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112TH CONGRESS
1ST SESSION

H. R. 2112

[Report No. 112-101]

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.

IN THE HOUSE OF REPRESENTATIVES

JUNE 3, 2011

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

A BILL

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

1 EXECUTIVE OPERATIONS

2 OFFICE OF THE CHIEF ECONOMIST

3 For necessary expenses of the Office of the Chief
4 Economist, \$10,707,000.

5 NATIONAL APPEALS DIVISION

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

8 OFFICE OF BUDGET AND PROGRAM ANALYSIS

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

11 OFFICE OF HOMELAND SECURITY

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

14 OFFICE OF ADVOCACY AND OUTREACH

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

17 OFFICE OF THE CHIEF INFORMATION OFFICER

18 For necessary expenses of the Office of the Chief In-
19 formation Officer, \$35,000,000.

20 OFFICE OF THE CHIEF FINANCIAL OFFICER

21 For necessary expenses of the Office of the Chief Fi-
22 nancial Officer, \$5,310,000: *Provided*, That no funds
23 made available by this appropriation may be obligated for
24 FAIR Act or Circular A-76 activities until the Secretary
25 has submitted to the Committees on Appropriations of

1 both Houses of Congress and the Committee on Oversight
2 and Government Reform of the House of Representatives
3 a report on the Department's contracting out policies, in-
4 cluding agency budgets for contracting out.

5 OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL
6 RIGHTS

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

9 OFFICE OF CIVIL RIGHTS

10 For necessary expenses of the Office of Civil Rights,
11 \$19,288,000.

12 OFFICE OF THE ASSISTANT SECRETARY FOR
13 ADMINISTRATION

14 For necessary expenses of the Office of the Assistant
15 Secretary for Administration, \$683,000.

16 AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL
17 PAYMENTS

18 (INCLUDING TRANSFERS OF FUNDS)

19 For payment of space rental and related costs pursu-
20 ant to Public Law 92-313, including authorities pursuant
21 to the 1984 delegation of authority from the Adminis-
22 trator of General Services to the Department of Agri-
23 culture under 40 U.S.C. 121, for programs and activities
24 of the Department which are included in this Act, and for
25 alterations and other actions needed for the Department

1 and its agencies to consolidate unneeded space into con-
2 figurations suitable for release to the Administrator of
3 General Services, and for the operation, maintenance, im-
4 provement, and repair of Agriculture buildings and facili-
5 ties, and for related costs, \$209,505,000, to remain avail-
6 able until expended; of which \$151,396,000 shall be avail-
7 able for payments to the General Services Administration
8 for rent; of which \$11,452,000 shall be available for pay-
9 ment to the Department of Homeland Security for build-
10 ing security activities; and of which \$46,657,000 shall be
11 available for buildings operations and maintenance ex-
12 penses: *Provided*, That the Secretary may use unobligated
13 balances from prior years to cover shortfalls incurred in
14 prior year rental payments: *Provided further*, That the
15 Secretary is authorized to transfer funds from a Depart-
16 mental agency to this account to recover the full cost of
17 the space and security expenses of that agency that are
18 funded by this account when the actual costs exceed the
19 agency estimate which will be available for the activities
20 and payments described herein.

21 HAZARDOUS MATERIALS MANAGEMENT

22 (INCLUDING TRANSFERS OF FUNDS)

23 For necessary expenses of the Department of Agri-
24 culture, to comply with the Comprehensive Environmental
25 Response, Compensation, and Liability Act (42 U.S.C.

1 9601 et seq.) and the Resource Conservation and Recovery
2 Act (42 U.S.C. 6901 et seq.), \$3,393,000, to remain avail-
3 able until expended: *Provided*, That appropriations and
4 funds available herein to the Department for Hazardous
5 Materials Management may be transferred to any agency
6 of the Department for its use in meeting all requirements
7 pursuant to the above Acts on Federal and non-Federal
8 lands.

9 DEPARTMENTAL ADMINISTRATION

10 (INCLUDING TRANSFERS OF FUNDS)

11 For Departmental Administration, \$23,900,000, to
12 provide for necessary expenses for management support
13 services to offices of the Department and for general ad-
14 ministration and other miscellaneous supplies and ex-
15 penses not otherwise provided for and necessary for the
16 practical and efficient work of the Department: *Provided*,
17 That this appropriation shall be reimbursed from applica-
18 ble appropriations in this Act for travel expenses incident
19 to the holding of hearings as required by 5 U.S.C. 551-
20 558.

21 OFFICE OF THE ASSISTANT SECRETARY FOR

22 CONGRESSIONAL RELATIONS

23 (INCLUDING TRANSFERS OF FUNDS)

24 For necessary expenses of the Office of the Assistant
25 Secretary for Congressional Relations to carry out the pro-

1 grams funded by this Act, including programs involving
2 intergovernmental affairs and liaison within the executive
3 branch, \$3,289,000: *Provided*, That these funds may be
4 transferred to agencies of the Department of Agriculture
5 funded by this Act to maintain personnel at the agency
6 level; *Provided further*, That no funds made available by
7 this appropriation may be obligated after 30 days from
8 the date of enactment of this Act, unless the Secretary
9 has notified the Committees on Appropriations of both
10 Houses of Congress on the allocation of these funds by
11 USDA agency: *Provided further*, That no other funds ap-
12 propriated to the Department by this Act shall be available
13 to the Department for support of congressional relations
14 activities.

