

112TH CONGRESS
1ST SESSION

H. R. 2112

AN ACT

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 That the following sums are appropriated, out of any
2 money in the Treasury not otherwise appropriated, for Ag-
3 riculture, Rural Development, Food and Drug Administra-
4 tion, and Related Agencies programs for the fiscal year
5 ending September 30, 2012, and for other purposes,
6 namely:

7 TITLE I

8 AGRICULTURAL PROGRAMS

9 PRODUCTION, PROCESSING AND MARKETING

10 OFFICE OF THE SECRETARY

11 For necessary expenses of the Office of the Secretary
12 of Agriculture, \$4,293,000 (increased by \$136,070,000)
13 (reduced by \$136,070,000): *Provided*, That not to exceed
14 \$11,000 of this amount shall be available for official recep-
15 tion and representation expenses, not otherwise provided
16 for, as determined by the Secretary.

17 OFFICE OF TRIBAL RELATIONS

18 For necessary expenses of the Office of Tribal Rela-
19 tions, \$423,000 to support communication and consulta-
20 tion activities with Federally Recognized Tribes, as well
21 as other requirements established by law.

22 EXECUTIVE OPERATIONS

23 OFFICE OF THE CHIEF ECONOMIST

24 For necessary expenses of the Office of the Chief
25 Economist, \$10,707,000.

1 NATIONAL APPEALS DIVISION

2 For necessary expenses of the National Appeals Divi-
3 sion, \$12,091,000.

4 OFFICE OF BUDGET AND PROGRAM ANALYSIS

5 For necessary expenses of the Office of Budget and
6 Program Analysis, \$8,004,000.

7 OFFICE OF HOMELAND SECURITY

8 For necessary expenses of the Office of Homeland Se-
9 curity, \$1,272,000.

10 OFFICE OF ADVOCACY AND OUTREACH

11 For necessary expenses of the Office of Advocacy and
12 Outreach, \$1,209,000.

13 OFFICE OF THE CHIEF INFORMATION OFFICER

14 For necessary expenses of the Office of the Chief In-
15 formation Officer, \$35,000,000 (reduced by \$1,000,000).

16 OFFICE OF THE CHIEF FINANCIAL OFFICER

17 For necessary expenses of the Office of the Chief Fi-
18 nancial Officer, \$5,310,000.

19 OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL

20 RIGHTS

21 For necessary expenses of the Office of the Assistant
22 Secretary for Civil Rights, \$760,000.

23 OFFICE OF CIVIL RIGHTS

24 For necessary expenses of the Office of Civil Rights,
25 \$19,288,000.

1 available for buildings operations and maintenance ex-
2 penses: *Provided*, That the Secretary may use unobligated
3 balances from prior years to cover shortfalls incurred in
4 prior year rental payments: *Provided further*, That the
5 Secretary is authorized to transfer funds from a Depart-
6 mental agency to this account to recover the full cost of
7 the space and security expenses of that agency that are
8 funded by this account when the actual costs exceed the
9 agency estimate which will be available for the activities
10 and payments described herein.

11 HAZARDOUS MATERIALS MANAGEMENT

12 (INCLUDING TRANSFERS OF FUNDS)

13 For necessary expenses of the Department of Agri-
14 culture, to comply with the Comprehensive Environmental
15 Response, Compensation, and Liability Act (42 U.S.C.
16 9601 et seq.) and the Resource Conservation and Recovery
17 Act (42 U.S.C. 6901 et seq.), \$3,393,000, to remain avail-
18 able until expended: *Provided*, That appropriations and
19 funds available herein to the Department for Hazardous
20 Materials Management may be transferred to any agency
21 of the Department for its use in meeting all requirements
22 pursuant to the above Acts on Federal and non-Federal
23 lands.

1 DEPARTMENTAL ADMINISTRATION

2 (INCLUDING TRANSFERS OF FUNDS)

3 For Departmental Administration, \$23,900,000 (re-
4 duced by \$5,000,000) (reduced by \$2,390,000), to provide
5 for necessary expenses for management support services
6 to offices of the Department and for general administra-
7 tion and other miscellaneous supplies and expenses not
8 otherwise provided for and necessary for the practical and
9 efficient work of the Department: *Provided*, That this ap-
10 propriation shall be reimbursed from applicable appropria-
11 tions in this Act for travel expenses incident to the holding
12 of hearings as required by 5 U.S.C. 551–558.

13 OFFICE OF THE ASSISTANT SECRETARY FOR

14 CONGRESSIONAL RELATIONS

15 (INCLUDING TRANSFERS OF FUNDS)

16 For necessary expenses of the Office of the Assistant
17 Secretary for Congressional Relations to carry out the pro-
18 grams funded by this Act, including programs involving
19 intergovernmental affairs and liaison within the executive
20 branch, \$3,289,000: *Provided*, That these funds may be
21 transferred to agencies of the Department of Agriculture
22 funded by this Act to maintain personnel at the agency
23 level; *Provided further*, That no funds made available by
24 this appropriation may be obligated after 30 days from
25 the date of enactment of this Act, unless the Secretary

1 has notified the Committees on Appropriations of both
2 Houses of Congress on the allocation of these funds by
3 USDA agency: *Provided further*, That no other funds ap-
4 propriated to the Department by this Act shall be available
5 to the Department for support of congressional relations
6 activities.

7 OFFICE OF COMMUNICATIONS

8 For necessary expenses of the Office of Communica-
9 tions, \$8,058,000.

10 OFFICE OF INSPECTOR GENERAL

11 For necessary expenses of the Office of Inspector
12 General, including employment pursuant to the Inspector
13 General Act of 1978, \$80,000,000, including such sums
14 as may be necessary for contracting and other arrange-
15 ments with public agencies and private persons pursuant
16 to section 6(a)(9) of the Inspector General Act of 1978,
17 and including not to exceed \$125,000 for certain confiden-
18 tial operational expenses, including the payment of inform-
19 ants, to be expended under the direction of the Inspector
20 General pursuant to Public Law 95-452 and section 1337
21 of Public Law 97-98.

22 OFFICE OF THE GENERAL COUNSEL

23 For necessary expenses of the Office of the General
24 Counsel, \$35,204,000.

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

3 For necessary expenses of the Office of the Under
4 Secretary for Research, Education and Economics,
5 \$760,000.

6 ECONOMIC RESEARCH SERVICE

7 For necessary expenses of the Economic Research
8 Service, \$70,000,000.

9 NATIONAL AGRICULTURAL STATISTICS SERVICE

10 For necessary expenses of the National Agricultural
11 Statistics Service, \$149,500,000, of which up to
12 \$40,000,000 shall be available until expended for the Cen-
13 sus of Agriculture.

14 AGRICULTURAL RESEARCH SERVICE

15 SALARIES AND EXPENSES

16 For necessary expenses of the Agricultural Research
17 Service and for acquisition of lands by donation, exchange,
18 or purchase at a nominal cost not to exceed \$100, and
19 for land exchanges where the lands exchanged shall be of
20 equal value or shall be equalized by a payment of money
21 to the grantor which shall not exceed 25 percent of the
22 total value of the land or interests transferred out of Fed-
23 eral ownership, \$993,345,000 (increased by \$2,000,000):
24 *Provided*, That appropriations hereunder shall be available
25 for the operation and maintenance of aircraft and the pur-

1 chase of not to exceed one for replacement only: *Provided*
2 *further*, That appropriations hereunder shall be available
3 pursuant to 7 U.S.C. 2250 for the construction, alteration,
4 and repair of buildings and improvements, but unless oth-
5 erwise provided, the cost of constructing any one building
6 shall not exceed \$375,000, except for headhouses or green-
7 houses which shall each be limited to \$1,200,000, and ex-
8 cept for 10 buildings to be constructed or improved at a
9 cost not to exceed \$750,000 each, and the cost of altering
10 any one building during the fiscal year shall not exceed
11 10 percent of the current replacement value of the build-
12 ing or \$375,000, whichever is greater: *Provided further*,
13 That the limitations on alterations contained in this Act
14 shall not apply to modernization or replacement of existing
15 facilities at Beltsville, Maryland: *Provided further*, That
16 appropriations hereunder shall be available for granting
17 easements at the Beltsville Agricultural Research Center:
18 *Provided further*, That the foregoing limitations shall not
19 apply to replacement of buildings needed to carry out the
20 Act of April 24, 1948 (21 U.S.C. 113a): *Provided further*,
21 That funds may be received from any State, other political
22 subdivision, organization, or individual for the purpose of
23 establishing or operating any research facility or research
24 project of the Agricultural Research Service, as authorized
25 by law.

1 NATIONAL INSTITUTE OF FOOD AND AGRICULTURE
2 RESEARCH AND EDUCATION ACTIVITIES

3 For payments to agricultural experiment stations, for
4 cooperative forestry and other research, for facilities, and
5 for other expenses, \$600,800,000, as follows: to carry out
6 the provisions of the Hatch Act of 1887 (7 U.S.C. 361a–
7 i), \$208,000,000; for grants for cooperative forestry re-
8 search (16 U.S.C. 582a through a–7), \$30,000,000; for
9 payments to eligible institutions (7 U.S.C. 3222),
10 \$48,000,000, provided that each institution receives no
11 less than \$1,000,000; for special grants (7 U.S.C.
12 450i(c)), \$1,250,000; for competitive grants for Inte-
13 grated Pest Management and Biological Control (7 U.S.C.
14 450i(c)), \$14,000,000; for competitive grants (7 U.S.C.
15 450i(b)), \$229,500,000, to remain available until ex-
16 pended; for the support of animal health and disease pro-
17 grams (7 U.S.C. 3195), \$4,000,000; for a program pursu-
18 ant to section 1415A of the National Agricultural Re-
19 search, Extension, and Teaching Policy Act of 1977 (7
20 U.S.C. 3151a), \$4,200,000, to remain available until ex-
21 pended; for a higher education multicultural scholars pro-
22 gram (7 U.S.C. 3152(b)(5)), \$1,000,000, to remain avail-
23 able until expended (7 U.S.C. 2209b); for an education
24 grants program for Hispanic–serving Institutions (7
25 U.S.C. 3241), \$7,800,000; for competitive grants for the

1 purpose of carrying out all provisions of 7 U.S.C. 3156
2 to individual eligible institutions or consortia of eligible in-
3 stitutions in Alaska and in Hawaii, with funds awarded
4 equally to each of the States of Alaska and Hawaii,
5 \$2,700,000; for secondary education, 2-year post-sec-
6 ondary education, and agriculture in the K-12 classroom
7 (7 U.S.C. 3152(j)), \$900,000; for aquaculture grants (7
8 U.S.C. 3322), \$3,300,000; for sustainable agriculture re-
9 search and education (7 U.S.C. 5811), \$12,300,000; for
10 a program of capacity building grants (7 U.S.C.
11 3152(b)(4)) to institutions eligible to receive funds under
12 7 U.S.C. 3221 and 3222, \$16,400,000, to remain avail-
13 able until expended (7 U.S.C. 2209b); for payments to the
14 1994 Institutions pursuant to section 534(a)(1) of Public
15 Law 103-382, \$2,800,000; for resident instruction grants
16 for insular areas under section 1491 of the National Agri-
17 cultural Research, Extension, and Teaching Policy Act of
18 1977 (7 U.S.C. 3363), \$900,000; for distance education
19 grants for insular areas under section 1490 of the Na-
20 tional Agricultural Research, Extension, and Teaching
21 Policy Act of 1977 (7 U.S.C. 3362), \$750,000; for com-
22 petitive grants for policy research (7 U.S.C. 3155),
23 \$3,000,000; and for necessary expenses of Research and
24 Education Activities, \$10,000,000, of which \$2,500,000
25 for the Research, Education, and Economics Information

