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Union Calendar No. _____

115TH CONGRESS
1ST SESSION

H. R. _____

[Report No. 115–____]

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

IN THE HOUSE OF REPRESENTATIVES

____ --, 2017

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

A BILL

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2018, and for other purposes.
Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,
That the following sums are appropriated, out of any
money in the Treasury not otherwise appropriated, for Ag-
riculture, Rural Development, Food and Drug Administra-
tion, and Related Agencies programs for fiscal year ending
September 30, 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,
$41,423,000, of which not to exceed $4,850,000 shall be
available for the immediate Office of the Secretary; not
to exceed $501,000 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 administra-
tive support staff for the Assistant; not to exceed
$1,448,000 shall be available for the Office of Homeland
Security and Emergency Coordination; not to exceed
$1,171,000 shall be available for the Office of Advocacy
and Outreach; not to exceed $23,301,000 shall be available for the Office of the Assistant Secretary for Administration, of which $22,501,000 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; not to exceed $3,091,000 shall be available for the Office of Assistant Secretary for Congressional Relations to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch; and not to exceed $6,261,000 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
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, $16,777,000, 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, $9,093,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, $49,538,000, of which not less than $33,000,000 is for cybersecurity requirements of the Department.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, $5,836,000.

OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

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

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $23,304,000.
HAZARDOUS MATERIALS MANAGEMENT
(INCLUDING TRANSFERS OF FUNDS)

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

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, including employment pursuant to the Inspector General Act of 1978, $95,628,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978, 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, $42,970,000.

Office of Ethics

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

Office of the Under Secretary for Research, Education, and Economics

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

Economic Research Service

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

National Agricultural Statistics Service

For necessary expenses of the National Agricultural Statistics Service, $183,781,000, 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 Cur-
rent 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, $1,132,625,000: 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 hereunder shall be available for granting easements at the Beltsville Agricultural Research Center: Provided further, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): Provided further, That appropriations hereunder shall be available for granting easements at any Agricultural Research Service location for the construction of a research facility by a non-Federal entity for use by, and acceptable to, the Agricultural Research Service and a condition of the easements shall be that upon completion the facility shall be accepted by the
Secretary, subject to the availability of funds herein, if the Secretary finds that acceptance of the facility is in the interest of the United States: Provided further, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law.

BUILDINGS AND FACILITIES

For the acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture, where not otherwise provided, $60,000,000 to remain available until expended.

NATIONAL INSTITUTE OF FOOD AND AGRICULTURE

RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, $830,402,000, 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, 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, $475,876,000, 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 (e) of the Smith-Lever Act (7 U.S.C. 343(b) and (e)) 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, $35,000,000, 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, $800,000: *Provided,* That funds made available by this Act to an agency in the Marketing and Regulatory Programs mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

**Animal and Plant Health Inspection Service**

**Salaries and Expenses**

*(including transfers of funds)*

For necessary expenses of the Animal and Plant Health Inspection Service, including up to $30,000 for representation allowances and for expenses pursuant to the Foreign Service Act of 1980 (22 U.S.C. 4085), $906,400,000, of which $450,000, 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 $35,250,000, to remain available until expended, shall be for Animal Health Technical Services; of which $700,000 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 $4,200,000, to remain available until expended, shall be for information technology infrastructure; of which $160,000,000, to remain available until expended, shall be for specialty crop pests; of which, $8,800,000, to remain available until expended, shall be for field crop and rangeland ecosystem pests; of which $14,500,000, to remain available until expended, shall be for zoonotic disease management; of which $36,500,000, to remain available until expended, shall be for emergency preparedness and response; of which $38,000,000, to remain available until expended, shall be for tree and wood pests; of which $5,725,000, to remain available until expended, shall be for the National Veterinary Stockpile; of which up to $1,500,000, to remain available until expended, shall be for the scrapie program for indemnities; of which
$2,500,000, to remain available until expended, shall be for the wildlife damage management program for aviation safety: Provided, That of amounts available under this heading for wildlife services methods development, $1,000,000 shall remain available until expended: Provided further, That of amounts available under this heading for the screwworm program, $4,990,000 shall remain available until expended: Provided further, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: Provided further, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed five, of which two shall be for replacement only: Provided further, That in addition, in emergencies which threaten any segment of the agricultural production industry of this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses 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.

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

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

LIMITATION ON ADMINISTRATIVE EXPENSES

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

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

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise
provided in this Act; and (3) not more than $20,705,000
for formulation and administration of marketing agree-
ments and orders pursuant to the Agricultural Marketing

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-
tural Marketing Act of 1946 (7 U.S.C. 1623(b)),
$1,109,000.

GRAIN INSPECTION, PACKERS AND STOCKYARDS

ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Grain Inspection,
Packers and Stockyards Administration, $42,888,000:

Provided, That this appropriation shall be available pursu-
ant 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 build-
ing.