15 OFFICE OF COMMUNICATIONS

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

18 OFFICE OF INSPECTOR GENERAL

19 For necessary expenses of the Office of Inspector
20 General, including employment pursuant to the Inspector
21 General Act of 1978, \$80,000,000, including such sums
22 as may be necessary for contracting and other arrange-
23 ments with public agencies and private persons pursuant
24 to section 6(a)(9) of the Inspector General Act of 1978,
25 and including not to exceed \$125,000 for certain confiden-

1 tial operational expenses, including the payment of inform-
2 ants, to be expended under the direction of the Inspector
3 General pursuant to Public Law 95–452 and section 1337
4 of Public Law 97–98.

5 OFFICE OF THE GENERAL COUNSEL

6 For necessary expenses of the Office of the General
7 Counsel, \$35,204,000.

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

10 For necessary expenses of the Office of the Under
11 Secretary for Research, Education and Economics,
12 \$760,000.

13 ECONOMIC RESEARCH SERVICE

14 For necessary expenses of the Economic Research
15 Service, \$70,000,000.

16 NATIONAL AGRICULTURAL STATISTICS SERVICE

17 For necessary expenses of the National Agricultural
18 Statistics Service, \$149,500,000, of which up to
19 \$40,000,000 shall be available until expended for the Cen-
20 sus of Agriculture.

21 AGRICULTURAL RESEARCH SERVICE

22 SALARIES AND EXPENSES

23 For necessary expenses of the Agricultural Research
24 Service and for acquisition of lands by donation, exchange,
25 or purchase at a nominal cost not to exceed \$100, and

1 for land exchanges where the lands exchanged shall be of
2 equal value or shall be equalized by a payment of money
3 to the grantor which shall not exceed 25 percent of the
4 total value of the land or interests transferred out of Fed-
5 eral ownership, \$993,345,000: *Provided*, That appropria-
6 tions hereunder shall be available for the operation and
7 maintenance of aircraft and the purchase of not to exceed
8 one for replacement only: *Provided further*, That appro-
9 priations hereunder shall be available pursuant to 7
10 U.S.C. 2250 for the construction, alteration, and repair
11 of buildings and improvements, but unless otherwise pro-
12 vided, the cost of constructing any one building shall not
13 exceed \$375,000, except for headhouses or greenhouses
14 which shall each be limited to \$1,200,000, and except for
15 10 buildings to be constructed or improved at a cost not
16 to exceed \$750,000 each, and the cost of altering any one
17 building during the fiscal year shall not exceed 10 percent
18 of the current replacement value of the building or
19 \$375,000, whichever is greater: *Provided further*, That the
20 limitations on alterations contained in this Act shall not
21 apply to modernization or replacement of existing facilities
22 at Beltsville, Maryland: *Provided further*, That appropria-
23 tions hereunder shall be available for granting easements
24 at the Beltsville Agricultural Research Center: *Provided*
25 *further*, That the foregoing limitations shall not apply to

1 replacement of buildings needed to carry out the Act of
2 April 24, 1948 (21 U.S.C. 113a): *Provided further*, That
3 funds may be received from any State, other political sub-
4 division, organization, or individual for the purpose of es-
5 tablishing or operating any research facility or research
6 project of the Agricultural Research Service, as authorized
7 by law.

8 NATIONAL INSTITUTE OF FOOD AND AGRICULTURE
9 RESEARCH AND EDUCATION ACTIVITIES

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

1 search, Extension, and Teaching Policy Act of 1977 (7
2 U.S.C. 3151a), \$4,200,000, to remain available until ex-
3 pended; for a higher education multicultural scholars pro-
4 gram (7 U.S.C. 3152(b)(5)), \$1,000,000, to remain avail-
5 able until expended (7 U.S.C. 2209b); for an education
6 grants program for Hispanic-serving Institutions (7
7 U.S.C. 3241), \$7,800,000; for competitive grants for the
8 purpose of carrying out all provisions of 7 U.S.C. 3156
9 to individual eligible institutions or consortia of eligible in-
10 stitutions in Alaska and in Hawaii, with funds awarded
11 equally to each of the States of Alaska and Hawaii,
12 \$2,700,000; for secondary education, 2-year post-sec-
13 ondary education, and agriculture in the K-12 classroom
14 (7 U.S.C. 3152(j)), \$900,000; for aquaculture grants (7
15 U.S.C. 3322), \$3,300,000; for sustainable agriculture re-
16 search and education (7 U.S.C. 5811), \$12,300,000; for
17 a program of capacity building grants (7 U.S.C.
18 3152(b)(4)) to institutions eligible to receive funds under
19 7 U.S.C. 3221 and 3222, \$16,400,000, to remain avail-
20 able until expended (7 U.S.C. 2209b); for payments to the
21 1994 Institutions pursuant to section 534(a)(1) of Public
22 Law 103-382, \$2,800,000; for resident instruction grants
23 for insular areas under section 1491 of the National Agri-
24 cultural Research, Extension, and Teaching Policy Act of
25 1977 (7 U.S.C. 3363), \$900,000; for distance education

1 grants for insular areas under section 1490 of the Na-
2 tional Agricultural Research, Extension, and Teaching
3 Policy Act of 1977 (7 U.S.C. 3362), \$750,000; for com-
4 petitive grants for policy research (7 U.S.C. 3155),
5 \$3,000,000; and for necessary expenses of Research and
6 Education Activities, \$10,000,000, of which \$2,500,000
7 for the Research, Education, and Economics Information
8 System and \$2,000,000 for the Electronic Grants Infor-
9 mation System, are to remain available until expended.