1 System and \$2,000,000 for the Electronic Grants Infor-
2 mation System, are to remain available until expended.

3 NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

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

7 EXTENSION ACTIVITIES

8 For payments to States, the District of Columbia,
9 Puerto Rico, Guam, the Virgin Islands, Micronesia, the
10 Northern Marianas, and American Samoa, \$411,200,000,
11 as follows: payments for cooperative extension work under
12 the Smith–Lever Act, to be distributed under sections 3(b)
13 and 3(c) of said Act, and under section 208(c) of Public
14 Law 93–471, for retirement and employees’ compensation
15 costs for extension agents, \$259,200,000; payments for
16 extension work at the 1994 Institutions under the Smith–
17 Lever Act (7 U.S.C. 343(b)(3)), \$3,600,000; payments for
18 the nutrition and family education program for low-income
19 areas under section 3(d) of the Act, \$58,000,000; pay-
20 ments for the pest management program under section
21 3(d) of the Act, \$8,400,000; payments for New Tech-
22 nologies for Agriculture Extension under section 3(d) of
23 the Act, \$1,400,000; payments to upgrade research, exten-
24 sion, and teaching facilities at institutions eligible to re-
25 ceive funds under 7 U.S.C. 3221 and 3222, \$16,700,000,

1 to remain available until expended; payments for youth-
2 at-risk programs under section 3(d) of the Smith–Lever
3 Act, \$7,100,000; payments for carrying out the provisions
4 of the Renewable Resources Extension Act of 1978 (16
5 U.S.C. 1671 et seq.), \$3,400,000; payments for the feder-
6 ally-recognized Tribes Extension Program under section
7 3(d) of the Smith–Lever Act, \$2,600,000; payments for
8 sustainable agriculture programs under section 3(d) of the
9 Act, \$4,000,000; payments for rural health and safety
10 education as authorized by section 502(i) of Public Law
11 92–419 (7 U.S.C. 2662(i)), \$1,500,000; payments for co-
12 operative extension work by eligible institutions (7 U.S.C.
13 3221), \$36,000,000, provided that each institution re-
14 ceives no less than \$1,000,000; for grants to youth organi-
15 zations pursuant to 7 U.S.C. 7630, \$1,500,000; for pay-
16 ments to carry out the food animal residue avoidance data-
17 base program as authorized by 7 U.S.C. 7642,
18 \$1,000,000; and for necessary expenses of Extension Ac-
19 tivities, \$6,800,000.

20 INTEGRATED ACTIVITIES

21 For the integrated research, education, and extension
22 grants program authorized under section 406 of the Agri-
23 cultural Research, Extension, and Education Reform Act
24 of 1998 (7 U.S.C. 7626), including necessary administra-
25 tive expenses, \$8,000,000, as follows: for a competitive or-

1 ganic transition program, \$4,000,000; and for the regional
2 pest management centers program \$4,000,000.

3 OFFICE OF THE UNDER SECRETARY FOR MARKETING
4 AND REGULATORY PROGRAMS

5 For necessary expenses of the Office of the Under
6 Secretary for Marketing and Regulatory Programs,
7 \$760,000.

8 ANIMAL AND PLANT HEALTH INSPECTION SERVICE
9 SALARIES AND EXPENSES

10 (INCLUDING TRANSFERS OF FUNDS)

11 For necessary expenses of the Animal and Plant
12 Health Inspection Service, including up to \$30,000 for
13 representation allowances and for expenses pursuant to
14 the Foreign Service Act of 1980 (22 U.S.C. 4085),
15 \$790,000,000, of which \$2,000,000, to be available until
16 expended, shall be available for the control of outbreaks
17 of insects, plant diseases, animal diseases and for control
18 of pest animals and birds (“contingency fund”) to the ex-
19 tent necessary to meet emergency conditions; of which
20 \$16,000,000, to remain available until expended, shall be
21 used for the cotton pests program for cost share purposes
22 or for debt retirement for active eradication zones; of
23 which \$32,500,000, to remain available until expended,
24 shall be for Animal Health Technical Services; of which
25 \$54,000,000, to remain available until expended, shall be

1 used to support avian health; of which \$4,200,000, to re-
2 main available until expended, shall be for information
3 technology infrastructure; of which \$147,000,000, to re-
4 main available until expended, shall be for specialty crop
5 pests; of which, \$9,000,000, to remain available until ex-
6 pended, shall be for field crop and rangeland ecosystem
7 pests; of which \$52,000,000, to remain available until ex-
8 pended, shall be for tree and wood pests; of which
9 \$2,300,000, to remain available until expended, shall be
10 for the National Veterinary Stockpile; of which up to
11 \$1,500,000, to remain available until expended, shall be
12 for the serapie program for indemnities; of which
13 \$1,000,000, to remain available until expended, shall be
14 for wildlife services methods development; of which
15 \$1,500,000, to remain available until expended, shall be
16 for the wildlife damage management program for aviation
17 safety; and up to 25 percent of the screwworm program
18 shall remain available until expended: *Provided*, That no
19 funds shall be used to formulate or administer a brucel-
20 losis eradication program for the current fiscal year that
21 does not require minimum matching by the States of at
22 least 40 percent: *Provided further*, That this appropriation
23 shall be available for the operation and maintenance of
24 aircraft and the purchase of not to exceed four, of which
25 two shall be for replacement only: *Provided further*, That,

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

21 In fiscal year 2012, the agency is authorized to collect
22 fees to cover the total costs of providing technical assist-
23 ance, goods, or services requested by States, other political
24 subdivisions, domestic and international organizations,
25 foreign governments, or individuals, provided that such

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

7 BUILDINGS AND FACILITIES

8 For plans, construction, repair, preventive mainte-
9 nance, environmental support, improvement, extension, al-
10 teration, and purchase of fixed equipment or facilities, as
11 authorized by 7 U.S.C. 2250, and acquisition of land as
12 authorized by 7 U.S.C. 428a, \$3,200,000, to remain avail-
13 able until expended.

14 AGRICULTURAL MARKETING SERVICE

15 MARKETING SERVICES

16 For necessary expenses of the Agricultural Marketing
17 Service, \$77,500,000 (increased by \$300,000): *Provided*,
18 That this appropriation shall be available pursuant to law
19 (7 U.S.C. 2250) for the alteration and repair of buildings
20 and improvements, but the cost of altering any one build-
21 ing during the fiscal year shall not exceed 10 percent of
22 the current replacement value of the building. Fees may
23 be collected for the cost of standardization activities, as
24 established by regulation pursuant to law (31 U.S.C.
25 9701).

1 cultural Marketing Act of 1946 (7 U.S.C. 1623(b)),
2 \$1,331,000.

3 GRAIN INSPECTION, PACKERS AND STOCKYARDS

4 ADMINISTRATION

5 SALARIES AND EXPENSES

6 For necessary expenses of the Grain Inspection,
7 Packers and Stockyards Administration, \$37,000,000:
8 *Provided*, That this appropriation shall be available pursu-
9 ant to law (7 U.S.C. 2250) for the alteration and repair
10 of buildings and improvements, but the cost of altering
11 any one building during the fiscal year shall not exceed
12 10 percent of the current replacement value of the build-
13 ing.

14 LIMITATION ON INSPECTION AND WEIGHING SERVICES

15 EXPENSES

16 Not to exceed \$47,500,000 (from fees collected) shall
17 be obligated during the current fiscal year for inspection
18 and weighing services: *Provided*, That if grain export ac-
19 tivities require additional supervision and oversight, or
20 other uncontrollable factors occur, this limitation may be
21 exceeded by up to 10 percent with notification to the Com-
22 mittees on Appropriations of both Houses of Congress.

23 OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

24 For necessary expenses of the Office of the Under
25 Secretary for Food Safety, \$689,000.

1 FOOD SAFETY AND INSPECTION SERVICE

2 For necessary expenses to carry out services author-
3 ized by the Federal Meat Inspection Act, the Poultry
4 Products Inspection Act, and the Egg Products Inspection
5 Act, including not to exceed \$50,000 for representation
6 allowances and for expenses pursuant to section 8 of the
7 Act approved August 3, 1956 (7 U.S.C. 1766),
8 \$972,028,000; and in addition, \$1,000,000 may be cred-
9 ited to this account from fees collected for the cost of lab-
10 oratory accreditation as authorized by section 1327 of the
11 Food, Agriculture, Conservation and Trade Act of 1990
12 (7 U.S.C. 138f): *Provided*, That funds provided for the
13 Public Health Data Communication Infrastructure system
14 shall remain available until expended: *Provided further*,
15 That this appropriation shall be available pursuant to law
16 (7 U.S.C. 2250) for the alteration and repair of buildings
17 and improvements, but the cost of altering any one build-
18 ing during the fiscal year shall not exceed 10 percent of
19 the current replacement value of the building.

20 OFFICE OF THE UNDER SECRETARY FOR FARM AND
21 FOREIGN AGRICULTURAL SERVICES

22 For necessary expenses of the Office of the Under
23 Secretary for Farm and Foreign Agricultural Services,
24 \$760,000.

1 FARM SERVICE AGENCY
2 SALARIES AND EXPENSES
3 (INCLUDING TRANSFERS OF FUNDS)

4 For necessary expenses of the Farm Service Agency,
5 \$1,176,500,000: *Provided*, That the Secretary is author-
6 ized to use the services, facilities, and authorities (but not
7 the funds) of the Commodity Credit Corporation to make
8 program payments for all programs administered by the
9 Agency: *Provided further*, That other funds made available
10 to the Agency for authorized activities may be advanced
11 to and merged with this account: *Provided further*, That
12 funds made available to county committees shall remain
13 available until expended.

14 STATE MEDIATION GRANTS

15 For grants pursuant to section 502(b) of the Agricul-
16 tural Credit Act of 1987, as amended (7 U.S.C. 5101–
17 5106), \$3,550,000.

18 GRASSROOTS SOURCE WATER PROTECTION PROGRAM

19 For necessary expenses to carry out wellhead or
20 groundwater protection activities under section 12400 of
21 the Food Security Act of 1985 (16 U.S.C. 3839bb–2),
22 \$3,605,000, to remain available until expended.

1 loans; \$1,500,000,000 for unsubsidized guaranteed oper-
2 ating loans and \$1,050,090,000 for direct operating loans;
3 Indian tribe land acquisition loans, \$2,000,000; guaran-
4 teed conservation loans, \$150,000,000; Indian highly
5 fractionated land loans, \$10,000,000; and for boll weevil
6 eradication program loans, \$100,000,000: *Provided*, That
7 the Secretary shall deem the pink bollworm to be a boll
8 weevil for the purpose of boll weevil eradication program
9 loans.

10 For the cost of direct and guaranteed loans and
11 grants, including the cost of modifying loans as defined
12 in section 502 of the Congressional Budget Act of 1974,
13 as follows: farm ownership, \$22,800,000 for direct loans;
14 farm operating loans, \$26,100,000 for unsubsidized guar-
15 anteed operating loans, \$59,120,000 for direct operating
16 loans; and Indian highly fractionated land loans,
17 \$193,000.