LIMITATION ON INSPECTION AND WEIGHING SERVICES

EXPENSES

Not to exceed $60,000,000 (from fees collected) shall
be obligated during the current fiscal year for inspection
and weighing services: Provided, That if grain export activities require additional supervision and oversight, or other uncontrollable factors occur, this limitation may be exceeded by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

Office of the Under Secretary for Food Safety

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

Food Safety and Inspection Service

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, including not to exceed $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

June 27, 2017 (9:25 a.m.)
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 12106 of Public Law 113–79: *Provided further*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

**TITLE II**

**FARM PRODUCTION AND CONSERVATION PROGRAMS**

**Office of the Under Secretary for Farm Production and Conservation**

For necessary expenses of the Office of the Under Secretary for Farm Production and Conservation, $875,000: *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, $1,166,317,000: *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, and receives written or electronic notification of receipt from such Committees of, a plan for expenditure that (1) identifies for each project/investment over $25,000 (a) the functional and performance capabilities to be delivered and the mission benefits to be realized, (b) the estimated lifecycle cost, including estimates for development as well as maintenance and operations, and (c) key milestones to be met; (2) demonstrates that each project/investment is (a) consistent with the Farm Service Agency Information Technology Roadmap, (b) being managed in accordance with applicable lifecycle management policies and guidance, and (c) subject to the applicable Department’s cap-
ital planning and investment control requirements; and (3) has been reviewed by the Government Accountability Office: \textit{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: \textit{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: \textit{Provided further}, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: \textit{Provided further}, That funds made available to county committees shall remain available until expended: \textit{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), $3,398,000.

GRASSROOTS SOURCE WATER PROTECTION PROGRAM

For necessary expenses to carry out wellhead or groundwater protection activities under section 12400 of the Food Security Act of 1985 (16 U.S.C. 3839bb–2), $6,000,000, 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.
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: $2,500,000,000 for guaranteed farm ownership loans and $1,500,000,000 for farm ownership direct loans; $1,393,423,000 for unsubsidized guaranteed operating loans and $1,304,851,000 for direct operating loans; emergency loans, $25,610,000; 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, $52,716,000 for direct operating loans, $15,467,000 for unsubsidized guaranteed operating loans, emergency loans, $1,260,000, to remain available until expended; and $2,272,000 for Indian highly fractionated land loans.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $305,291,000, of which $297,386,000 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, $55,000,000: 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, $858,911,000, 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.

**WATERSHED AND FLOOD PREVENTION OPERATIONS**

For necessary expenses to carry out preventive measures, including but not limited to surveys and investigations, engineering operations, works of improvement, and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001–1005 and 1007–1009) and in accordance with the provisions of laws relating to the activities of the Department, $40,000,000, to remain available until expended: *Provided,* That of the amounts made available under this heading, $20,000,000 shall be allocated to projects and activities that can commence promptly following enactment; that address regional priorities for flood prevention, agricultural water management, inefficient irrigation systems, fish and wildlife habitat, or watershed protection; or that address authorized ongoing projects under the authorities of section 13 of the Flood Control Act of December 22, 1944 (Public Law 78–534) with a primary purpose of watershed protection by preventing floodwater
damage and stabilizing stream channels, tributaries, and banks to reduce erosion and sediment transport.

WATERSHED REHABILITATION PROGRAM

Under the authorities of section 14 of the Watershed Protection and Flood Prevention Act, $5,000,000 is provided.

CORPORATIONS

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

FEDERAL CROP INSURANCE CORPORATION FUND

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

REIMBURSEMENT FOR NET REALIZED LOSSES

(INCLUDING TRANSFERS OF FUNDS)

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

HAZARDOUS WASTE MANAGEMENT

(LIMITATION ON EXPENSES)

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

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

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: $900,000,000 shall be for direct loans and $24,000,000,000 shall be for unsubsidized guaranteed loans; $24,000,000 for section
504 housing repair loans; $28,398,000 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, $34,650,000 shall be for direct loans; section 504 housing repair loans, $2,959,000; section 523 self-help housing land development loans, $368,000; section 524 site development loans, $58,000; and repair, rehabilitation, and new construction of section 515 rental housing, $7,472,000: 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, with such incentives to include, but not be limited to, the following: allow such nonprofit entities and public housing authorities to earn a Return on Investment (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, $10,008,000, 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, $401,300,000 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 fis-
cal 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, re-
pair, or rehabilitation of any existing projects; preserva-
tion; and rental assistance activities authorized under title
V of the Act: Provided further, That rental assistance pro-
vided under agreements entered into prior to fiscal year
2018 for a farm labor multi-family housing project fi-
nanced 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 seek-
ing such assistance or the project has rental assistance
eligible tenants who are not receiving such assistance: Pro-
vided 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 except as pro-
vided in the third proviso under this heading and notwith-
standing any other provision of the Act, the Secretary may
recapture rental assistance provided under agreements en-
tered into prior to fiscal year 2018 for a project that the
Secretary determines no longer needs rental assistance
and use such recaptured funds for current needs.
For the rural housing voucher program as authorized under section 542 of the Housing Act of 1949, but notwithstanding subsection (b) of such section, and for additional costs to conduct a demonstration program for the preservation and revitalization of multi-family rental housing properties described in this paragraph, $35,000,000, to remain available until expended: Provided, That of the funds made available under this heading, $20,000,000, 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 de-
terminates that the amount made available for vouchers in
this or any other Act is not needed for vouchers, the Sec-
retary may use such funds for the demonstration program
for the preservation and revitalization of multi-family
rental housing properties described in this paragraph: Pro-
vided further, That of the funds made available under this
heading, $15,000,000 shall be available for a demonstra-
tion 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 demonstration program may be used for such vouchers: Provided further, That if Congress enacts legislation to permanently authorize a multi-family rental housing loan restructuring program similar to the demonstration program described herein, the Secretary may use funds made available for the demonstration program under this heading to carry out such legislation with the prior approval of the Committees on Appropriations of both Houses of Congress: Provided further, That in addition to any other available funds, the Secretary may expend not more than $1,000,000 total, from the program funds made available under this heading, for administrative expenses for activities funded under this heading.