10 NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

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

14 EXTENSION ACTIVITIES

15 For payments to States, the District of Columbia,
16 Puerto Rico, Guam, the Virgin Islands, Micronesia, the
17 Northern Marianas, and American Samoa, \$411,200,000,
18 as follows: payments for cooperative extension work under
19 the Smith–Lever Act, to be distributed under sections 3(b)
20 and 3(c) of said Act, and under section 208(e) of Public
21 Law 93–471, for retirement and employees’ compensation
22 costs for extension agents, \$259,200,000; payments for
23 extension work at the 1994 Institutions under the Smith–
24 Lever Act (7 U.S.C. 343(b)(3)), \$3,600,000; payments for
25 the nutrition and family education program for low-income

1 areas under section 3(d) of the Act, \$58,000,000; pay-
2 ments for the pest management program under section
3 3(d) of the Act, \$8,400,000; payments for New Tech-
4 nologies for Agriculture Extension under section 3(d) of
5 the Act, \$1,400,000; payments to upgrade research, exten-
6 sion, and teaching facilities at institutions eligible to re-
7 ceive funds under 7 U.S.C. 3221 and 3222, \$16,700,000,
8 to remain available until expended; payments for youth-
9 at-risk programs under section 3(d) of the Smith–Lever
10 Act, \$7,100,000; payments for carrying out the provisions
11 of the Renewable Resources Extension Act of 1978 (16
12 U.S.C. 1671 et seq.), \$3,400,000; payments for the feder-
13 ally-recognized Tribes Extension Program under section
14 3(d) of the Smith–Lever Act, \$2,600,000; payments for
15 sustainable agriculture programs under section 3(d) of the
16 Act, \$4,000,000; payments for rural health and safety
17 education as authorized by section 502(i) of Public Law
18 92–419 (7 U.S.C. 2662(i)), \$1,500,000; payments for co-
19 operative extension work by eligible institutions (7 U.S.C.
20 3221), \$36,000,000, provided that each institution re-
21 ceives no less than \$1,000,000; for grants to youth organi-
22 zations pursuant to 7 U.S.C. 7630, \$1,500,000; for pay-
23 ments to carry out the food animal residue avoidance data-
24 base program as authorized by 7 U.S.C. 7642,

1 \$1,000,000; and for necessary expenses of Extension Ac-
2 tivities, \$6,800,000.

3 INTEGRATED ACTIVITIES

4 For the integrated research, education, and extension
5 grants program authorized under section 406 of the Agri-
6 cultural Research, Extension, and Education Reform Act
7 of 1998 (7 U.S.C. 7626), including necessary administra-
8 tive expenses, \$8,000,000, as follows: for a competitive or-
9 ganic transition program, \$4,000,000; and for the regional
10 pest management centers program \$4,000,000.

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

13 For necessary expenses of the Office of the Under
14 Secretary for Marketing and Regulatory Programs,
15 \$760,000.

16 ANIMAL AND PLANT HEALTH INSPECTION SERVICE

17 SALARIES AND EXPENSES

18 (INCLUDING TRANSFERS OF FUNDS)

19 For necessary expenses of the Animal and Plant
20 Health Inspection Service, including up to \$30,000 for
21 representation allowances and for expenses pursuant to
22 the Foreign Service Act of 1980 (22 U.S.C. 4085),
23 \$790,000,000, of which \$2,000,000, to be available until
24 expended, shall be available for the control of outbreaks
25 of insects, plant diseases, animal diseases and for control

1 of pest animals and birds (“contingency fund”) to the ex-
2 tent necessary to meet emergency conditions; of which
3 \$16,000,000, to remain available until expended, shall be
4 used for the cotton pests program for cost share purposes
5 or for debt retirement for active eradication zones; of
6 which \$32,500,000, to remain available until expended,
7 shall be for Animal Health Technical Services; of which
8 \$54,000,000, to remain available until expended, shall be
9 used to support avian health; of which \$4,200,000, to re-
10 main available until expended, shall be for information
11 technology infrastructure; of which \$147,000,000, to re-
12 main available until expended, shall be for specialty crop
13 pests; of which, \$9,000,000, to remain available until ex-
14 pended, shall be for field crop and rangeland ecosystem
15 pests; of which \$52,000,000, to remain available until ex-
16 pended, shall be for tree and wood pests; of which
17 \$2,300,000, to remain available until expended, shall be
18 for the National Veterinary Stockpile; of which up to
19 \$1,500,000, to remain available until expended, shall be
20 for the scrapie program for indemnities; of which
21 \$1,000,000, to remain available until expended, shall be
22 for wildlife services methods development; of which
23 \$1,500,000, to remain available until expended, shall be
24 for the wildlife damage management program for aviation
25 safety; and up to 25 percent of the screwworm program

1 shall remain available until expended: *Provided*, That no
2 funds shall be used to formulate or administer a brucel-
3 losis eradication program for the current fiscal year that
4 does not require minimum matching by the States of at
5 least 40 percent: *Provided further*, That this appropriation
6 shall be available for the operation and maintenance of
7 aircraft and the purchase of not to exceed four, of which
8 two shall be for replacement only: *Provided further*, That,
9 in addition, in emergencies which threaten any segment
10 of the agricultural production industry of this country, the
11 Secretary may transfer from other appropriations or funds
12 available to the agencies or corporations of the Depart-
13 ment such sums as may be deemed necessary, to be avail-
14 able only in such emergencies for the arrest and eradi-
15 cation of contagious or infectious disease or pests of ani-
16 mals, poultry, or plants, and for expenses in accordance
17 with sections 10411 and 10417 of the Animal Health Pro-
18 tection Act (7 U.S.C. 8310 and 8316) and sections 431
19 and 442 of the Plant Protection Act (7 U.S.C. 7751 and
20 7772), and any unexpended balances of funds transferred
21 for such emergency purposes in the preceding fiscal year
22 shall be merged with such transferred amounts: *Provided*
23 *further*, That appropriations hereunder shall be available
24 pursuant to law (7 U.S.C. 2250) for the repair and alter-
25 ation of leased buildings and improvements, but unless

1 otherwise provided the cost of altering any one building
2 during the fiscal year shall not exceed 10 percent of the
3 current replacement value of the building.