18 In addition, for administrative expenses necessary to
19 carry out the direct and guaranteed loan programs,
20 \$268,634,000, of which \$260,730,000 shall be paid to the
21 appropriation for “Farm Service Agency, Salaries and Ex-
22 penses”.

23 Funds appropriated by this Act to the Agricultural
24 Credit Insurance Program Account for farm ownership,
25 operating and conservation direct loans and guaranteed

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

5 RISK MANAGEMENT AGENCY

6 For necessary expenses of the Risk Management
7 Agency, \$68,016,000: *Provided*, That the funds made
8 available under section 522(e) of the Federal Crop Insur-
9 ance Act (7 U.S.C. 1522(e)) may be used for the Common
10 Information Management System: *Provided further*, That
11 not to exceed \$1,000 shall be available for official recep-
12 tion and representation expenses, as authorized by 7
13 U.S.C. 1506(i).

14 CORPORATIONS

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

1 FEDERAL CROP INSURANCE CORPORATION FUND

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

5 COMMODITY CREDIT CORPORATION FUND

6 REIMBURSEMENT FOR NET REALIZED LOSSES

7 (INCLUDING TRANSFERS OF FUNDS)

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

21 HAZARDOUS WASTE MANAGEMENT

22 (LIMITATION ON EXPENSES)

23 For the current fiscal year, the Commodity Credit
24 Corporation shall not expend more than \$5,000,000 for
25 site investigation and cleanup expenses, and operations

1 and maintenance expenses to comply with the requirement
2 of section 107(g) of the Comprehensive Environmental
3 Response, Compensation, and Liability Act (42 U.S.C.
4 9607(g)), and section 6001 of the Resource Conservation
5 and Recovery Act (42 U.S.C. 6961).

6

TITLE II

7

CONSERVATION PROGRAMS

8

OFFICE OF THE UNDER SECRETARY FOR NATURAL

9

RESOURCES AND ENVIRONMENT

10 For necessary expenses of the Office of the Under
11 Secretary for Natural Resources and Environment,
12 \$760,000.

13

NATURAL RESOURCES CONSERVATION SERVICE

14

CONSERVATION OPERATIONS

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

1 program by donation, exchange, or purchase at a nominal
2 cost not to exceed \$100 pursuant to the Act of August
3 3, 1956 (7 U.S.C. 428a); purchase and erection or alter-
4 ation or improvement of permanent and temporary build-
5 ings; and operation and maintenance of aircraft,
6 \$770,956,000, to remain available until September 30,
7 2013: *Provided*, That appropriations hereunder shall be
8 available pursuant to 7 U.S.C. 2250 for construction and
9 improvement of buildings and public improvements at
10 plant materials centers, except that the cost of alterations
11 and improvements to other buildings and other public im-
12 provements shall not exceed \$250,000: *Provided further*,
13 That when buildings or other structures are erected on
14 non-Federal land, that the right to use such land is ob-
15 tained as provided in 7 U.S.C. 2250a.

16 WATERSHED REHABILITATION PROGRAM

17 Under the authorities of Section 14 of the Watershed
18 Protection and Flood Prevention Act, \$15,000,000 is pro-
19 vided.

20 TITLE III

21 RURAL DEVELOPMENT

22 OFFICE OF THE UNDER SECRETARY FOR RURAL
23 DEVELOPMENT

24 For necessary expenses of the Office of the Under
25 Secretary for Rural Development, \$760,000.

1 RURAL DEVELOPMENT SALARIES AND EXPENSES
2 (INCLUDING TRANSFERS OF FUNDS)

3 For necessary expenses for carrying out the adminis-
4 tration and implementation of programs in the Rural De-
5 velopment mission area, including activities with institu-
6 tions concerning the development and operation of agricul-
7 tural cooperatives; and for cooperative agreements;
8 \$161,011,000: *Provided*, That notwithstanding any other
9 provision of law, funds appropriated under this section
10 may be used for advertising and promotional activities
11 that support the Rural Development mission area: *Pro-*
12 *vided further*, That not more than \$10,000 may be ex-
13 pended to provide modest non-monetary awards to non-
14 USDA employees: *Provided further*, That any balances
15 available from prior years for the Rural Utilities Service,
16 Rural Housing Service, and the Rural Business-Coopera-
17 tive Service salaries and expenses accounts shall be trans-
18 ferred to and merged with this appropriation.

19 RURAL HOUSING SERVICE
20 RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT
21 (INCLUDING TRANSFERS OF FUNDS)

22 For gross obligations for the principal amount of di-
23 rect and guaranteed loans as authorized by title V of the
24 Housing Act of 1949, to be available from funds in the
25 rural housing insurance fund, as follows: \$24,845,666,000

1 for loans to section 502 borrowers, of which \$845,666,000
2 shall be for direct loans, and of which \$24,000,000,000
3 shall be for unsubsidized guaranteed loans; and
4 \$58,617,000 for section 515 rental housing loans.

5 For the cost of direct and guaranteed loans, including
6 the cost of modifying loans, as defined in section 502 of
7 the Congressional Budget Act of 1974, as follows:
8 \$40,000,000 for 502 direct loans; and \$20,000,000 for re-
9 pair, rehabilitation, and new construction of section 515
10 rental housing: *Provided*, That of the total amount appro-
11 priated in this paragraph, the amount equal to the amount
12 of Rural Housing Insurance Fund Program Account funds
13 allocated by the Secretary for Rural Economic Area Part-
14 nership Zones for the fiscal year 2011, shall be available
15 through June 30, 2012, for communities designated by the
16 Secretary of Agriculture as Rural Economic Area Partner-
17 ship Zones.

18 In addition, for the cost of direct loans, grants, and
19 contracts, as authorized by 42 U.S.C. 1484 and 1486,
20 \$12,500,000, to remain available until expended, for direct
21 farm labor housing loans and domestic farm labor housing
22 grants and contracts: *Provided*, That any balances avail-
23 able for the Farm Labor Program Account shall be trans-
24 ferred and merged with this account.

1 bilitation of any existing projects; preservation; and rental
2 assistance activities authorized under title V of the Act:
3 *Provided further*, That rental assistance provided under
4 agreements entered into prior to fiscal year 2012 for a
5 farm labor multi-family housing project financed under
6 section 514 or 516 of the Act may not be recaptured for
7 use in another project until such assistance has remained
8 unused for a period of 12 consecutive months, if such
9 project has a waiting list of tenants seeking such assist-
10 ance or the project has rental assistance eligible tenants
11 who are not receiving such assistance: *Provided further*,
12 That such recaptured rental assistance shall, to the extent
13 practicable, be applied to another farm labor multi-family
14 housing project financed under section 514 or 516 of the
15 Act.

16 MULTI-FAMILY HOUSING REVITALIZATION PROGRAM

17 ACCOUNT

18 For the rural housing voucher program as authorized
19 under section 542 of the Housing Act of 1949, but not-
20 withstanding subsection (b) of such section, \$11,000,000,
21 to remain available until expended, which shall be avail-
22 able for rural housing vouchers to any low-income house-
23 hold (including those not receiving rental assistance) re-
24 siding in a property financed with a section 515 loan
25 which has been prepaid after September 30, 2005: *Pro-*

1 *vided*, That the amount of such voucher shall be the dif-
2 ference between comparable market rent for the section
3 515 unit and the tenant-paid rent for such unit: *Provided*
4 *further*, That funds made available for such vouchers shall
5 be subject to the availability of annual appropriations:
6 *Provided further*, That the Secretary shall, to the max-
7 imum extent practicable, administer such vouchers with
8 current regulations and administrative guidance applicable
9 to section 8 housing vouchers administered by the Sec-
10 retary of the Department of Housing and Urban Develop-
11 ment.

12 MUTUAL AND SELF-HELP HOUSING GRANTS

13 For grants and contracts pursuant to section
14 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C.
15 1490c), \$22,000,000, to remain available until expended:
16 *Provided*, That of the total amount appropriated under
17 this heading, the amount equal to the amount of Mutual
18 and Self-Help Housing Grants allocated by the Secretary
19 for Rural Economic Area Partnership Zones for the fiscal
20 year 2011, shall be available through June 30, 2012, for
21 communities designated by the Secretary of Agriculture
22 as Rural Economic Area Partnership Zones.

1 RURAL HOUSING ASSISTANCE GRANTS
2 (INCLUDING TRANSFER OF FUNDS)

3 For grants and contracts for very low-income housing
4 repair made by the Rural Housing Service, as authorized
5 by 42 U.S.C. 1474, \$32,000,000, to remain available until
6 expended: *Provided*, That of the total amount appro-
7 priated under this heading, the amount equal to the
8 amount of Rural Housing Assistance Grants allocated by
9 the Secretary for Rural Economic Area Partnership Zones
10 for the fiscal year 2011, shall be available through June
11 30, 2012, for communities designated by the Secretary of
12 Agriculture as Rural Economic Area Partnership Zones.

13 RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT
14 (INCLUDING TRANSFERS OF FUNDS)

15 For the cost of direct loans and grants for rural com-
16 munity facilities programs as authorized by section 306
17 and described in section 381E(d)(1) of the Consolidated
18 Farm and Rural Development Act, \$18,000,000, to re-
19 main available until expended: *Provided*, That \$3,000,000
20 of the amount appropriated under this heading shall be
21 available for a Rural Community Development Initiative:
22 *Provided further*, That such funds shall be used solely to
23 develop the capacity and ability of private, non-profit com-
24 munity-based housing and community development orga-
25 nizations, low-income rural communities, and Federally

1 Recognized Native American Tribes to undertake projects
2 to improve housing, community facilities, community and
3 economic development projects in rural areas: *Provided*
4 *further*, That such funds shall be made available to quali-
5 fied private, nonprofit and public intermediary organiza-
6 tions proposing to carry out a program of financial and
7 technical assistance: *Provided further*, That such inter-
8 mediary organizations shall provide matching funds from
9 other sources, including Federal funds for related activi-
10 ties, in an amount not less than funds provided: *Provided*
11 *further*, That of the amount appropriated under this head-
12 ing, the amount equal to the amount of Rural Community
13 Facilities Program Account funds allocated by the Sec-
14 retary for Rural Economic Area Partnership Zones for the
15 fiscal year 2011, shall be available through June 30, 2012,
16 for communities designated by the Secretary of Agri-
17 culture as Rural Economic Area Partnership Zones for the
18 rural community programs described in section
19 381E(d)(1) of the Consolidated Farm and Rural Develop-
20 ment Act: *Provided further*, That sections 381E–H and
21 381N of the Consolidated Farm and Rural Development
22 Act are not applicable to the funds made available under
23 this heading.