MUTUAL AND SELF-HELP HOUSING GRANTS

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

RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, $2,600,000,000 for direct 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 Congressional Budget Act of 1974, $4,849,000, to remain available until expended.

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, $58,251,000, to remain available until expended: Provided, That of the amount appropriated under this heading, not to exceed $500,000 shall be made available for one grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development and $5,000,000 shall be for grants to the Delta Regional Authority (7 U.S.C. 2009aa et seq.) and the Appalachian Regional Commission (40 U.S.C. 14101 et seq.) for any Rural Community Advancement Program purpose as described in section 381E(d) of the Consolidated Farm and Rural Development Act, of which not more than 5 percent may be used for administrative expenses: Provided further, That $4,000,000 of the amount appropriated under this head-
ing 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 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), $17,500,000.

For the cost of direct loans, $4,041,000, as authorized by the Intermediary Relending Program Fund Account (7 U.S.C. 1936b), of which $404,100 shall be available through June 30, 2018, for Federally Recognized Native American Tribes; and of which $606,150 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, $4,230,000 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, $33,077,000.

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), $21,000,000, of which $2,500,000 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 di-
rectors or governing boards of which are comprised of in-
dividuals who are members of socially disadvantaged
groups; and of which $10,000,000, to remain available
until expended, shall be for value-added agricultural prod-
uct market development grants, as authorized by section
231 of the Agricultural Risk Protection Act of 2000 (7

RURAL ENERGY FOR AMERICA PROGRAM

For the cost of a program of loan guarantees, under
the same terms and conditions as authorized by section
9007 of the Farm Security and Rural Investment Act of
2002 (7 U.S.C. 8107), $291,000: 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 Development Act, $472,700,000, to remain available until expended, of which not to exceed $1,000,000 shall be available for the rural utilities program described in section 306(a)(2)(B) of such Act, and of which not to exceed $993,000 shall be available for the rural utilities program described in section 306E of such Act: Provided, That $45,000,000 of the amount appropriated under this heading shall be for loans and grants including water and waste disposal systems grants authorized by section 306C(a)(2)(B) and section 306D of the Consolidated Farm and Rural Development Act, and Federally Recognized Native American Tribes authorized by 306C(a)(1) of such Act: Provided further, That funding provided for section 306D of the Consolidated Farm and Rural Development Act may be provided to a consortium formed pursuant to section 325 of Public Law 105–83: Provided further, That not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by the State of Alaska for training and technical assistance programs and not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by a consortium formed pursuant to section 325 of Public Law 105–83 for training and technical assistance programs.
assistance programs: *Provided further*, That not to exceed $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 $16,897,000 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 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 and 306 of the Rural Electrification Act of 1936 (7 U.S.C. 935 and 936) shall be made as follows: loans made pursuant to section 306 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, $30,750,000, which shall be transferred to and merged with the appropriation for “Rural Development, Salaries and Expenses”.

**BROADBAND PROGRAM**

For the principal amount of broadband telecommunication loans, $26,991,000.

For the cost of broadband loans, as authorized by section 601 of the Rural Electrification Act, $4,521,000, 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.

**RURAL ECONOMIC INFRASTRUCTURE ACCOUNT**

(INCLUDING TRANSFERS OF FUNDS)

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; for rural community facilities, as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act; for grants for telemedicine distance learning services in rural areas, as authorized by 7 U.S.C 950aaa et seq.; and for grants to finance broadband transmission in rural areas eligible for Distance Learning and Telemedicine Program benefits, as au-
authorized by 7 U.S.C. 950aaa; $122,692,000, to remain
available until expended:

Provided, 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 any balances available for the very
low-income housing repair and rural housing preservation
grants in the “Rural Housing Assistance Grant” account,
the rural community facilities grants in the “Rural Com-

munity Facilities Program Account”, and the telemedicine
and distance learning grants and broadband grants in the
“Distance Learning, Telemedicine and Broadband Pro-
gram” account shall be transferred to and merged with
funds made available under this heading: Provided further,

That of the amounts provided under this heading, not
more than $60,000,000 shall be made available through
June 30, 2018, for jurisdictions in the Appalachian region,
as defined by 40 U.S.C. 14102(a)(1): Provided further,

