop a training program for school nutrition personnel that focuses on school food service meal preparation and workforce development.

SEC. 750. (a) None of the funds made available in this Act may be used to maintain or establish a computer
network unless such network blocks the viewing, downloading, and exchanging of pornography.

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

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

SEC. 752. (a) There is hereby established in the Treasury of the United States a Working Capital Fund (the Fund) to be administered by the Food and Drug Administration (FDA), without fiscal year limitation, for the payment of salaries, travel, and other expenses necessary to the maintenance and operation of (1) a supply service for the purchase, storage, handling, issuance, packing, or shipping of stationery, supplies, materials, equipment, and blank forms, for which stocks may be maintained to meet, in whole or in part, the needs of the FDA and requisitions
of other Government Offices, and (2) such other services as the Commissioner of the FDA, subject to review by the Secretary of Health and Human Services, determines may be performed more advantageously as central services. The Fund shall be reimbursed from applicable discretionary resources, notwithstanding any otherwise applicable purpose limitations, available when services are performed or stock furnished, or in advance, on a basis of rates which shall include estimated or actual charges for personal services, materials, equipment, information technology, and other expenses. Charges for equipment and information technology shall include costs associated with maintenance, repair, and depreciation (including improvement and replacement).

(b) Of any discretionary resources appropriated in this Act for fiscal year 2018 for “Department of Health and Human Services, Food and Drug Administration, Salaries and Expenses”, not to exceed $5,000,000 of amounts available as of September 30 may be transferred to and merged with the Fund established under subsection (a), notwithstanding any otherwise applicable purpose limitations.

(e) No amounts may be transferred pursuant to this section that are designated by the Congress as an emergency requirement pursuant to a concurrent resolution on
• the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

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

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

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

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

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

SEC. 755. (a) In General.—Section 231 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6941) is amended—

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

(2) in subsection (b), by striking “If the Secretary” and all that follows through “the Under Sec-
retary” and inserting “The Under Secretary of Agriculture for Rural Development”;

(3) by striking subsection (d); and

(4) by redesignating subsection (e) as subsection (d).

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

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

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

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

(b) During fiscal year 2018, the Food and Drug Administration shall not allow the introduction or delivery for introduction into interstate commerce of any food that contains genetically engineered salmon until the Food and
Drug Administration publishes final labeling guidelines for informing consumers of such content.

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

Sec. 758. None of the funds made available by this Act may be used to pay the salaries or expenses of personnel—

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

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

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

This Act may be cited as the “Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2018”.
A BILL

[Report No. 115-131]

S. 1603

115TH CONGRESS
1ST SESSION

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

2017