1 RURAL BUSINESS—COOPERATIVE SERVICE
2 RURAL BUSINESS PROGRAM ACCOUNT
3 (INCLUDING TRANSFERS OF FUNDS)

4 For the cost of loan guarantees and grants, for the
5 rural business development programs authorized by sec-
6 tions 306 and 310B and described in section 381E(d)(3)
7 of the Consolidated Farm and Rural Development Act,
8 \$64,500,000, to remain available until expended: *Pro-*
9 *vided*, That of the amount appropriated under this head-
10 ing, not to exceed \$500,000 shall be made available for
11 a grant to a qualified national organization to provide
12 technical assistance for rural transportation in order to
13 promote economic development: *Provided further*, That
14 \$2,250,000 shall be for grants to the Delta Regional Au-
15 thority (7 U.S.C. 2009aa et seq.) for any Rural Commu-
16 nity Advancement Program purpose as described in sec-
17 tion 381E(d) of the Consolidated Farm and rural Develop-
18 ment Act, of which not more than 5 percent may be used
19 for administrative expenses: *Provided further*, That
20 \$3,400,000 of the amount appropriated under this head-
21 ing shall be for business grants to benefit Federally Recog-
22 nized Native American Tribes, including \$250,000 for a
23 grant to a qualified national organization to provide tech-
24 nical assistance for rural transportation in order to pro-
25 mote economic development: *Provided further*, That of the

1 amount appropriated under this heading, the amount
2 equal to the amount of Rural Business Program Account
3 funds allocated by the Secretary for Rural Economic Area
4 Partnership Zones for the fiscal year 2011, shall be avail-
5 able through June 30, 2012, for communities designated
6 by the Secretary of Agriculture as Rural Economic Area
7 Partnership Zones for the rural business and cooperative
8 development programs described in section 381E(d)(3) of
9 the Consolidated Farm and Rural Development Act: *Pro-*
10 *vided further*, That sections 381E–H and 381N of the
11 Consolidated Farm and Rural Development Act are not
12 applicable to funds made available under this heading:
13 *Provided further*, That any prior balances in the Rural De-
14 velopment, Rural Community Advancement Program ac-
15 count for programs authorized by sections 306 and 310B
16 and described in section 381E(d)(3) of such Act be trans-
17 ferred and merged with this account and any other prior
18 balances from the Rural Development, Rural Community
19 Advancement Program account that the Secretary deter-
20 mines is appropriate to transfer.

21 RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

22 (INCLUDING TRANSFER OF FUNDS)

23 For the principal amount of direct loans, as author-
24 ized by the Rural Development Loan Fund (42 U.S.C.
25 9812(a)), \$14,758,000.

1 For the cost of direct loans, \$5,000,000, as author-
2 ized by the Rural Development Loan Fund (42 U.S.C.
3 9812(a)), of which \$750,000 shall be available through
4 June 30, 2012, for Federally Recognized Native American
5 Tribes; and of which \$1,500,000 shall be available through
6 June 30, 2012, for Mississippi Delta Regional counties (as
7 determined in accordance with Public Law 100–460): *Pro-*
8 *vided*, That such costs, including the cost of modifying
9 such loans, shall be defined in section 502 of the Congres-
10 sional Budget Act of 1974: *Provided further*, That of the
11 total amount appropriated under this heading, the amount
12 equal to the amount of Rural Development Loan Fund
13 Program Account funds allocated by the Secretary for
14 Rural Economic Area Partnership Zones for the fiscal
15 year 2011, shall be available through June 30, 2012, for
16 communities designated by the Secretary of Agriculture
17 as Rural Economic Area Partnership Zones.

18 In addition, for administrative expenses to carry out
19 the direct loan programs, \$3,500,000 shall be paid to the
20 appropriation for “Rural Development, Salaries and Ex-
21 penses”.

1 RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM
2 ACCOUNT
3 (INCLUDING CANCELLATION OF FUNDS)

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

8 Of the funds derived from interest on the cushion of
9 credit payments, as authorized by section 313 of the Rural
10 Electrification Act of 1936, \$155,000,000 shall not be ob-
11 ligated and \$155,000,000 are hereby permanently can-
12 celled.

13 RURAL COOPERATIVE DEVELOPMENT GRANTS

14 For rural cooperative development grants authorized
15 under section 310B(e) of the Consolidated Farm and
16 Rural Development Act (7 U.S.C. 1932), \$22,500,000 of
17 which, \$2,000,000 shall be for cooperative agreements for
18 the appropriate technology transfer for rural areas pro-
19 gram: *Provided*, That, not to exceed \$3,000,000 shall be
20 for cooperatives or associations of cooperatives whose pri-
21 mary focus is to provide assistance to small, socially dis-
22 advantaged producers and whose governing board and/or
23 membership is comprised of at least 75 percent socially
24 disadvantaged members; and of which \$12,500,000, to re-
25 main available until expended, shall be for value-added ag-

1 ricultural product market development grants, as author-
2 ized by section 231 of the Agricultural Risk Protection
3 Act of 2000 (7 U.S.C. 1621 note).

4 RURAL ENERGY FOR AMERICA PROGRAM

5 For the cost of a program of loan guarantees and
6 grants, under the same terms and conditions as authorized
7 by section 9007 of the Farm Security and Rural Invest-
8 ment Act of 2002 (7 U.S.C. 8107), \$1,300,000 (increased
9 by \$1,000,000): *Provided*, That the cost of loan guaran-
10 tees, including the cost of modifying such loans, shall be
11 as defined in section 502 of the Congressional Budget Act
12 of 1974.

13 RURAL UTILITIES SERVICE

14 RURAL WATER AND WASTE DISPOSAL PROGRAM

15 (INCLUDING TRANSFERS OF FUNDS)

16 For the cost of direct loans and grants for the rural
17 water, waste water, waste disposal, and solid waste man-
18 agement programs authorized by sections 306, 306A,
19 306C, 306D, 306E, and 310B and described in sections
20 306C(a)(2), 306D, 306E, and 381E(d)(2) of the Consoli-
21 dated Farm and Rural Development Act, \$500,000,000,
22 to remain available until expended, of which not to exceed
23 \$497,000 shall be available for the rural utilities program
24 described in section 306(a)(2)(B) of such Act, and of
25 which not to exceed \$993,000 shall be available for the

1 rural utilities program described in section 306E of such
2 Act: *Provided*, That \$65,000,000 of the amount appro-
3 priated under this heading shall be for loans and grants
4 including water and waste disposal systems grants author-
5 ized by 306C(a)(2)(B) and 306D of the Consolidated
6 Farm and Rural Development Act, Federally-recognized
7 Native American Tribes authorized by 306C(a)(1), and
8 the Department of Hawaiian Home Lands (of the State
9 of Hawaii): *Provided further*, That funding provided for
10 section 306D of the Consolidated Farm and Rural Devel-
11 opment Act may be provided to a consortium formed pur-
12 suant to section 325 of Public Law 105–83: *Provided fur-*
13 *ther*, That not more than 2 percent of the funding pro-
14 vided for section 306D of the Consolidated Farm and
15 Rural Development Act may be used by the State of Alas-
16 ka and/or by a consortium formed pursuant to section 325
17 of Public Law 105–83 for training and technical assist-
18 ance programs: *Provided further*, That not to exceed
19 \$19,000,000 of the amount appropriated under this head-
20 ing shall be for technical assistance grants for rural water
21 and waste systems pursuant to section 306(a)(14) of such
22 Act, unless the Secretary makes a determination of ex-
23 treme need, of which \$3,400,000 shall be made available
24 for a grant to a qualified non-profit multi-state regional
25 technical assistance organization, with experience in work-

1 ing with small communities on water and waste water
2 problems, the principal purpose of such grant shall be to
3 assist rural communities with populations of 3,300 or less,
4 in improving the planning, financing, development, oper-
5 ation, and management of water and waste water systems,
6 and of which not less than \$800,000 shall be for a quali-
7 fied national Native American organization to provide
8 technical assistance for rural water systems for tribal com-
9 munities: *Provided further*, That not to exceed
10 \$14,000,000 of the amount appropriated under this head-
11 ing shall be for contracting with qualified national organi-
12 zations for a circuit rider program to provide technical as-
13 sistance for rural water systems: *Provided further*, That
14 not to exceed \$3,400,000 shall be for solid waste manage-
15 ment grants: *Provided further*, That of the amount appro-
16 priated under this heading, the amount equal to the
17 amount of Rural Water and Waste Disposal Program Ac-
18 count funds allocated by the Secretary for Rural Economic
19 Area Partnership Zones for the fiscal year 2011, shall be
20 available through June 30, 2012, for communities des-
21 ignated by the Secretary of Agriculture as Rural Economic
22 Area Partnership Zones for the rural utilities programs
23 described in section 381E(d)(2) of the Consolidated Farm
24 and Rural Development Act: *Provided further*, That sec-
25 tions 381E–H and 381N of the Consolidated Farm and

1 Rural Development Act are not applicable to the funds
2 made available under this heading: *Provided further*, That
3 any prior balances in the Rural Development, Rural Com-
4 munity Advancement Program account programs author-
5 ized by sections 306, 306A, 306C, 306D, 306E, and 310B
6 and described in sections 306C(a)(2), 306D, 306E, and
7 381E(d)(2) of such Act be transferred to and merged with
8 this account and any other prior balances from the Rural
9 Development, Rural Community Advancement Program
10 account that the Secretary determines is appropriate to
11 transfer.

12 RURAL ELECTRIFICATION AND TELECOMMUNICATIONS

13 LOANS PROGRAM ACCOUNT

14 (INCLUDING TRANSFER OF FUNDS)

15 The principal amount of direct and guaranteed loans
16 as authorized by sections 305 and 306 of the Rural Elec-
17 trification Act of 1936 (7 U.S.C. 935 and 936) shall be
18 made as follows: 5 percent rural electrification loans,
19 \$100,000,000; loans made pursuant to section 306 of that
20 Act, rural electric, \$6,500,000,000; 5 percent rural tele-
21 communications loans, \$145,000,000; cost of money rural
22 telecommunications loans, \$250,000,000; and for loans
23 made pursuant to section 306 of that Act, rural tele-
24 communications loans, \$295,000,000.

1 In addition, for administrative expenses necessary to
2 carry out the direct and guaranteed loan programs,
3 \$30,000,000, which shall be paid to the appropriation for
4 “Rural Development, Salaries and Expenses”.

5 DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND
6 PROGRAM

7 (INCLUDING CANCELLATION OF FUNDS)

8 For grants for telemedicine and distance learning
9 services in rural areas, as authorized by 7 U.S.C. 950aaa
10 et seq., \$15,000,000, to remain available until expended.

11 TITLE IV

12 DOMESTIC FOOD PROGRAMS

13 OFFICE OF THE UNDER SECRETARY FOR FOOD,
14 NUTRITION AND CONSUMER SERVICES

15 For necessary expenses of the Office of the Under
16 Secretary for Food, Nutrition and Consumer Services,
17 \$689,000.

18 FOOD AND NUTRITION SERVICE

19 CHILD NUTRITION PROGRAMS

20 (INCLUDING TRANSFERS OF FUNDS)

21 For necessary expenses to carry out the Richard B.
22 Russell National School Lunch Act (42 U.S.C. 1751 et
23 seq.), except section 21, and the Child Nutrition Act of
24 1966 (42 U.S.C. 1771 et seq.), except sections 17 and
25 21; \$18,770,571,000, to remain available through Sep-

1 tember 30, 2013, of which such sums as are made avail-
2 able under section 14222(b)(1) of the Food, Conservation,
3 and Energy Act of 2008 (Public Law 110–246), as
4 amended by this Act, shall be merged with and available
5 for the same time period and purposes as provided herein:
6 *Provided*, That of the total amount available, \$16,516,000
7 shall be available to carry out section 19 of the Child Nu-
8 trition Act of 1966 (42 U.S.C. 1771 et seq.): *Provided*
9 *further*, That section 14222(b)(1) of the Food, Conserva-
10 tion, and Energy Act of 2008 is amended by adding at
11 the end before the period, “except section 21, and the
12 Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), ex-
13 cept sections 17 and 21”.