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

DOMESTIC FOOD PROGRAMS

Office of the Under Secretary for Food,

Nutrition, and Consumer Services

For necessary expenses of the Office of the Under Secretary for Food, Nutrition, and Consumer Services, $800,000: Provided, That funds made available by this Act to an agency in the Food, Nutrition, and Consumer services mission area for salaries and expenses are 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; $24,280,944,000 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, $25,000,000 shall be available to provide competitive grants to State agencies for subgrants to local educational agencies and schools to purchase the equipment, with a value of greater than $1,000, needed to serve healthier meals, improve food safety, and to help support the establishment, maintenance, or expansion of the school breakfast program: Provided further, That of the total amount available, $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”.
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), $6,150,000,000, 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 $60,000,000 shall be used for breastfeeding peer counselors and other related activities, and $13,600,000 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.), $73,609,950,000, 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 none of the funds made available under this heading may be obligated or expended in contravention of section 213A of
the Immigration and Nationality Act (8 U.S.C. 1183A):

Provided further, That, subject to section 731 of this Act, 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 Nutrition Act of 2008 (7 U.S.C. 2036(a)), the Secretary may use up to 10 percent for costs associated with the distribution of commodities.

NUTRITION PROGRAMS ADMINISTRATION

For necessary administrative expenses of the Food and Nutrition Service for carrying out any domestic nutrition assistance program, $148,541,000: 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 an agency in the Trade and Foreign Agricultural Affairs mission area for salaries and expenses are avail-
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), $195,268,000: Provided, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1737) and the foreign assistance programs of the United States Agency for International Development: Provided further, That funds made available for middle-income country training programs, funds made available for the Borlaug International Agricultural Science and Technology Fellowship program, and up to $2,000,000 of the Foreign Agricultural Service appropriation solely for the purpose of offsetting fluctuations in international currency exchange rates, subject to documentation by the Foreign Agricultural Service, shall remain available until expended.
FOOD FOR PEACE TITLE I DIRECT CREDIT AND FOOD FOR PROGRESS PROGRAM ACCOUNT (INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the credit program of title I, Food for Peace Act (Public Law 83–480) and the Food for Progress Act of 1985, $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 otherwise recoverable, and unrecovered prior years’ costs, including interest thereon, under the Food for Peace Act (Public Law 83–480), for commodities supplied in connection with dispositions abroad under title II of said Act, $1,400,000,000, to remain available until expended: Provided, That the Administrator of the United States Agency for International Development shall in each instance notify in writing the Committees on Appropriations of both Houses of Congress, the Committee on Agriculture of the House, and the Committee on Agriculture, Nutrition, and Forestry of the Senate and make publicly available online the amount and use of authority in section 202(a) of the Food for Peace Act (7 U.S.C. 1722(a)) to notwithstanding the minimum level of nonemergency assistance required by section 412(e)(2) of the Food for Peace
Act (7 U.S.C. 1736f(e)(2)) not later than 15 days after
the date of such action.

For necessary expenses to carry out the provisions
of section 3107 of the Farm Security and Rural Invest-
ment Act of 2002 (7 U.S.C. 1736o–1), $185,126,000, to
remain available until expended: Provided, That the Com-
modity Credit Corporation is authorized to provide the
services, facilities, and authorities for the purpose of im-
plementing such section, subject to reimbursement from
amounts provided herein.

For administrative expenses to carry out the Com-
modity Credit Corporation’s Export Guarantee Program,
GSM 102 and GSM 103, $6,735,000; to cover common
overhead expenses as permitted by section 11 of the Com-
modity Credit Corporation Charter Act and in conformity
with the Federal Credit Reform Act of 1990, of which
$6,382,000 shall be transferred to and merged with the
appropriation for “Foreign Agricultural Service, Salaries
and Expenses”, and of which $353,000 shall be trans-
ferred to and merged with the appropriation for “Farm Service Agency, Salaries and Expenses”.