4 In fiscal year 2012, the agency is authorized to collect
5 fees to cover the total costs of providing technical assist-
6 ance, goods, or services requested by States, other political
7 subdivisions, domestic and international organizations,
8 foreign governments, or individuals, provided that such
9 fees are structured such that any entity's liability for such
10 fees is reasonably based on the technical assistance, goods,
11 or services provided to the entity by the agency, and such
12 fees shall be reimbursed to this account, to remain avail-
13 able until expended, without further appropriation, for
14 providing such assistance, goods, or services.

15 BUILDINGS AND FACILITIES

16 For plans, construction, repair, preventive mainte-
17 nance, environmental support, improvement, extension, al-
18 teration, and purchase of fixed equipment or facilities, as
19 authorized by 7 U.S.C. 2250, and acquisition of land as
20 authorized by 7 U.S.C. 428a, \$3,200,000, to remain avail-
21 able until expended.

22 AGRICULTURAL MARKETING SERVICE

23 MARKETING SERVICES

24 For necessary expenses of the Agricultural Marketing
25 Service, \$77,500,000: *Provided*, That this appropriation

1 shall be available pursuant to law (7 U.S.C. 2250) for the
2 alteration and repair of buildings and improvements, but
3 the cost of altering any one building during the fiscal year
4 shall not exceed 10 percent of the current replacement
5 value of the building. Fees may be collected for the cost
6 of standardization activities, as established by regulation
7 pursuant to law (31 U.S.C. 9701).

8 LIMITATION ON ADMINISTRATIVE EXPENSES

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

16 FUNDS FOR STRENGTHENING MARKETS, INCOME, AND

17 SUPPLY (SECTION 32)

18 (INCLUDING TRANSFERS OF FUNDS)

19 Funds available under section 32 of the Act of Au-
20 gust 24, 1935 (7 U.S.C. 612c), shall be used only for com-
21 modity program expenses as authorized therein, and other
22 related operating expenses, except for: (1) transfers to the
23 Department of Commerce as authorized by the Fish and
24 Wildlife Act of August 8, 1956; (2) transfers otherwise
25 provided in this Act; and (3) not more than \$20,056,000

1 for formulation and administration of marketing agree-
2 ments and orders pursuant to the Agricultural Marketing
3 Agreement Act of 1937 and the Agricultural Act of 1961.

4 PAYMENTS TO STATES AND POSSESSIONS

5 For payments to State departments of agriculture,
6 bureaus and departments of markets, and similar agencies
7 for marketing activities under section 204(b) of the Agri-
8 cultural Marketing Act of 1946 (7 U.S.C. 1623(b)),
9 \$1,331,000.

10 GRAIN INSPECTION, PACKERS AND STOCKYARDS

11 ADMINISTRATION

12 SALARIES AND EXPENSES

13 For necessary expenses of the Grain Inspection,
14 Packers and Stockyards Administration, \$37,000,000:
15 *Provided*, That this appropriation shall be available pursu-
16 ant to law (7 U.S.C. 2250) for the alteration and repair
17 of buildings and improvements, but the cost of altering
18 any one building during the fiscal year shall not exceed
19 10 percent of the current replacement value of the build-
20 ing.

21 LIMITATION ON INSPECTION AND WEIGHING SERVICES

22 EXPENSES

23 Not to exceed \$47,500,000 (from fees collected) shall
24 be obligated during the current fiscal year for inspection
25 and weighing services: *Provided*, That if grain export ac-

1 tivities require additional supervision and oversight, or
2 other uncontrollable factors occur, this limitation may be
3 exceeded by up to 10 percent with notification to the Com-
4 mittees on Appropriations of both Houses of Congress.

5 OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

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

8 FOOD SAFETY AND INSPECTION SERVICE

9 For necessary expenses to carry out services author-
10 ized by the Federal Meat Inspection Act, the Poultry
11 Products Inspection Act, and the Egg Products Inspection
12 Act, including not to exceed \$50,000 for representation
13 allowances and for expenses pursuant to section 8 of the
14 Act approved August 3, 1956 (7 U.S.C. 1766),
15 \$972,028,000; and in addition, \$1,000,000 may be cred-
16 ited to this account from fees collected for the cost of lab-
17 oratory accreditation as authorized by section 1327 of the
18 Food, Agriculture, Conservation and Trade Act of 1990
19 (7 U.S.C. 138f): *Provided*, That funds provided for the
20 Public Health Data Communication Infrastructure system
21 shall remain available until expended: *Provided further*,
22 That this appropriation shall be available pursuant to law
23 (7 U.S.C. 2250) for the alteration and repair of buildings
24 and improvements, but the cost of altering any one build-

1 ing during the fiscal year shall not exceed 10 percent of
2 the current replacement value of the building.

3 OFFICE OF THE UNDER SECRETARY FOR FARM AND
4 FOREIGN AGRICULTURAL SERVICES

5 For necessary expenses of the Office of the Under
6 Secretary for Farm and Foreign Agricultural Services,
7 \$760,000.

8 FARM SERVICE AGENCY

9 SALARIES AND EXPENSES

10 (INCLUDING TRANSFERS OF FUNDS)

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

21 STATE MEDIATION GRANTS

22 For grants pursuant to section 502(b) of the Agricul-
23 tural Credit Act of 1987, as amended (7 U.S.C. 5101–
24 5106), \$3,550,000.

1 GRASSROOTS SOURCE WATER PROTECTION PROGRAM

2 For necessary expenses to carry out wellhead or
3 groundwater protection activities under section 12400 of
4 the Food Security Act of 1985 (16 U.S.C. 3839bb–2),
5 \$3,605,000, to remain available until expended.