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

16 For necessary expenses to carry out the special sup-
17 plemental nutrition program as authorized by section 17
18 of the Child Nutrition Act of 1966 (42 U.S.C. 1786),
19 \$6,048,250,000, to remain available through September
20 30, 2013: *Provided*, That notwithstanding section
21 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C.
22 1786(h)(10)), of the amounts made available under this
23 heading, not less than \$14,000,000 shall be used for infra-
24 structure, not less than \$50,000,000 shall be used for
25 management information systems, not less than

1 \$75,000,000 shall be used for breastfeeding peer coun-
2 selors and other related activities, and not less than
3 \$7,500,000 shall be used for breastfeeding performance
4 awards: *Provided further*, That none of the funds provided
5 in this account shall be available for the purchase of infant
6 formula except in accordance with the cost containment
7 and competitive bidding requirements specified in section
8 17 of such Act: *Provided further*, That none of the funds
9 provided shall be available for activities that are not fully
10 reimbursed by other Federal Government departments or
11 agencies unless authorized by section 17 of such Act.

12 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

13 For necessary expenses to carry out the Food and
14 Nutrition Act of 2008 (7 U.S.C. 2011 et seq.),
15 \$71,173,308,000, of which \$3,000,000,000, to remain
16 available through September 30, 2013, shall be placed in
17 reserve for use only in such amounts and at such times
18 as may become necessary to carry out program operations:
19 *Provided*, That funds provided herein shall be expended
20 in accordance with section 16 of the Food and Nutrition
21 Act of 2008: *Provided further*, That this appropriation
22 shall be subject to any work registration or workfare re-
23 quirements as may be required by law: *Provided further*,
24 That funds made available for Employment and Training
25 under this heading shall remain available until expended,

1 notwithstanding section 16(h)(1) of the Food and Nutri-
2 tion Act of 2008: *Provided further*, That of the funds made
3 available under this heading, \$1,000,000 may be used to
4 provide nutrition education services to state agencies and
5 Federally recognized tribes participating in the Food Dis-
6 tribution Program on Indian Reservations: *Provided fur-*
7 *ther*, That funds made available under this heading may
8 be available to enter into contracts and employ staff to
9 conduct studies, evaluations, or to conduct activities re-
10 lated to program integrity provided that such activities are
11 authorized by the Food and Nutrition Act of 2008.

12 COMMODITY ASSISTANCE PROGRAM

13 For necessary expenses to carry out disaster assist-
14 ance and the Commodity Supplemental Food Program as
15 authorized by section 4(a) of the Agriculture and Con-
16 sumer Protection Act of 1973 (7 U.S.C. 612c note); the
17 Emergency Food Assistance Act of 1983; special assist-
18 ance for the nuclear affected islands, as authorized by sec-
19 tion 103(f)(2) of the Compact of Free Association Amend-
20 ments Act of 2003 (Public Law 108–188); and the Farm-
21 ers’ Market Nutrition Program, as authorized by section
22 17(m) of the Child Nutrition Act of 1966, \$192,500,000
23 (increased by \$5,000,000), to remain available through
24 September 30, 2013: *Provided*, That none of these funds
25 shall be available to reimburse the Commodity Credit Cor-

1 poration for commodities donated to the program: *Pro-*
2 *vided further*, That notwithstanding any other provision
3 of law, effective with funds made available in fiscal year
4 2012 to support the Seniors Farmers' Market Nutrition
5 Program, as authorized by section 4402 of the Farm Se-
6 curity and Rural Investment Act of 2002, such funds shall
7 remain available through September 30, 2013: *Provided*
8 *further*, That of the funds made available under section
9 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C.
10 2036(a)), the Secretary may use up to 10 percent for costs
11 associated with the distribution of commodities.

12 NUTRITION PROGRAMS ADMINISTRATION

13 For necessary administrative expenses of the Food
14 and Nutrition Service for carrying out any domestic nutri-
15 tion assistance program, \$125,000,000: *Provided*, That of
16 the funds provided herein, \$1,500,000 shall be used for
17 the purposes of section 4404 of Public Law 107–171, as
18 amended by section 4401 of Public Law 110–246.

1 TITLE V
2 FOREIGN ASSISTANCE AND RELATED
3 PROGRAMS
4 FOREIGN AGRICULTURAL SERVICE
5 SALARIES AND EXPENSES
6 (INCLUDING TRANSFERS OF FUNDS)

7 For necessary expenses of the Foreign Agricultural
8 Service, including not to exceed \$158,000 for representa-
9 tion allowances and for expenses pursuant to section 8 of
10 the Act approved August 3, 1956 (7 U.S.C. 1766),
11 \$175,000,000 (reduced by \$2,500,000): *Provided*, That
12 the Service may utilize advances of funds, or reimburse
13 this appropriation for expenditures made on behalf of Fed-
14 eral agencies, public and private organizations and institu-
15 tions under agreements executed pursuant to the agricul-
16 tural food production assistance programs (7 U.S.C.
17 1737) and the foreign assistance programs of the United
18 States Agency for International Development: *Provided*
19 *further*, That funds made available for middle-income
20 country training programs, funds made available for the
21 Borlaug International Agricultural Science and Tech-
22 nology Fellowship program, and up to \$2,000,000 of the
23 Foreign Agricultural Service appropriation solely for the
24 purpose of offsetting fluctuations in international currency
25 exchange rates, subject to documentation by the Foreign

1 Agricultural Service, shall remain available until ex-
2 pended.

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

6 For administrative expenses to carry out the credit
7 program of title I, Food for Peace Act (Public Law 83-
8 480) and the Food for Progress Act of 1985, \$2,385,000,
9 which shall be paid to the appropriation for “Farm Service
10 Agency, Salaries and Expenses”: *Provided*, That funds
11 made available for the cost of agreements under title I
12 of the Agricultural Trade Development and Assistance Act
13 of 1954 and for title I ocean freight differential may be
14 used interchangeably between the two accounts with prior
15 notice to the Committees on Appropriations of both
16 Houses of Congress.

17 FOOD FOR PEACE TITLE II GRANTS

18 For expenses during the current fiscal year, not oth-
19 erwise recoverable, and unrecovered prior years’ costs, in-
20 cluding interest thereon, under the Food for Peace Act
21 (Public Law 83-480, as amended), for commodities sup-
22 plied in connection with dispositions abroad under title II
23 of said Act, \$1,040,198,000, to remain available until ex-
24 pended.

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

4 For administrative expenses to carry out the Com-
5 modity Credit Corporation's export guarantee program,
6 GSM 102 and GSM 103, \$6,820,000; to cover common
7 overhead expenses as permitted by section 11 of the Com-
8 modity Credit Corporation Charter Act and in conformity
9 with the Federal Credit Reform Act of 1990, of which
10 \$6,465,000 shall be paid to the appropriation for "Foreign
11 Agricultural Service, Salaries and Expenses", and of
12 which \$355,000 shall be paid to the appropriation for
13 "Farm Service Agency, Salaries and Expenses".

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

16 For necessary expenses to carry out the provisions
17 of section 3107 of the Farm Security and Rural Invest-
18 ment Act of 2002 (7 U.S.C. 1736o-1), \$180,000,000, to
19 remain available until expended: *Provided*, That the Com-
20 modity Credit Corporation is authorized to provide the
21 services, facilities, and authorities for the purpose of im-
22 plementing such section, subject to reimbursement from
23 amounts provided herein.

1 TITLE VI
2 RELATED AGENCIES AND FOOD AND DRUG
3 ADMINISTRATION
4 DEPARTMENT OF HEALTH AND HUMAN SERVICES
5 FOOD AND DRUG ADMINISTRATION
6 SALARIES AND EXPENSES
7 For necessary expenses of the Food and Drug Ad-
8 ministration, including hire and purchase of passenger
9 motor vehicles; for payment of space rental and related
10 costs pursuant to Public Law 92–313 for programs and
11 activities of the Food and Drug Administration which are
12 included in this Act; for rental of special purpose space
13 in the District of Columbia or elsewhere; for miscellaneous
14 and emergency expenses of enforcement activities, author-
15 ized and approved by the Secretary and to be accounted
16 for solely on the Secretary’s certificate, not to exceed
17 \$25,000; and notwithstanding section 521 of Public Law
18 107–188; \$3,654,148,000: *Provided*, That of the amount
19 provided under this heading, \$856,041,000 shall be de-
20 rived from prescription drug user fees authorized by 21
21 U.S.C. 379h, and shall be credited to this account and
22 remain available until expended, and shall not include any
23 fees pursuant to 21 U.S.C. 379h(a)(2) and (a)(3) assessed
24 for fiscal year 2013 but collected in fiscal year 2012;
25 \$67,118,000 shall be derived from medical device user fees

1 authorized by 21 U.S.C. 379j, and shall be credited to this
2 account and remain available until expended; \$21,768,000
3 shall be derived from animal drug user fees authorized by
4 section 740 of the Federal Food, Drug, and Cosmetic Act
5 (21 U.S.C. 379j–12), and shall be credited to this account
6 and remain available until expended; \$5,706,000 shall be
7 derived from animal generic drug user fees authorized by
8 section 741 of the Federal Food, Drug, and Cosmetic Act
9 (21 U.S.C. 379j–21), and shall be credited to this account
10 and shall remain available until expended; and
11 \$477,000,000 shall be derived from tobacco product user
12 fees authorized by 21 U.S.C. 387s and shall be credited
13 to this account and remain available until expended;
14 \$12,364,000 shall be derived from food and feed recall
15 fees authorized by section 743 of the Federal Food, Drug,
16 and Cosmetic Act (Public Law 75–717), as amended by
17 the Food Safety Modernization Act (Public Law 111–
18 353), and shall be credited to this account and remain
19 available until expended; \$14,700,000 shall be derived
20 from food reinspection fees authorized by section 743 of
21 the Federal Food, Drug, and Cosmetic Act (Public Law
22 75–717), as amended by the Food Safety Modernization
23 Act (Public Law 111–353), and shall be credited to this
24 account and remain available until expended; and
25 \$36,000,000 shall be derived from voluntary qualified im-

1 porter program fees authorized by section 743 of the Fed-
2 eral Food, Drug, and Cosmetic Act (Public Law 75–717),
3 as amended by the Food Safety Modernization Act (Public
4 Law 111–353), and shall be credited to this account and
5 remain available until expended: *Provided further*, That
6 fees derived from prescription drug, medical device, animal
7 drug, animal generic drug, and tobacco product assess-
8 ments for fiscal year 2012 received during fiscal year
9 2012, including any such fees assessed prior to fiscal year
10 2012 but credited for fiscal year 2012, shall be subject
11 to the fiscal year 2012 limitations: *Provided further*, That
12 in addition and notwithstanding any other provision under
13 this heading, amounts collected for prescription drug user
14 fees that exceed the fiscal year 2012 limitation are appro-
15 priated and shall be credited to this account and remain
16 available until expended: *Provided further*, That of the
17 total amount appropriated: (1) \$799,820,000 shall be for
18 the Center for Food Safety and Applied Nutrition and re-
19 lated field activities in the Office of Regulatory Affairs;
20 (2) \$1,031,205,000 shall be for the Center for Drug Eval-
21 uation and Research and related field activities in the Of-
22 fice of Regulatory Affairs; (3) \$327,651,000 shall be for
23 the Center for Biologics Evaluation and Research and for
24 related field activities in the Office of Regulatory Affairs;
25 (4) \$157,874,000 shall be for the Center for Veterinary

1 Medicine and for related field activities in the Office of
2 Regulatory Affairs; (5) \$321,171,000 shall be for the Cen-
3 ter for Devices and Radiological Health and for related
4 field activities in the Office of Regulatory Affairs; (6)
5 \$51,461,000 shall be for the National Center for Toxi-
6 cological Research; (7) \$454,751,000 shall be for the Cen-
7 ter for Tobacco Products and for related field activities
8 in the Office of Regulatory Affairs; (8) not to exceed
9 \$124,273,000 shall be for Rent and Related activities, of
10 which \$37,073,000 is for White Oak Consolidation, other
11 than the amounts paid to the General Services Adminis-
12 tration for rent; (9) not to exceed \$177,130,000 shall be
13 for payments to the General Services Administration for
14 rent; and (10) \$208,812,000 shall be for other activities,
15 including the Office of the Commissioner; the Office of
16 Foods; the Office of the Chief Scientist; the Office of Pol-
17 icy, Planning and Budget; the Office of International Pro-
18 grams; the Office of Administration; and central services
19 for these offices: *Provided further*, That not to exceed
20 \$25,000 of this amount shall be for official reception and
21 representation expenses, not otherwise provided for, as de-
22 termined by the Commissioner: *Provided further*, That
23 funds may be transferred from one specified activity to
24 another with the prior approval of the Committees on Ap-
25 propriations of both Houses of Congress.