TITLE VI

RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92–313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; in addition to amounts appropriated to the FDA Innovation Account, for carrying out the activities described in section 1002(b)(4) of the 21st Century Cures Act (Public Law 114-255); for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary’s certificate, not to exceed $25,000; and notwithstanding section 521 of Public Law 107–188; $5,145,945,000: Provided, That of the amount provided under this heading, $937,434,000 shall be derived from prescription drug user fees author-
ized by 21 U.S.C. 379h, and shall be credited to this ac-
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 derived from human generic drug user fees authorized
by 21 U.S.C. 379j–42, and shall be credited to this ac-
count and remain available until expended; $54,000,000
shall be derived from biosimilar biological product user
fees authorized by 21 U.S.C. 379j–52, and shall be cred-
ited to this account and remain available until expended;
$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 ex-
pended; $672,000,000 shall be derived from tobacco prod-
uct user fees authorized by 21 U.S.C. 387s, and shall be
credited to this account and remain available until ex-
pended: Provided further, That in addition to and notwith-
standing any other provision under this heading, amounts
collected for prescription drug user fees, medical device
user fees, human generic drug user fees, biosimilar biologi-
cal 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) $1,026,803,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs; (2) $1,634,578,000 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) $487,836,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) $63,331,000 shall be for the National Center for Toxicological Research; (7) $625,646,000 shall be for the Center for Tobacco Products and for related field activities in the Office of Regulatory Affairs; (8) not to exceed $178,785,000 shall be for Rent and Related activities, of which $51,973,000 is for White Oak Consolidation, other than the amounts paid to the General Services Administration for rent; (9) not to exceed $237,871,000 shall be for payments to the General Services Administration for rent; and (10) $321,513,000 shall be for other activities, including the Office of the Commissioner of Food and Drugs, the Office of Foods and Veterinary Medicine, the Office of Medical and Tobacco Products, the Office of Global and Regulatory Policy, the Office of Operations, the Office of the Chief Scientist, and central services for these offices. Provided further, That not to exceed $25,000 of this amount shall be for official reception and representation expenses, not otherwise provided for, as determined
by the Commissioner of Food and Drugs: Provided further,
That any transfer of funds pursuant to section 770(n) of
379dd(n)) shall only be from amounts made available
under this heading for other activities: Provided further,
That of the amounts that are made available under this
heading for “other activities”, and that are not derived
from user fees, $1,500,000 shall be transferred to and
merged with the appropriation for “Department of Health
and Human Services—Office of Inspector General” for
oversight of the programs and operations of the Food and
Drug Administration and shall be in addition to funds oth-
erwise made available for oversight of the Food and Drug
Administration: Provided further, That of the total amount
made available under this heading, $1,500,000 shall be
used by the Commissioner of Food and Drugs, in coordi-
nation with the Secretary of Agriculture, for consumer
outreach and education regarding agricultural bio-
technology and biotechnology-derived food products and
animal feed, including through publication and distribu-
tion of science-based educational information on the envi-
ronmental, nutritional, food safety, economic, and humani-
tarian impacts of such biotechnology, food products, and
feed: 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(e)(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, exten-
sion, alteration, demolition, and purchase of fixed equip-
ment or facilities of or used by the Food and Drug Admin-
istration, where not otherwise provided, $8,771,000, to re-
main available until expended.
INDEPENDENT AGENCIES

Commodity Futures Trading Commission

For necessary expenses to carry out the provisions of the Commodity Exchange Act (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles, and the rental of space (to include multiple year leases), in the District of Columbia and elsewhere, $248,000,000, including not to exceed $3,000 for official reception and representation expenses, and not to exceed $25,000 for the expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, of which not less than $49,000,000, to remain available until September 30, 2019, shall be for the purchase of information technology and of which not less than $2,700,000 shall be for expenses of the Office of the Inspector General: Provided, That notwithstanding the limitations in 31 U.S.C. 1553, amounts provided under this heading are available for the liquidation of obligations equal to current year payments on leases entered into prior to the date of enactment of this Act: Provided further, That for the purpose of recording and liquidating any lease obligations that should have been recorded and liquidated against accounts closed pursuant to 31 U.S.C. 1552, and consistent with the preceding proviso, such amounts shall be transferred to and recorded in a new
no-year account in the Treasury, which may be established for the sole purpose of recording adjustments for and liquidating such unpaid obligations: Provided further, That notwithstanding any other provision of law, the Chairman of the Commodity Futures Trading Commission may adjust the schedule of compensation and benefits for employees if the Chairman determines that furloughs or reductions-in-force may result from a collective bargaining agreement.

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $68,600,000 (from assessments collected 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 receiverships: 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 Congress.
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 none of the funds appropriated by this Act or made available to the Department’s Working Capital Fund shall be available for obligation or expenditure to initiate, plan, develop, implement, or make any changes to remove or relocate any systems, missions, or offices of the Chief Financial Officer or any personnel from the National Finance Center prior to written notification to and prior approval of the Committee on Appropriations of both Houses of Congress and in accordance with the requirements of section 717 of this Act.
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 obligation unless the Secretary submits written notification of the obligation to the Committees on Appropriations of both Houses of Congress: Provided further, That the limitations on the obligation of funds pending notification to Congressional Committees shall not apply to any obligation that, as determined by the Secretary, is necessary to respond to a declared state of emergency that significantly impacts the operations of the National Finance Center; or to evacuate employees of the National Finance Center to a safe haven to continue operations of the National Finance Center.

Sec. 703. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.
Sec. 704. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

Sec. 705. Appropriations to the Department of Agriculture 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 Development Loan Fund program account, the Rural Electrification 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 acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer.
tion Officer and the concurrence of the Executive Information 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 Information Officer without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That, notwithstanding section 11319 of title 40, United States Code, none of the funds available to the Department of Agriculture for information technology shall be obligated for projects, contracts, or other agreements over $25,000 prior to receipt of written approval by the Chief Information 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 borrower under such Act.

Sec. 709. Except as otherwise specifically provided by law, not more than $20,000,000 in unobligated balances from appropriations made available for salaries and expenses in this Act for the Farm Service Agency shall remain available through September 30, 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

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

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

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

Sec. 712. Of the funds made available by this Act, not more than $2,900,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department
of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants.