6 DAIRY INDEMNITY PROGRAM

7 (INCLUDING TRANSFER OF FUNDS)

8 For necessary expenses involved in making indemnity
9 payments to dairy farmers and manufacturers of dairy
10 products under a dairy indemnity program, such sums as
11 may be necessary, to remain available until expended: *Pro-*
12 *vided*, That such program is carried out by the Secretary
13 in the same manner as the dairy indemnity program de-
14 scribed in the Agriculture, Rural Development, Food and
15 Drug Administration, and Related Agencies Appropria-
16 tions Act, 2001 (Public Law 106–387, 114 Stat. 1549A–
17 12).

18 AGRICULTURAL CREDIT INSURANCE FUND PROGRAM

19 ACCOUNT

20 (INCLUDING TRANSFERS OF FUNDS)

21 For gross obligations for the principal amount of di-
22 rect and guaranteed farm ownership (7 U.S.C. 1922 et
23 seq.) and operating (7 U.S.C. 1941 et seq.) loans, Indian
24 tribe land acquisition loans (25 U.S.C. 488), boll weevil
25 loans (7 U.S.C. 1989), guaranteed conservation loans (7

1 U.S.C. 1924 et seq.), and Indian highly fractionated land
2 loans (25 U.S.C. 488) to be available from funds in the
3 Agricultural Credit Insurance Fund, as follows:
4 \$1,500,000,000 for unsubsidized guaranteed farm owner-
5 ship loans and \$475,000,000 for farm ownership direct
6 loans; \$1,500,000,000 for unsubsidized guaranteed oper-
7 ating loans and \$1,050,090,000 for direct operating loans;
8 Indian tribe land acquisition loans, \$2,000,000; guaran-
9 teed conservation loans, \$150,000,000; Indian highly
10 fractionated land loans, \$10,000,000; and for boll weevil
11 eradication program loans, \$100,000,000: *Provided*, That
12 the Secretary shall deem the pink bollworm to be a boll
13 weevil for the purpose of boll weevil eradication program
14 loans.

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

23 In addition, for administrative expenses necessary to
24 carry out the direct and guaranteed loan programs,
25 \$268,634,000, of which \$260,730,000 shall be paid to the

1 appropriation for “Farm Service Agency, Salaries and Ex-
2 penses”.

3 Funds appropriated by this Act to the Agricultural
4 Credit Insurance Program Account for farm ownership,
5 operating and conservation direct loans and guaranteed
6 loans may be transferred among these programs: *Pro-*
7 *vided*, That the Committees on Appropriations of both
8 Houses of Congress are notified at least 15 days in ad-
9 vance of any transfer.

10 RISK MANAGEMENT AGENCY

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

19 CORPORATIONS

20 The following corporations and agencies are hereby
21 authorized to make expenditures, within the limits of
22 funds and borrowing authority available to each such cor-
23 poration or agency and in accord with law, and to make
24 contracts and commitments without regard to fiscal year
25 limitations as provided by section 104 of the Government

1 Corporation Control Act as may be necessary in carrying
2 out the programs set forth in the budget for the current
3 fiscal year for such corporation or agency, except as here-
4 inafter provided.

5 FEDERAL CROP INSURANCE CORPORATION FUND

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

9 COMMODITY CREDIT CORPORATION FUND

10 REIMBURSEMENT FOR NET REALIZED LOSSES

11 (INCLUDING TRANSFERS OF FUNDS)

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

1 HAZARDOUS WASTE MANAGEMENT
2 (LIMITATION ON EXPENSES)

3 For the current fiscal year, the Commodity Credit
4 Corporation shall not expend more than \$5,000,000 for
5 site investigation and cleanup expenses, and operations
6 and maintenance expenses to comply with the requirement
7 of section 107(g) of the Comprehensive Environmental
8 Response, Compensation, and Liability Act (42 U.S.C.
9 9607(g)), and section 6001 of the Resource Conservation
10 and Recovery Act (42 U.S.C. 6961).

11 TITLE II
12 CONSERVATION PROGRAMS

13 OFFICE OF THE UNDER SECRETARY FOR NATURAL
14 RESOURCES AND ENVIRONMENT

15 For necessary expenses of the Office of the Under
16 Secretary for Natural Resources and Environment,
17 \$760,000.

18 NATURAL RESOURCES CONSERVATION SERVICE

19 CONSERVATION OPERATIONS

20 For necessary expenses for carrying out the provi-
21 sions of the Act of April 27, 1935 (16 U.S.C. 590a-f),
22 including preparation of conservation plans and establish-
23 ment of measures to conserve soil and water (including
24 farm irrigation and land drainage and such special meas-
25 ures for soil and water management as may be necessary

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

21 WATERSHED REHABILITATION PROGRAM

22 Under the authorities of Section 14 of the Watershed
23 Protection and Flood Prevention Act, \$15,000,000 is pro-
24 vided.

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

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

7 RURAL DEVELOPMENT SALARIES AND EXPENSES
8 (INCLUDING TRANSFERS OF FUNDS)

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

1 RURAL HOUSING SERVICE
2 RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT
3 (INCLUDING TRANSFERS OF FUNDS)

4 For gross obligations for the principal amount of di-
5 rect and guaranteed loans as authorized by title V of the
6 Housing Act of 1949, to be available from funds in the
7 rural housing insurance fund, as follows: \$24,845,666,000
8 for loans to section 502 borrowers, of which \$845,666,000
9 shall be for direct loans, and of which \$24,000,000,000
10 shall be for unsubsidized guaranteed loans; and
11 \$58,617,000 for section 515 rental housing loans.