1 In addition, mammography user fees authorized by
2 42 U.S.C. 263b, export certification user fees authorized
3 by 21 U.S.C. 381, and priority review user fees authorized
4 by 21 U.S.C. 360n may be credited to this account, to
5 remain available until expended.

6 BUILDINGS AND FACILITIES

7 For plans, construction, repair, improvement, exten-
8 sion, alteration, and purchase of fixed equipment or facili-
9 ties of or used by the Food and Drug Administration,
10 where not otherwise provided, \$8,788,000, to remain
11 available until expended.

12 INDEPENDENT AGENCIES

13 COMMODITY FUTURES TRADING COMMISSION

14 For necessary expenses to carry out the provisions
15 of the Commodity Exchange Act (7 U.S.C. 1 et seq.), in-
16 cluding the purchase and hire of passenger motor vehicles,
17 and the rental of space (to include multiple year leases)
18 in the District of Columbia and elsewhere, \$171,930,000,
19 to remain available until September 30, 2013, including
20 not to exceed \$3,000 for official reception and representa-
21 tion expenses, and not to exceed \$25,000 for the expenses
22 for consultations and meetings hosted by the Commission
23 with foreign governmental and other regulatory officials.

1 FARM CREDIT ADMINISTRATION
2 LIMITATION ON ADMINISTRATIVE EXPENSES
3 Not to exceed \$62,000,000 (from assessments col-
4 lected from farm credit institutions, including the Federal
5 Agricultural Mortgage Corporation) shall be obligated
6 during the current fiscal year for administrative expenses
7 as authorized under 12 U.S.C. 2249: *Provided*, That this
8 limitation shall not apply to expenses associated with re-
9 ceiverships.

10 TITLE VII
11 GENERAL PROVISIONS
12 (INCLUDING CANCELLATIONS, RECISSIONS AND
13 TRANSFERS OF FUNDS)

14 SEC. 701. Within the unit limit of cost fixed by law,
15 appropriations and authorizations made for the Depart-
16 ment of Agriculture for the current fiscal year under this
17 Act shall be available for the purchase, in addition to those
18 specifically provided for, of not to exceed 461 passenger
19 motor vehicles, of which 456 shall be for replacement only,
20 and for the hire of such vehicles.

21 SEC. 702. The Secretary of Agriculture may transfer
22 unobligated balances of discretionary funds appropriated
23 by this Act or other available unobligated discretionary
24 balances of the Department of Agriculture to the Working
25 Capital Fund for the acquisition of plant and capital

1 equipment necessary for the delivery of financial, adminis-
2 trative, and information technology services of primary
3 benefit to the agencies of the Department of Agriculture:
4 *Provided*, That none of the funds made available by this
5 Act or any other Act shall be transferred to the Working
6 Capital Fund without the prior notification to the agency
7 administrator: *Provided further*, That none of the funds
8 transferred to the Working Capital Fund pursuant to this
9 section shall be available for obligation without the prior
10 notification to the Committees on Appropriations of both
11 Houses of Congress: *Provided further*, That of annual in-
12 come amounts in the Working Capital Fund of the De-
13 partment of Agriculture allocated for the National Fi-
14 nance Center, the Secretary may reserve not more than
15 4 percent for the replacement or acquisition of capital
16 equipment, including equipment for the improvement and
17 implementation of a financial management plan, informa-
18 tion technology, and other systems of the National Fi-
19 nance Center or to pay any unforeseen, extraordinary cost
20 of the National Finance Center: *Provided further*, That
21 none of the amounts reserved shall be available for obliga-
22 tion unless the Secretary submits notification of the obli-
23 gation to the Committees on Appropriations of the House
24 of Representatives and the Senate: *Provided further*, That
25 the limitation on the obligation of funds pending notifica-

1 tion to Congressional Committees shall not apply to any
2 obligation that, as determined by the Secretary, is nec-
3 essary to respond to a declared state of emergency that
4 significantly impacts the operations of the National Fi-
5 nance Center; or to evacuate employees of the National
6 Finance Center to a safe haven to continue operations of
7 the National Finance Center.

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

11 SEC. 704. No funds appropriated by this Act may be
12 used to pay negotiated indirect cost rates on cooperative
13 agreements or similar arrangements between the Depart-
14 ment of Agriculture and nonprofit institutions in excess
15 of 10 percent of the total direct cost of the agreement
16 when the purpose of such cooperative arrangements is to
17 carry out programs of mutual interest between the two
18 parties. This does not preclude appropriate payment of in-
19 direct costs on grants and contracts with such institutions
20 when such indirect costs are computed on a similar basis
21 for all agencies for which appropriations are provided in
22 this Act.

23 SEC. 705. Appropriations to the Department of Agri-
24 culture for the cost of direct and guaranteed loans made
25 available in the current fiscal year shall remain available

1 until expended to disburse obligations made in the current
2 fiscal year for the following accounts: the Rural Develop-
3 ment Loan Fund program account, the Rural Electrifica-
4 tion and Telecommunication Loans program account, and
5 the Rural Housing Insurance Fund program account.

6 SEC. 706. None of the funds appropriated by this Act
7 may be used to carry out section 410 of the Federal Meat
8 Inspection Act (21 U.S.C. 679a) or section 30 of the Poul-
9 try Products Inspection Act (21 U.S.C. 471).

10 SEC. 707. None of the funds made available to the
11 Department of Agriculture by this Act may be used to ac-
12 quire new information technology systems or significant
13 upgrades, as determined by the Office of the Chief Infor-
14 mation Officer, without the approval of the Chief Informa-
15 tion Officer and the concurrence of the Executive Informa-
16 tion Technology Investment Review Board: *Provided*, That
17 notwithstanding any other provision of law, none of the
18 funds appropriated or otherwise made available by this
19 Act may be transferred to the Office of the Chief Informa-
20 tion Officer unless prior notification has been transmitted
21 to the Committees on Appropriations of both Houses of
22 Congress: *Provided further*, That none of the funds avail-
23 able to the Department of Agriculture for information
24 technology shall be obligated for projects over \$25,000

1 prior to receipt of written approval by the Chief Informa-
2 tion Officer.

3 SEC. 708. Funds made available under section 1240I
4 and section 1241(a) of the Food Security Act of 1985 and
5 section 524(b) of the Federal Crop Insurance Act (7
6 U.S.C. 1524(b)) in the current fiscal year shall remain
7 available until expended to disburse obligations made in
8 the current fiscal year.

9 SEC. 709. Notwithstanding any other provision of
10 law, any former RUS borrower that has repaid or prepaid
11 an insured, direct or guaranteed loan under the Rural
12 Electrification Act of 1936, or any not-for-profit utility
13 that is eligible to receive an insured or direct loan under
14 such Act, shall be eligible for assistance under section
15 313(b)(2)(B) of such Act in the same manner as a bor-
16 rower under such Act.

17 SEC. 710. Notwithstanding any other provision of
18 law, for the purposes of a grant under section 412 of the
19 Agricultural Research, Extension, and Education Reform
20 Act of 1998, none of the funds in this or any other Act
21 may be used to prohibit the provision of in-kind support
22 from non-Federal sources under section 412(e)(3) of such
23 Act in the form of unrecovered indirect costs not otherwise
24 charged against the grant, consistent with the indirect
25 rate of cost approved for a recipient.

1 SEC. 711. Except as otherwise specifically provided
2 by law, unobligated balances remaining available at the
3 end of the fiscal year from appropriations made available
4 for salaries and expenses in this Act for the Farm Service
5 Agency and the Rural Development mission area, shall re-
6 main available through September 30, 2013, for informa-
7 tion technology expenses.

8 SEC. 712. The Secretary of Agriculture may author-
9 ize a State agency to use funds provided in this Act to
10 exceed the maximum amount of liquid infant formula
11 specified in 7 CFR 246.10 when issuing liquid infant for-
12 mula to participants.

13 SEC. 713. None of the funds appropriated or other-
14 wise made available by this Act may be used for first-class
15 travel by the employees of agencies funded by this Act in
16 contravention of sections 301–10.122 through 301–10.124
17 of title 41, Code of Federal Regulations.

18 SEC. 714. In the case of each program established
19 or amended by the Food, Conservation, and Energy Act
20 of 2008 (Public Law 110–246), other than by title I or
21 subtitle A of title III of such Act, that is authorized or
22 required to be carried out using funds of the Commodity
23 Credit Corporation—

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

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

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

11 SEC. 715. In carrying out subsection (h) of section
12 502 of the Housing Act of 1949, the Secretary may use
13 the authority described in subsections (h) and (j) of sec-
14 tion 538 of such Act.

15 SEC. 716. Clause (ii) of section 524(b)(4)(B) of the
16 Federal Crop Insurance Act (7 U.S.C. 1524(b)(4)(B)) is
17 amended—

18 (1) in the heading, by striking “fiscal years
19 2008 through 2012” and inserting “certain fiscal
20 years”; and

21 (2) in the text, by striking “2012” and insert-
22 ing “2014”.

23 SEC. 717. Appropriations to the Department of Agri-
24 culture made available in fiscal years 2005, 2006, and
25 2007 to carry out section 601 of the Rural Electrification

1 Act of 1936 (7 U.S.C. 950bb) for the cost of direct loans
2 shall remain available until expended to disburse valid ob-
3 ligations made in fiscal years 2005, 2006, 2007, and
4 2008.