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

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

(1) The program authorized by section 14(h)(1) of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012(h)(1)): Provided, That the funds appropriated by section 14(h)(1) of such Act are hereby permanently cancelled;
(2) The program authorized by section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107) in excess of $9,000,000;

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

(4) The program authorized by section 9003 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8103) in excess of $31,000,000 of the funding made available by subsection (g)(1)(A) of that section for all fiscal years; Provided, That of the funds made available in excess of $31,000,000 by section 9003 of such Act, $65,000,000 are permanently cancelled; and

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

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
1 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 carryover amounts authorized in the first proviso of this section for section 32 and 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 2018 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;
or
(6) contracts out or privatizes any functions or activities presently performed by Federal employees;
unless the Secretary of Agriculture, the Chairman of the Commodity Futures Trading Commission, or the 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, the Chairman of the Commodity Futures Trading Commission, or the Secretary of Health and Human Services (as the case may be) notifies in writing and receives approval from the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming or transfer of such funds or the use of such authority.

(c) The Secretary of Agriculture, the Chairman of the Commodity Futures Trading Commission, or the 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 program or activity not carried out during the pre-
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 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—

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

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

(3) carrying out activities or functions that were not described in the budget request; unless the agencies funded by this Act notify, in writing, the Committees on Appropriations of both Houses of Congress at least 30 days in advance of using the funds for these purposes.
(e) As described in this section, no funds may be used for any activities unless the Secretary of Agriculture, the Chairman of the Commodity Futures Trading Commission, or the Secretary of Health and Human Services receives from the Committee on Appropriations of both Houses of Congress written or electronic mail confirmation of receipt of the notification as required in this section.

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

SEC. 719. None of the funds appropriated or otherwise made available to the Department of Agriculture, the Food and Drug Administration, the Commodity Futures Trading Commission, or the Farm Credit Administration shall be used to transmit or otherwise make available reports, questions, or responses to questions that are a result of information requested for the appropriations hearing process to any non-Department of Agriculture, non-Department of Health and Human Services, non-Commodity Futures Trading Commission, or non-Farm Credit Administration employee.
SEC. 720. Unless otherwise authorized by existing law, none of the funds provided in this Act, may be used by an executive branch agency to produce any pre-packaged news story intended for broadcast or distribution in the United States unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

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

SEC. 722. (a) Unless the Secretary of Agriculture notifies the Committees on Appropriations of both Houses of Congress at least 3 full business days in advance, none of the funds made available in this Act may be used to—

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

(2) make a discretionary contract award totaling $1,000,000 or more;
(3) issue a letter of intent to make an allocation or award in excess of the limits in subparagraph (1) or (2); or

(4) announce publicly the intention to make an allocation or award in excess of the limits in subparagraph (1) or (2).

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

c) The notification required by paragraph (a) and the report required by paragraph (b) shall include the recipient of the award, the amount of the award, the fiscal year for which the funds for the award were appropriated, the account and program, project, or activity from which the funds are being drawn, the title of the award, and a brief description of the activity for which the award is made.

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, the Chairman of the Commodity Futures Trading Commission, and the Chairman of the Farm Credit Administra-
tion 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. Funds made available under title II of the Food for Peace Act (7 U.S.C. 1721 et seq.) may only be used to provide assistance to recipient nations if adequate monitoring and controls, as determined by the Administrator, are in place to ensure that emergency food aid is received by the intended beneficiaries in areas affected by food shortages and not diverted for unauthorized or inappropriate purposes.

SEC. 725. The Secretary shall establish 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 enter into 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, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture.
SEC. 728. None of the funds made available by this Act may be used to procure processed poultry products imported into the United States from the People’s Republic of China for use in the school lunch program under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), the Child and Adult Care Food Program under section 17 of such Act (42 U.S.C. 1766), the Summer Food Service Program for Children under section 13 of such Act (42 U.S.C. 1761), or the school breakfast program under the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.).

SEC. 729. In response to an eligible community where the drinking water supplies are inadequate due to a natural disaster, as determined by the Secretary, including drought or severe weather, the Secretary may provide portable water through the Emergency Community Water Assistance Grant Program for an additional period of time not to exceed 120 days beyond the established period provided under the Program in order to protect public health.

SEC. 730. Funds provided by this or any prior Appropriations Act for the Agriculture and Food Research Initiative 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 requirements 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.** None of the funds made available by this
Act may be used by the Secretary of Agriculture, acting
through the Food and Nutrition Service, to commence any
new research and evaluation projects until the Secretary
submits to the Committees on Appropriations of both
Houses of Congress a research and evaluation plan for fis-
cal year 2018, prepared in coordination with the Research,
Education, and Economics mission area of the Depart-
ment of Agriculture, and a period of 30 days beginning
on the date of the submission of the plan expires to permit
Congressional review of the plan.

**Sec. 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 produc-
tion, distribution, sale, or receipt of dried spent grain by-
products of the alcoholic beverage production process.