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

1 In addition, for the cost of direct loans, grants, and
2 contracts, as authorized by 42 U.S.C. 1484 and 1486,
3 \$12,500,000, to remain available until expended, for direct
4 farm labor housing loans and domestic farm labor housing
5 grants and contracts: *Provided*, That any balances avail-
6 able for the Farm Labor Program Account shall be trans-
7 ferred and merged with this account.

8 In addition, for administrative expenses necessary to
9 carry out the direct and guaranteed loan programs,
10 \$400,000,000 shall be paid to the appropriation for
11 “Rural Development, Salaries and Expenses”.

12 RENTAL ASSISTANCE PROGRAM

13 For rental assistance agreements entered into or re-
14 newed pursuant to the authority under section 521(a)(2)
15 or agreements entered into in lieu of debt forgiveness or
16 payments for eligible households as authorized by section
17 502(c)(5)(D) of the Housing Act of 1949, \$890,000,000;
18 and, in addition, such sums as may be necessary, as au-
19 thorized by section 521(c) of the Act, to liquidate debt
20 incurred prior to fiscal year 1992 to carry out the rental
21 assistance program under section 521(a)(2) of the Act:
22 *Provided*, That of this amount not less than \$1,500,000
23 is available for newly constructed units financed by section
24 515 of the Housing Act of 1949, and not less than
25 \$2,500,000 is for newly constructed units financed under

1 sections 514 and 516 of the Housing Act of 1949: *Pro-*
2 *vided further*, That rental assistance agreements entered
3 into or renewed during the current fiscal year shall be
4 funded for a one-year period: *Provided further*, That any
5 unexpended balances remaining at the end of such one-
6 year agreements may be transferred and used for the pur-
7 poses of any debt reduction; maintenance, repair, or reha-
8 bilitation of any existing projects; preservation; and rental
9 assistance activities authorized under title V of the Act:
10 *Provided further*, That rental assistance provided under
11 agreements entered into prior to fiscal year 2012 for a
12 farm labor multi-family housing project financed under
13 section 514 or 516 of the Act may not be recaptured for
14 use in another project until such assistance has remained
15 unused for a period of 12 consecutive months, if such
16 project has a waiting list of tenants seeking such assist-
17 ance or the project has rental assistance eligible tenants
18 who are not receiving such assistance: *Provided further*,
19 That such recaptured rental assistance shall, to the extent
20 practicable, be applied to another farm labor multi-family
21 housing project financed under section 514 or 516 of the
22 Act.

1 MULTI-FAMILY HOUSING REVITALIZATION PROGRAM
2 ACCOUNT

3 For the rural housing voucher program as authorized
4 under section 542 of the Housing Act of 1949, but not-
5 withstanding subsection (b) of such section, \$11,000,000,
6 to remain available until expended, which shall be avail-
7 able for rural housing vouchers to any low-income house-
8 hold (including those not receiving rental assistance) re-
9 siding in a property financed with a section 515 loan
10 which has been prepaid after September 30, 2005: *Pro-*
11 *vided*, That the amount of such voucher shall be the dif-
12 ference between comparable market rent for the section
13 515 unit and the tenant-paid rent for such unit: *Provided*
14 *further*, That funds made available for such vouchers shall
15 be subject to the availability of annual appropriations:
16 *Provided further*, That the Secretary shall, to the max-
17 imum extent practicable, administer such vouchers with
18 current regulations and administrative guidance applicable
19 to section 8 housing vouchers administered by the Sec-
20 retary of the Department of Housing and Urban Develop-
21 ment.

22 MUTUAL AND SELF-HELP HOUSING GRANTS

23 For grants and contracts pursuant to section
24 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C.
25 1490c), \$22,000,000, to remain available until expended:

1 *Provided*, That of the total amount appropriated under
2 this heading, the amount equal to the amount of Mutual
3 and Self-Help Housing Grants allocated by the Secretary
4 for Rural Economic Area Partnership Zones for the fiscal
5 year 2011, shall be available through June 30, 2012, for
6 communities designated by the Secretary of Agriculture
7 as Rural Economic Area Partnership Zones.

8 RURAL HOUSING ASSISTANCE GRANTS
9 (INCLUDING TRANSFER OF FUNDS)

10 For grants and contracts for very low-income housing
11 repair made by the Rural Housing Service, as authorized
12 by 42 U.S.C. 1474, \$32,000,000, to remain available until
13 expended: *Provided*, That of the total amount appro-
14 priated under this heading, the amount equal to the
15 amount of Rural Housing Assistance Grants allocated by
16 the Secretary for Rural Economic Area Partnership Zones
17 for the fiscal year 2011, shall be available through June
18 30, 2012, for communities designated by the Secretary of
19 Agriculture as Rural Economic Area Partnership Zones.

20 RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT
21 (INCLUDING TRANSFERS OF FUNDS)

22 For the cost of direct loans and grants for rural com-
23 munity facilities programs as authorized by section 306
24 and described in section 381E(d)(1) of the Consolidated
25 Farm and Rural Development Act, \$18,000,000, to re-

1 main available until expended: *Provided*, That \$3,000,000
2 of the amount appropriated under this heading shall be
3 available for a Rural Community Development Initiative:
4 *Provided further*, That such funds shall be used solely to
5 develop the capacity and ability of private, non-profit com-
6 munity-based housing and community development orga-
7 nizations, low-income rural communities, and Federally
8 Recognized Native American Tribes to undertake projects
9 to improve housing, community facilities, community and
10 economic development projects in rural areas: *Provided*
11 *further*, That such funds shall be made available to quali-
12 fied private, nonprofit and public intermediary organiza-
13 tions proposing to carry out a program of financial and
14 technical assistance: *Provided further*, That such inter-
15 mediary organizations shall provide matching funds from
16 other sources, including Federal funds for related activi-
17 ties, in an amount not less than funds provided: *Provided*
18 *further*, That of the amount appropriated under this head-
19 ing, the amount equal to the amount of Rural Community
20 Facilities Program Account funds allocated by the Sec-
21 retary for Rural Economic Area Partnership Zones for the
22 fiscal year 2011, shall be available through June 30, 2012,
23 for communities designated by the Secretary of Agri-
24 culture as Rural Economic Area Partnership Zones for the
25 rural community programs described in section

1 381E(d)(1) of the Consolidated Farm and Rural Develop-
2 ment Act: *Provided further*, That sections 381E-H and
3 381N of the Consolidated Farm and Rural Development
4 Act are not applicable to the funds made available under
5 this heading.

6 RURAL BUSINESS—COOPERATIVE SERVICE

7 RURAL BUSINESS PROGRAM ACCOUNT

8 (INCLUDING TRANSFERS OF FUNDS)

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

1 ing shall be for business grants to benefit Federally Recog-
2 nized Native American Tribes, including \$250,000 for a
3 grant to a qualified national organization to provide tech-
4 nical assistance for rural transportation in order to pro-
5 mote economic development: *Provided further*, That of the
6 amount appropriated under this heading, the amount
7 equal to the amount of Rural Business Program Account
8 funds allocated by the Secretary for Rural Economic Area
9 Partnership Zones for the fiscal year 2011, shall be avail-
10 able through June 30, 2012, for communities designated
11 by the Secretary of Agriculture as Rural Economic Area
12 Partnership Zones for the rural business and cooperative
13 development programs described in section 381E(d)(3) of
14 the Consolidated Farm and Rural Development Act: *Pro-*
15 *vided further*, That sections 381E–H and 381N of the
16 Consolidated Farm and Rural Development Act are not
17 applicable to funds made available under this heading:
18 *Provided further*, That any prior balances in the Rural De-
19 velopment, Rural Community Advancement Program ac-
20 count for programs authorized by sections 306 and 310B
21 and described in section 381E(d)(3) of such Act be trans-
22 ferred and merged with this account and any other prior
23 balances from the Rural Development, Rural Community
24 Advancement Program account that the Secretary deter-
25 mines is appropriate to transfer.

1 RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT
2 (INCLUDING TRANSFER OF FUNDS)

3 For the principal amount of direct loans, as author-
4 ized by the Rural Development Loan Fund (42 U.S.C.
5 9812(a)), \$14,758,000.

6 For the cost of direct loans, \$5,000,000, as author-
7 ized by the Rural Development Loan Fund (42 U.S.C.
8 9812(a)), of which \$750,000 shall be available through
9 June 30, 2012, for Federally Recognized Native American
10 Tribes; and of which \$1,500,000 shall be available through
11 June 30, 2012, for Mississippi Delta Regional counties (as
12 determined in accordance with Public Law 100-460): *Pro-*
13 *vided*, That such costs, including the cost of modifying
14 such loans, shall be defined in section 502 of the Congres-
15 sional Budget Act of 1974: *Provided further*, That of the
16 total amount appropriated under this heading, the amount
17 equal to the amount of Rural Development Loan Fund
18 Program Account funds allocated by the Secretary for
19 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.

23 In addition, for administrative expenses to carry out
24 the direct loan programs, \$3,500,000 shall be paid to the

1 appropriation for “Rural Development, Salaries and Ex-
2 penses”.

3 RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM

4 ACCOUNT

5 (INCLUDING CANCELLATION OF FUNDS)

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

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

15 RURAL COOPERATIVE DEVELOPMENT GRANTS

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

1 disadvantaged members; and of which \$12,500,000, to re-
2 main available until expended, shall be for value-added ag-
3 ricultural product market development grants, as author-
4 ized by section 231 of the Agricultural Risk Protection
5 Act of 2000 (7 U.S.C. 1621 note).

6 RURAL ENERGY FOR AMERICA PROGRAM

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

14 RURAL UTILITIES SERVICE

15 RURAL WATER AND WASTE DISPOSAL PROGRAM

16 (INCLUDING TRANSFERS OF FUNDS)

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

1 which not to exceed \$993,000 shall be available for the
2 rural utilities program described in section 306E of such
3 Act: *Provided*, That \$65,000,000 of the amount appro-
4 priated under this heading shall be for loans and grants
5 including water and waste disposal systems grants author-
6 ized by 306C(a)(2)(B) and 306D of the Consolidated
7 Farm and Rural Development Act, Federally-recognized
8 Native American Tribes authorized by 306C(a)(1), and
9 the Department of Hawaiian Home Lands (of the State
10 of Hawaii): *Provided further*, That funding provided for
11 section 306D of the Consolidated Farm and Rural Devel-
12 opment Act may be provided to a consortium formed pur-
13 suant to section 325 of Public Law 105–83: *Provided fur-*
14 *ther*, That not more than 2 percent of the funding pro-
15 vided for section 306D of the Consolidated Farm and
16 Rural Development Act may be used by the State of Alas-
17 ka and/or by a consortium formed pursuant to section 325
18 of Public Law 105–83 for training and technical assist-
19 ance programs: *Provided further*, That not to exceed
20 \$19,000,000 of the amount appropriated under this head-
21 ing shall be for technical assistance grants for rural water
22 and waste systems pursuant to section 306(a)(14) of such
23 Act, unless the Secretary makes a determination of ex-
24 tremе need, of which \$3,400,000 shall be made available
25 for a grant to a qualified non-profit multi-state regional

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

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

13 RURAL ELECTRIFICATION AND TELECOMMUNICATIONS

14 LOANS PROGRAM ACCOUNT

15 (INCLUDING TRANSFER OF FUNDS)

16 The principal amount of direct and guaranteed loans
17 as authorized by sections 305 and 306 of the Rural Elec-
18 trification Act of 1936 (7 U.S.C. 935 and 936) shall be
19 made as follows: 5 percent rural electrification loans,
20 \$100,000,000; loans made pursuant to section 306 of that
21 Act, rural electric, \$6,500,000,000; 5 percent rural tele-
22 communications loans, \$145,000,000; cost of money rural
23 telecommunications loans, \$250,000,000; and for loans
24 made pursuant to section 306 of that Act, rural tele-
25 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 to remain available through September 30, 2013: *Pro-*
24 *vided*, That none of these funds shall be available to reim-
25 burse the Commodity Credit Corporation for commodities

1 donated to the program: *Provided further*, That notwith-
2 standing any other provision of law, effective with funds
3 made available in fiscal year 2012 to support the Seniors
4 Farmers' Market Nutrition Program, as authorized by
5 section 4402 of the Farm Security and Rural Investment
6 Act of 2002, such funds shall remain available through
7 September 30, 2013: *Provided further*, That of the funds
8 made available under section 27(a) of the Food and Nutri-
9 tion Act of 2008 (7 U.S.C. 2036(a)), the Secretary may
10 use up to 10 percent for costs associated with the distribu-
11 tion 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: *Provided*, That the Service may utilize ad-
12 vances of funds, or reimburse this appropriation for ex-
13 penditures made on behalf of Federal agencies, public and
14 private organizations and institutions under agreements
15 executed pursuant to the agricultural food production as-
16 sistance programs (7 U.S.C. 1737) and the foreign assist-
17 ance programs of the United States Agency for Inter-
18 national Development: *Provided further*, That funds made
19 available for middle-income country training programs,
20 funds made available for the Borlaug International Agri-
21 cultural Science and Technology Fellowship program, and
22 up to \$2,000,000 of the Foreign Agricultural Service ap-
23 propriation solely for the purpose of offsetting fluctuations
24 in international currency exchange rates, subject to docu-

1 mentation by the Foreign Agricultural Service, shall re-
2 main available until expended.

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 C.F.R. 246.10 when issuing liquid infant
12 formula 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 2008.

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

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

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

23 SEC. 720. None of the funds in this Act shall be avail-
24 able to pay indirect costs charged against any agricultural
25 research, education, or extension grant awards issued by

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

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

19 SEC. 722. The unobligated balances available for the
20 Natural Resources Conservation Service, Forestry Incen-
21 tives Program, as identified by Treasury Appropriation
22 Fund Symbol 12X3336, \$5,500,000 are rescinded, and
23 the unobligated balances available for the Natural Re-
24 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 by the Food and Drug Administration
20 to write, prepare, develop or publish a proposed, interim,
21 or final rule, regulation, or guidance that is intended to
22 restrict the use of a substance or a compound unless the
23 Secretary bases such rule, regulation or guidance on hard
24 science (and not on such factors as cost and consumer
25 behavior), and determines that the weight of toxicological

1 evidence, epidemiological evidence, and risk assessments
2 clearly justifies such action, including a demonstration
3 that a product containing such substance or compound is
4 more harmful to users than a product that does not con-
5 tain such substance or compound, or in the case of phar-
6 maceuticals, has been demonstrated by scientific study to
7 have none of the purported benefits.

8 SEC. 741. The Secretary of Agriculture shall reduce
9 the payment rate for upland cotton under section 1103(b)
10 of the Food, Conservation, and Energy Act of 2008 (7
11 U.S.C. 8713(b)) as necessary so that reductions in the
12 amount of direct payments made to producers for upland
13 cotton completely offset the costs incurred by the Com-
14 modity Credit Corporation to provide payments to the
15 Brazil Cotton Institute.

16 SEC. 742. None of the funds made available by this
17 Act may be used to enter into a contract, memorandum
18 of understanding, or cooperative agreement with, make a
19 grant to, or provide a loan or loan guarantee to, any cor-
20 poration that was convicted (or had an officer or agent
21 of such corporation acting on behalf of the corporation
22 convicted) of a felony criminal violation under any Federal
23 or State law within the preceding 24 months.

24 SEC. 743. None of the funds made available by this
25 Act or any other Act may be used to provide payments

1 (or to pay the salaries and expenses of personnel to pro-
2 vide payments) to the Brazil Cotton Institute.

3 SEC. 744. None of the funds appropriated or other-
4 wise made available by this Act or any other Act may be
5 used to pay the salaries and expenses of personnel of the
6 Department of Agriculture to provide any benefit de-
7 scribed in section 1001D(b)(1)(C) of the Food Security
8 Act of 1985 (7 U.S.C. 1308–3a(b)(1)(C)) to a person or
9 legal entity if the average adjusted gross income of the
10 person or legal entity exceeds \$250,000.

11 SEC. 745. None of the funds made available by this
12 Act may be used to enter into a contract, memorandum
13 of understanding, or cooperative agreement with, make a
14 grant to, or provide a loan or loan guarantee to, any cor-
15 poration that any unpaid Federal tax liability that has
16 been assessed, for which all judicial and administrative
17 remedies have been exhausted or have lapsed, and that
18 is not being paid in a timely manner pursuant to an agree-
19 ment with the authority responsible for collecting the tax
20 liability.

21 SPENDING REDUCTION ACCOUNT

22 SEC. 746. The amount by which the applicable alloca-
23 tion of new budget authority made by the Committee on
24 Appropriations of the House of Representatives under sec-

1 tion 302(b) of the Congressional Budget Act of 1974 ex-
2 ceeds the amount of proposed new budget authority is \$0.

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

Union Calendar No. 56

112TH CONGRESS
1ST Session

H. R. 2112

[Report No. 112-101]

A BILL

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.

JUNE 3, 2011

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