5 SEC. 718. None of the funds appropriated or other-
6 wise made available by this Act or any other Act shall
7 be used to pay the salaries and expenses of personnel to
8 carry out a program under subsection (b)(2)(A)(iv) of sec-
9 tion 14222 of Public Law 110–246 in excess of
10 \$948,000,000, as follows: Child Nutrition Programs Enti-
11 tlement Commodities – \$465,000,000; State Option Con-
12 tract – \$5,000,000; Removal of Defective Commodities –
13 \$2,500,000; Disaster Relief – \$5,000,000; Additional
14 Fruits, Vegetables, and Nuts Purchases –\$206,000,000;
15 Fresh Fruit and Vegetable Program – \$20,000,000; Esti-
16 mated Future Needs – \$196,713,000; and, Administrative
17 Funds – \$47,787,000: *Provided*, That none of the funds
18 made available in this Act or any other Act shall be used
19 for salaries and expenses to carry out section 19(i)(1)(E)
20 of the Richard B. Russell National School Lunch Act as
21 amended by section 4304 of Public Law 110–246 in excess
22 of \$20,000,000, including the transfer of funds under sub-
23 section (c) of section 14222 of Public Law 110–246, until
24 October 1, 2012: *Provided further*, That \$133,000,000
25 made available on October 1, 2012, to carry out section

1 19(i)(1)(E) of the Richard B. Russell National School
2 Lunch Act as amended by section 4304 of Public Law
3 110–246 shall be excluded from the limitation described
4 in subsection (b)(2)(A)(v) of section 14222 of Public Law
5 110–246: *Provided further*, That none of the funds appro-
6 priated or otherwise made available by this or any other
7 Act shall be used to pay the salaries or expenses of any
8 employee of the Department of Agriculture or officer of
9 the Commodity Credit Corporation to carry out clause (3)
10 of section 32 of the Act of August 24, 1935 (7 U.S.C.
11 612c), or for any surplus removal activities or price sup-
12 port activities under section 5 of the Commodity Credit
13 Corporation Charter Act: *Provided further*, That of the
14 available unobligated balances under (b)(2)(A)(iv) of sec-
15 tion 14222 of Public Law 110–246, \$150,000,000 are
16 hereby rescinded.

17 SEC. 719. Of the funds made available by this Act,
18 not more than \$1,800,000 shall be used to cover necessary
19 expenses of activities related to all advisory committees,
20 panels, commissions, and task forces of the Department
21 of Agriculture, except for panels used to comply with nego-
22 tiated rule makings and panels used to evaluate competi-
23 tively awarded grants.

24 SEC. 720. None of the funds in this Act shall be avail-
25 able to pay indirect costs charged against any agricultural

1 research, education, or extension grant awards issued by
2 the National Institute of Food and Agriculture that exceed
3 30 percent of total Federal funds provided under each
4 award: *Provided*, That notwithstanding section 1462 of
5 the National Agricultural Research, Extension, and
6 Teaching Policy Act of 1977 (7 U.S.C. 3310), funds pro-
7 vided by this Act for grants awarded competitively by the
8 National Institute of Food and Agriculture shall be avail-
9 able to pay full allowable indirect costs for each grant
10 awarded under section 9 of the Small Business Act (15
11 U.S.C. 638).

12 SEC. 721. None of the funds made available by this
13 or any other Act may be used to write, prepare, develop,
14 or publish a final rule or an interim final rule in further-
15 ance of, or otherwise to implement, the proposed rule enti-
16 tled “Implementation of Regulations Required Under Title
17 XI of the Food, Conservation, and Energy Act of 2008;
18 Conduct in Violation of the Act” (75 Fed. Reg. 35338
19 (June 22, 2010)).

20 SEC. 722. The unobligated balances available for the
21 Natural Resources Conservation Service, Forestry Incen-
22 tives Program, as identified by Treasury Appropriation
23 Fund Symbol 12X3336, \$5,500,000 are rescinded, and
24 the unobligated balances available for the Natural Re-
25 sources Conservation Service, Great Plains Conservation

1 Program, as identified by Treasury Appropriation Fund
2 Symbol 12X2268, \$500,000 are rescinded.

3 SEC. 723. Of the unobligated balances provided pur-
4 suant to section 16(h)(1)(A) of the Food and Nutrition
5 Act of 2008, \$11,000,000 is hereby rescinded.

6 SEC. 724. Section 1238E(a) of the Food Security Act
7 of 1985 (16 U.S.C. 3838e(a)) is amended by striking
8 “2012” and inserting “2014”.

9 SEC. 725. (a) Section 1240B(a) of the Food Security
10 Act of 1985 (16 U.S.C. 3839aa–2(a)) is amended by strik-
11 ing “2012” and inserting “2014”.

12 (b) Section 1241(a)(6)(E) of the Food Security Act
13 of 1985 (16 U.S.C. 3841(a)(6)(E)) is amended by striking
14 “fiscal year 2012” and inserting “each of fiscal years
15 2012 through 2014”.

16 SEC. 726. Section 1241(a) of the Food Security Act
17 of 1985 (16 U.S.C. 3841(a)) is amended—

18 (1) in the matter preceding paragraph (1), by
19 striking “2012,” and inserting “2012 (and fiscal
20 year 2014 in the case of the programs specified in
21 paragraphs (3)(B), (4), (6), and (7)),”; and

22 (2) in paragraph (4)(E), by striking “fiscal year
23 2012” and inserting “each of fiscal years 2012
24 through 2014”.

1 SEC. 727. Section 1241(a)(7)(D) of the Food Secu-
2 rity Act of 1985 (16 U.S.C. 3841(a)(7)(D)) is amended
3 by striking “2012” and inserting “2014”.

4 SEC. 728. None of the funds appropriated or other-
5 wise made available by this or any other Act shall be used
6 to pay the salaries and expenses of personnel to carry out
7 the following:

8 (1) The Conservation Stewardship Program au-
9 thORIZED by sections 1238D–1238G of the Food Se-
10 curity of Act 1985 (16 U.S.C. 3838d–3838g) in ex-
11 cess of \$634,000,000.

12 (2) The Watershed Rehabilitation program au-
13 THORIZED by section 14(h) of the Watershed Protec-
14 tion and Flood Prevention Act (16 U.S.C. 1012(h)).

15 (3) The Environmental Quality Incentives Pro-
16 gram as authorized by sections 1241–1240H of the
17 Food Security Act of 1985 (16 U.S.C. 3839aa–
18 3839aa-8) in excess of \$1,400,000,000.

19 (4) The Farmland Protection Program as au-
20 THORIZED by section 1238I of the Food Security Act
21 of 1985 (16 U.S.C. 3838i) in excess of
22 \$150,000,000.

23 (5) The Grassland Reserve Program as author-
24 ized by sections 1238O–1238Q of the Food Security

1 Act of 1985 (16 U.S.C. 3838o–3838q) in excess of
2 209,000 acres in fiscal year 2012.

3 (6) The Wetlands Reserve Program authorized
4 by sections 1237–1237F of the Food Security Act of
5 1985 (16 U.S.C. 3837–3837f) to enroll in excess of
6 185,800 acres in fiscal year 2012.

7 (7) The Wildlife Habitat Incentives Act author-
8 ized by section 1240N of the Food Security Act of
9 1985 (16 U.S.C. 3839bb–1)) in excess of
10 \$50,000,000.

11 (8) The Voluntary Public Access and Habitat
12 Incentives Program authorized by section 1240R of
13 the Food Security Act of 1985 (16 U.S.C. 3839bb–
14 5).

15 (9) The Biomass Crop Assistance Program au-
16 thORIZED by section 9011 of the Farm Security and
17 Rural Investment Act of 2002 (7 U.S.C. 8111).

18 (10) The Bioenergy Program for Advanced
19 Biofuels authorized by section 9005 of the Farm Se-
20 curity and Rural Investment Act of 2002 (7 U.S.C.
21 8105) in excess of \$55,000,000.

22 (11) The Rural Energy for America Program
23 authorized by section 9007 of the Farm Security
24 and Rural Investment Act of 2002 (7 U.S.C. 8107).

1 (12) The Rural Microentrepreneur Assistance
2 Program authorized by section 6022 of the Farm
3 Security and Rural Investment Act of 2002 (7
4 U.S.C. 2008s).

5 (13) Section 508(d)(3) of the Federal Crop In-
6 surance Act (7 U.S.C. 1508(d)(3)) to provide a per-
7 formance-based premium discount in the crop insur-
8 ance program.

9 (14) Agricultural Management Assistance Pro-
10 gram as authorized by section 524 of the Federal
11 Crop Insurance Act, as amended (7 U.S.C. 1524) in
12 excess of \$2,500,000 for the Natural Resources con-
13 servation Service.

14 SEC. 729. The funds made available in Public Law
15 111–344 through February 12, 2012 for trade adjustment
16 for farmers are hereby rescinded.

17 SEC. 730. None of the funds appropriated or other-
18 wise made available by this Act shall be used to pay the
19 salaries and expenses of personnel to carry out the emer-
20 gency food assistance program authorized by section 27(a)
21 of the Food and Nutrition Stamp Act of 2008 (7 U.S.C.
22 2036(a)) if such program exceeds \$200,000,000.

23 SEC. 731. (a) CLOSURE AND CONVEYANCE OF AGRI-
24 CULTURAL RESEARCH SERVICE FACILITIES.—The Sec-
25 retary of Agriculture may close up to 10 facilities of the

1 Agricultural Research Service, as proposed in the budget
2 of the President for fiscal year 2012 submitted to Con-
3 gress pursuant to section 1105 of title 31, United States
4 Code.

5 (b) CONVEYANCE AUTHORITY.—With respect to an
6 Agricultural Research Service facility to be closed pursu-
7 ant to subsection (a), the Secretary of Agriculture may
8 convey, with or without consideration, all right, title, and
9 interest of the United States in and to any real property,
10 including improvements and equipment thereon, of the fa-
11 cility to an eligible entity specified in subsection (c). If
12 the Agricultural Research Service facility consists of more
13 than one parcel of real property, the Secretary may convey
14 each parcel separately and to different eligible entities.

15 (c) ENTITIES.—The following entities are eligible to
16 receive real property under subsection (b):

17 (1) Land-grant colleges and universities (as de-
18 fined in section 1404(13) of the National Agricul-
19 tural Research, Extension, and Teaching Policy Act
20 of 1977 (7 U.S.C. 3103(13)).

21 (2) 1994 Institutions (as defined in section 532
22 of the Equity in Educational Land-Grant Status Act
23 of 1994 (7 U.S.C. 301 note; Public Law 103–382)).

24 (3) Hispanic-serving agricultural colleges and
25 universities (as defined in section 1404(10) of the

1 National Agricultural Research, Extension, and
2 Teaching Policy Act of 1977 (7 U.S.C. 3103(10)).

3 (d) CONDITIONS ON RECEIPT.—As a condition of the
4 conveyance of real property under subsection (b), the re-
5 cipient of the property must—

6 (1) be located in the same State or territory of
7 the United States in which the property is located;
8 and

9 (2) agree to accept and use the property for ag-
10 ricultural and natural resources research for a min-
11 imum of 25 years.

12 SEC. 732. Section 9 of the Richard B. Russell Na-
13 tional School Lunch Act (42 U.S.C. 1758) is amended by
14 adding at the end the following:

15 “(1) FOOD DONATION PROGRAM.—

16 “(1) IN GENERAL.—Each school and local edu-
17 cational agency participating in the school lunch
18 program under this Act may donate any food not
19 consumed under such program to eligible local food
20 banks or charitable organizations.

21 “(2) GUIDANCE.—

22 “(A) IN GENERAL.—Not later than 180
23 days after the date of the enactment of this
24 subsection, the Secretary shall develop and pub-
25 lish guidance to schools and local educational

1 agencies participating in the school lunch pro-
2 gram under this Act to assist such schools and
3 local educational agencies in donating food
4 under this subsection.