SEC. 736. (a) The Secretary of Agriculture shall—

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

(A) veterinary control and oversight;

(B) disease history and vaccination prac-
tices;

(C) livestock demographics and
traceability;

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

(E) surveillance practices;

(F) diagnostic laboratory capabilities; and

(G) emergency preparedness and response;

and

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

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

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

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) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 348(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) of this Act by virtue of bearing or containing a partially hydrogenated oil until the compliance date as specified in such order (June 18, 2018).

Sec. 739. 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. 740. (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 crimi-
nal investigations, prosecution, or adjudication activities.

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

Sec. 742. (a)(1) No Federal funds made available for
this fiscal year for the rural water, waste water, waste dis-
posal, and solid waste management programs authorized
the Consolidated Farm and Rural Development Act (7
U.S.C. 1926 et seq.) shall be used for a project for the
construction, alteration, maintenance, or repair of a public
water or wastewater system unless all of the iron and steel
products used in the project are produced in the United
States.

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

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

(1) applying subsection (a) would be incons-
sistent with the public interest;

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

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

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

(d) This section shall be applied in a manner consistent with United States obligations under international agreements.

(e) The Secretary may retain up to 0.25 percent of the funds appropriated in this Act for “Rural Utilities Service—Rural Water and Waste Disposal Program Account” for carrying out the provisions described in subsection (a)(1) for management and oversight of the requirements of this section.

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

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

Sec. 743. (a) For the period beginning on the date of enactment of this Act through school year 2018–2019, with respect to the school lunch program established under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) or the school breakfast program established under the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.) and final regulations published by the Department of Agriculture in the Federal Register on January 26, 2012 (77 Fed. Reg. 4088 et seq.), the Secretary of Agriculture shall allow States to grant an exemption from the whole grain requirements that took effect on or after July 1, 2014, and the States shall establish a process for evaluating and responding, in a reasonable amount of time, to requests for an exemption: Provided, That school food authorities demonstrate hardship, including financial hardship, in procuring specific whole grain products which are acceptable to the students and compliant with the whole grain-rich requirements: Provided further, That school food authorities shall comply with the applicable grain component or standard with respect to the school lunch or school breakfast program that was in effect prior to July 1, 2014.
(b) For the period beginning on the date of enactment of this Act through school year 2018–2019, 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 implement any regulations under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), the Healthy, Hunger-Free Kids Act of 2010 (Public Law 111–296), or any other law that would require a reduction in the quantity of sodium contained in federally reimbursed meals, foods, and snacks sold in schools below Target 1 (as described in section 220.8(f)(3) of title 7, Code of Federal Regulations (or successor regulations)).

(c) For the period beginning on the date of enactment of this Act through school year 2018–2019, notwithstanding any other provision of law, the Secretary shall allow States to grant special exemptions for the service of flavored, low-fat fluid milk in the school lunch program established under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) and the school breakfast program established under the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), and as a competitive food available on campus during the school day, to schools
which demonstrate a reduction in student milk consumption or an increase in school milk waste.

SEC. 744. Of the total amounts made available by this Act for direct loans and grants in the following headings: “Rural Housing Service—Rural Housing Insurance Fund Program Account”; “Rural Housing Service—Mutual and Self-Help Housing Grants”; “Rural Economic Infrastructure Grants”; “Rural Housing Service—Rural Community Facilities Program Account”; “Rural Business-Cooperative Service—Rural Business Program Account”; “Rural Business-Cooperative Service—Rural Economic Development Loans Program Account”; “Rural Business-Cooperative Service—Rural Cooperative Development Grants”; “Rural Utilities Service—Rural Water and Waste Disposal Program Account”; and “Rural Utilities Service—Rural Electrification and Telecommunications Loans Program Account”, at least 10 percent of the funds shall be allocated for assistance in persistent poverty counties under this section, including, notwithstanding any other provision to the contrary regarding population limits, any county seat of such a persistent poverty county that has a population that does not exceed the authorized population limit by more than 10 percent:

Provided, That for purposes of this section, the term “persistent poverty counties” means any county that has had
20 percent or more of its population living in poverty over the past 30 years, as measured by the 1980, 1990, and 2000 decennial censuses, and 2007–2011 American Community Survey 5-year average: Provided further, That with respect to specific activities for which program levels have been made available by this Act that are not supported by budget authority, the requirements of this section shall be applied to such program level.

SEC. 745. For the purposes of determining eligibility or level of program assistance for Rural Development programs the Secretary shall not include incarcerated prison populations.

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

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 “Enhancing Retailer Standards in the Supplemental Nutrition Assistance Program (SNAP)” published by the Department of Agriculture in the Federal Register on December 15, 2016 (81 Fed. Reg. 90675) until the Secretary of Agri-
culture amends the definition of the term “variety” as defined in section 278.1(b)(1)(ii)(C) of title 7, Code of Federal Regulations, and “variety” as applied in the definition of the term “staple food” as defined in section 271.2 of title 7, Code of Federal Regulations, to increase the number of items that qualify as acceptable varieties in each staple food category so that the total number of such items in each staple food category exceeds the number of such items in each staple food category included in the final rule as published on December 15, 2016: Provided, That until the Secretary promulgates such regulatory 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. 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. 749. The Secretary of Agriculture and the Secretary’s designees are hereby granted the same access to information and subject to the same requirements applicable to the Secretary of Housing and Urban Development as provided in section 453(j) of the Social Security Act (42 U.S.C. 653(j)) and section 6103(1)(7)(D)(ix) of the Internal Revenue Code of 1986 (26 U.S.C. 1603(1)(7)(D)(ix)) to verify the income for individuals participating in sections 502, 504, 521, and 524 of the Housing Act of 1949 (42 U.S.C. 1972, 1474, 1490a, and 1490r).

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

SEC. 751. None of the funds made available to the Commodity Futures Trading Commission by this Act or any other Act in the current fiscal year or any other fiscal year may be used to pay the salaries and expenses of personnel to lower the de minimis quantity of swap dealing established under section 1a(49)(D) of the Commodity Exchange Act (7 U.S.C. 1a(49)(D)) to less than $8,000,000,000.

SEC. 752. None of the funds made available by this Act or any other Act in the current fiscal year or any other
fiscal year may be used to implement, administer, or enforce the final rule with the regulation identifier number 0910-AG38 published by the Food and Drug Administration in the Federal Register on May 10, 2016 (80 Fed. Reg. 28974) with respect to traditional large and premium cigars. For the purposes of this section, the term “traditional large and premium cigar” means—

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

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

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

(C) has a homogenized tobacco leaf binder and is made in the United States using human hands to lay the 100 percent leaf tobacco wrapper onto only one machine that bunches, wraps, and caps each individual cigar; and
(2) is not a cigarette or a little cigar (as such terms are defined in paragraphs (3) and (11), respectively, of section 900 of the Federal Food, Drug, and Cosmetic Act).

Sec. 753. (a) None of the funds appropriated or otherwise made available by this Act or any other Act with respect to any fiscal year may, for each tobacco product which the Secretary of Health and Human Services by regulation under section 901(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387a(b)) deems to be subject to chapter IX of such Act, be used to treat—

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

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

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

(A) characterizing flavors; and

(B) batteries.

(2) Notwithstanding any other provision of law, not later than 36 months after the effective date of this Act, the Secretary shall promulgate a final rule pursuant to such notice.

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

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

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

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

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

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

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

(B) the phrase “Underage Sale Prohibited”;

and

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

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

(f)(1) Every person who owns or operates an establishment in any State engaged in the retail sale of a vapor
product shall register that establishment with the Secretary of Health and Human Services within the later of 60 days after the date of enactment of this Act, or 30 days after first engaging of such retail sale.

(2) The requirements of this subsection do not apply with respect to any establishment subject to an active registration under—

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


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

(g) In this section:

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

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

(B) that is read by fewer than 2 million persons younger than 18 years of age as measured by competent and reliable survey evidence.
(2) The terms “label” and “labeling” have the meanings given to such terms in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

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

(4) The term “vapor product”—

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

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

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

SEC. 754. (a) In finalizing the proposed rule entitled “Eligibility of the People’s Republic of China (PRC) to Export to the United States Poultry Products from Birds Slaughtered in the PRC” published in the Federal Register by the Department of Agriculture on June 16, 2017
(82 Fed. Reg. 27625), the Secretary of Agriculture shall—

(1) ensure that poultry plants in the PRC from which poultry products will be exported to the United States maintain a level of public health protection that is equivalent to the level of such protection to which United States poultry plants adhere;

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

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

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

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

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

SEC. 755. None of the funds made available by this Act or funds from the Commodity Credit Corporation may be used by the Secretary of Agriculture or provided to the Department of Defense to purchase, produce, or defray the costs of purchase or production of, or develop, facilitate, expedite, or expand production of, an alternative fuel (under the meaning given such term by subparagraph (I) of section 32901(a)(1) of title 49, United States Code) for the Department of Defense.

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

SEC. 757. For necessary expenses to carry out the activities described in section 1002(b)(4) of the 21st Cen-
tury Cures Act (Public Law 114-255), in addition to
amounts available for such activities under the heading
“Salaries and Expenses”, $60,000,000, to remain avail-
able until expended: Provided, That amounts appropriated
by this section are appropriated pursuant to section
1002(b)(3) of such Act, are to be derived from amounts
transferred under section 1002(b)(2)(A) of such Act, and
may be transferred by the Secretary of Health and Human
Services to other accounts of the Department of Health
and Human Services solely for the activities described in
section 1002(b)(4) such Act: Provided further, That such
transfer authority is in addition to any other transfer au-
thority provided by law.

Sec. 758. 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 associate activi-
ties directly related to the multiple-agency response to cit-
rus greening.

SPENDING REDUCTION ACCOUNT

Sec. 759. The amount by which the applicable alloc-
ation of new budget authority made by the Committee on
Appropriations of the House of Representatives under sec-
tion 302(b) of the Congressional Budget Act of 1974 ex-
ceds the amount of proposed new budget authority is $0.
This Act may be cited as the “Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2018”.
A BILL

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, for fiscal year 2018, and for other purposes.

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

[VerDate Nov 24 2008 09:25 Jun 27, 2017]

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