5 “(B) UPDATES.—The Secretary shall up-
6 date such guidance as necessary.

7 “(3) LIABILITY.—Any school or local edu-
8 cational agency making donations pursuant to this
9 subsection shall be exempt from civil and criminal li-
10 ability to the extent provided under the Bill Emer-
11 son Good Samaritan Food Donation Act (42 U.S.C.
12 1791).

13 “(4) DEFINITION.—In this subsection, the term
14 ‘eligible local food banks or charitable organizations’
15 means any food bank or charitable organization
16 which is exempt from tax under section 501(c)(3) of
17 the Internal Revenue Code of 1986 (26 U.S.C.
18 501(c)(3)).”.

19 SEC. 733. Notwithstanding this Act or any other Act,
20 of the unobligated balances available to the Department
21 of Agriculture from prior appropriations, with the excep-
22 tion of Rural Development and Domestic Food Programs,
23 \$63,000,000 in appropriated discretionary funds are here-
24 by rescinded: *Provided*, That no amounts may be re-
25 scinded from amounts that were designated by the Con-

1 gress as an emergency requirement pursuant to the Con-
2 current Resolution on the Budget or the Balanced Budget
3 and Emergency Deficit Control Act of 1985, as amended.

4 SEC. 734. None of the funds appropriated or other-
5 wise made available to the Department of Agriculture or
6 the Food and Drug Administration shall be used to trans-
7 mit or otherwise make available to any non-Department
8 of Agriculture or non-Department of Health and Human
9 Services employee questions or responses to questions that
10 are a result of information requested for the appropria-
11 tions hearing process.

12 SEC. 735. (a) None of the funds provided by this Act,
13 or provided by previous Appropriations Acts to the agen-
14 cies funded by this Act that remain available for obligation
15 or expenditure in the current fiscal year, or provided from
16 any accounts in the Treasury of the United States derived
17 by the collection of fees available to the agencies funded
18 by this Act, shall be available for obligation or expenditure
19 through a reprogramming of funds, or in the case of the
20 Department of Agriculture, through use of the authority
21 provided by section 702(b) of the Department of Agri-
22 culture Organic Act of 1944 (7 U.S.C. 2257) or section
23 8 of Public Law 89–106 (7 U.S.C. 2263), that—

24 (1) creates new programs;

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

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

4 (4) relocates an office or employees;

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

6 or

7 (6) contracts out or privatizes any functions or
8 activities presently performed by Federal employees;

9 unless the Secretary of Agriculture, the Secretary of
10 Health and Human Services, or the Chairman of the Com-
11 modity Futures Trading Commission (as the case may be)
12 notifies, in writing, the Committees on Appropriations of
13 both Houses of Congress at least 30 days in advance of
14 the reprogramming of such funds or the use of such au-
15 thority.

16 (b) None of the funds provided by this Act, or pro-
17 vided by previous Appropriations Acts to the agencies
18 funded by this Act that remain available for obligation or
19 expenditure in the current fiscal year, or provided from
20 any accounts in the Treasury of the United States derived
21 by the collection of fees available to the agencies funded
22 by this Act, shall be available for obligation or expenditure
23 for activities, programs, or projects through a reprogram-
24 ming or use of the authorities referred to in subsection

1 (a) involving funds in excess of \$500,000 or 10 percent,
2 whichever is less, that—

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

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

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

19 (c) The Secretary of Agriculture, the Secretary of
20 Health and Human Services, or the Chairman of the Com-
21 modity Futures Trading Commission shall notify the Com-
22 mittees on Appropriations of both Houses of Congress be-
23 fore implementing any program or activity not carried out
24 during the previous fiscal year unless the program or ac-

1 tivity is funded by this Act or specifically funded by any
2 other Act.

3 SEC. 736. None of the funds appropriated by this or
4 any other Act shall be used to pay the salaries and ex-
5 penses of personnel who prepare or submit appropriations
6 language as part of the President's Budget submission to
7 the Congress of the United States for programs under the
8 jurisdiction of the Appropriations Subcommittees on Agri-
9 culture, Rural Development, Food and Drug Administra-
10 tion, and Related Agencies that assumes revenues or re-
11 flects a reduction from the previous year due to user fees
12 proposals that have not been enacted into law prior to the
13 submission of the Budget unless such Budget submission
14 identifies which additional spending reductions should
15 occur in the event the user fees proposals are not enacted
16 prior to the date of the convening of a committee of con-
17 ference for the fiscal year 2013 appropriations Act.

18 SEC. 737. Unless otherwise authorized by existing
19 law, none of the funds provided in this Act, may be used
20 by an executive branch agency to produce any pre-
21 packaged news story intended for broadcast or distribution
22 in the United States unless the story includes a clear noti-
23 fication within the text or audio of the prepackaged news
24 story that the prepackaged news story was prepared or
25 funded by that executive branch agency.

1 SEC. 738. No employee of the Department of Agri-
2 culture may be detailed or assigned from an agency or
3 office funded by this act to any other agency or office of
4 the Department for more than 30 days unless the individ-
5 ual's employing agency or office is fully reimbursed by the
6 receiving agency or office for the salary and expenses of
7 the employee for the period of assignment.

8 SEC. 739. None of the funds made available in this
9 Act may be used to pay the salaries or expenses of per-
10 sonnel to—

11 (1) inspect horses under section 3 of the Fed-
12 eral Meat Inspection Act (21 U.S.C. 603);

13 (2) inspect horses under section 903 of the
14 Federal Agriculture Improvement and Reform Act of
15 1996 (7 U.S.C. 1901 note; Public Law 104–127); or

16 (3) implement or enforce section 352.19 of title
17 9, Code of Federal Regulations.

18 SEC. 740. None of the funds made available by this
19 Act may be used to enter into a contract, memorandum
20 of understanding, or cooperative agreement with, make a
21 grant to, or provide a loan or loan guarantee to, any cor-
22 poration that was convicted (or had an officer or agent
23 of such corporation acting on behalf of the corporation
24 convicted) of a felony criminal violation under any Federal
25 or State law within the preceding 24 months.

1 SEC. 741. None of the funds made available by this
2 Act may be used to enter into a contract, memorandum
3 of understanding, or cooperative agreement with, make a
4 grant to, or provide a loan or loan guarantee to, any cor-
5 poration that any unpaid Federal tax liability that has
6 been assessed, for which all judicial and administrative
7 remedies have been exhausted or have lapsed, and that
8 is not being paid in a timely manner pursuant to an agree-
9 ment with the authority responsible for collecting the tax
10 liability.

11 SPENDING REDUCTION ACCOUNT

12 SEC. 742. The amount by which the applicable alloca-
13 tion of new budget authority made by the Committee on
14 Appropriations of the House of Representatives under sec-
15 tion 302(b) of the Congressional Budget Act of 1974 ex-
16 ceeds the amount of proposed new budget authority is \$0
17 (increased by \$2,390,000).

18 SEC. 743. Each amount made available by titles I
19 through VI (other than an amount required to be made
20 available by a provision of law) is hereby reduced by 0.78
21 percent.

22 SEC. 744. None of the funds made available by this
23 Act to the Food and Drug Administration may be used
24 to approve any application submitted under section 512

1 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C.
2 360b) for approval of genetically engineered salmon.

3 SEC. 745. None of the funds made available by this
4 Act may be used to provide assistance under title II of
5 the Food for Peace Act (7 U.S.C. 1721 et seq.) to the
6 Democratic People’s Republic of Korea (North Korea).

7 SEC. 746. None of the funds made available by this
8 Act may be used to pay the salaries and expenses of per-
9 sonnel who provide nonrecourse marketing assistance
10 loans for mohair under section 1201 of the Food, Con-
11 servation, and Energy Act of 2008 (7 U.S.C. 8731).

12 SEC. 747. None of the funds made available by this
13 Act may be used by the Department of Agriculture, the
14 Food and Drug Administration, the Commodity Futures
15 Trading Commission, or any other Federal Agency receiv-
16 ing funds under this Act to lease or purchase new light
17 duty vehicles, for any executive fleet, or for an agency’s
18 fleet inventory, except in accordance with Presidential
19 Memorandum-Federal Fleet Performance, dated May 24,
20 2011.

21 SEC. 748. The amount otherwise provided by this Act
22 for “Integrated Activities” is hereby increased by, and the
23 amount otherwise provided by this Act for “National Insti-
24 tute of Food and Agriculture-research and education ac-
25 tivities” is hereby reduced (to be derived from amounts

1 for competitive grants (7 U.S.C. 22 450i(b))) by,
2 \$4,400,000, respectively.

3 SEC. 749. None of the funds made available by this
4 Act may be used to enforce section 526 of the Energy
5 Independence and Security Act of 2007 (Public Law 110–
6 140; 42 U.S.C. 17142).

7 SEC. 750. None of the funds made available by this
8 Act may be used to support any Know Your Farmer,
9 Know Your Food initiative of the Department of Agri-
10 culture.

11 SEC. 751. None of the funds made available by this
12 Act may be used to provide payments (or to pay the sala-
13 ries and expenses of personnel to provide payments) to the
14 Brazil Cotton Institute.

15 SEC. 752. For the cost of broadband loans, as author-
16 ized by section 601 of the Rural Electrification Act of
17 1936, to remain available until expended, there is hereby
18 appropriated, and the amount otherwise provided by this
19 Act for payments to the General Services Administration
20 for rent under the heading “Agriculture Buildings and Fa-
21 cilities and Rental Payments” is hereby reduced by,
22 \$6,000,000.

23 SEC. 753. None of the funds made available by this
24 Act may be used for mifepristone, commonly known as
25 RU-486.

1 SEC. 754. None of the funds made available by this
2 Act may be used by the Commodity Futures Trading
3 Commission to promulgate any final rules under para-
4 graph (13) or (14) of section 2(a) of the Commodity Ex-
5 change Act, as added by section 727 of the Dodd-Frank
6 Wall Street Reform and Consumer Protection Act, until
7 12 months after the promulgation of final swap trans-
8 action reporting rules under section 21 of the Commodity
9 Exchange Act.

10 SEC. 755. None of the funds made available by this
11 Act may be used to implement the Departmental Regula-
12 tion of the Department of Agriculture entitled “Policy
13 Statement on Climate Change Adaptation” (Departmental
14 Regulation 1070–001 (June 3, 2011)).

15 SEC. 756. For preventive measures authorized under
16 the Watershed Protection and Flood Prevention Act (16
17 U.S.C. 1001 et seq.) and the Soil Conservation and Do-
18 mestic Allotment Act (16 U.S.C. 590a et seq.), including
19 research, engineering operations, methods of cultivation,
20 the growing of vegetation, rehabilitation of existing struc-
21 tures, and changes in use of land, there is hereby appro-
22 priated, and the amount otherwise provided by this Act
23 for “Agricultural Programs—Agriculture Buildings and
24 Facilities and Rental Payments” is reduced by,
25 \$3,000,000, to remain available until expended.

1 SEC. 757. None of the funds made available by this
2 Act may be used for the construction of an ethanol blender
3 pump or an ethanol storage facility.

4 This Act may be cited as the “Agriculture, Rural De-
5 velopment, Food and Drug Administration, and Related
6 Agencies Appropriations Act, 2012”.

Passed the House of Representatives June 16, 2011.

Attest:

Clerk.

112TH CONGRESS
1ST SESSION

H. R. 2112

AN ACT

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes.