

Calendar No. 382112TH CONGRESS
2^D SESSION**S. 2375****[Report No. 112-163]**

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2013, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 26, 2012

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

A BILL

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2013, and for other purposes.

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

1 ending September 30, 2013, and for other purposes,
2 namely:

3 TITLE I

4 AGRICULTURAL PROGRAMS

5 PRODUCTION, PROCESSING AND MARKETING

6 OFFICE OF THE SECRETARY

7 For necessary expenses of the Office of the Secretary
8 of Agriculture, \$5,051,000: *Provided*, That not to exceed
9 \$11,000 of this amount shall be available for official recep-
10 tion and representation expenses, not otherwise provided
11 for, as determined by the Secretary.

12 OFFICE OF TRIBAL RELATIONS

13 For necessary expenses of the Office of Tribal Rela-
14 tions, \$498,000, to support communication and consulta-
15 tion activities with Federally Recognized Tribes, as well
16 as other requirements established by law.

17 EXECUTIVE OPERATIONS

18 OFFICE OF THE CHIEF ECONOMIST

19 For necessary expenses of the Office of the Chief
20 Economist, \$16,008,000, of which \$4,000,000 shall be for
21 grants or cooperative agreements for policy research under
22 7 U.S.C. 3155 and shall be obligated within 90 days of
23 the enactment of this Act.

1 NATIONAL APPEALS DIVISION

2 For necessary expenses of the National Appeals Divi-
3 sion, \$14,225,000.

4 OFFICE OF BUDGET AND PROGRAM ANALYSIS

5 For necessary expenses of the Office of Budget and
6 Program Analysis, \$9,049,000.

7 OFFICE OF HOMELAND SECURITY AND EMERGENCY

8 COORDINATION

9 For necessary expenses of the Office of Homeland Se-
10 curity and Emergency Coordination, \$1,496,000.

11 OFFICE OF ADVOCACY AND OUTREACH

12 For necessary expenses of the Office of Advocacy and
13 Outreach, \$1,422,000.

14 OFFICE OF THE CHIEF INFORMATION OFFICER

15 For necessary expenses of the Office of the Chief In-
16 formation Officer, \$44,031,000.

17 OFFICE OF THE CHIEF FINANCIAL OFFICER

18 For necessary expenses of the Office of the Chief Fi-
19 nancial Officer, \$6,247,000: *Provided*, That no funds
20 made available by this appropriation may be obligated for
21 FAIR Act or Circular A-76 activities until the Secretary
22 has submitted to the Committees on Appropriations of
23 both Houses of Congress and the Committee on Oversight
24 and Government Reform of the House of Representatives

1 a report on the Department's contracting out policies, in-
2 cluding agency budgets for contracting out.

3 OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL
4 RIGHTS

5 For necessary expenses of the Office of the Assistant
6 Secretary for Civil Rights, \$893,000.

7 OFFICE OF CIVIL RIGHTS

8 For necessary expenses of the Office of Civil Rights,
9 \$22,692,000.

10 OFFICE OF THE ASSISTANT SECRETARY FOR
11 ADMINISTRATION

12 For necessary expenses of the Office of the Assistant
13 Secretary for Administration, \$804,000.

14 AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL
15 PAYMENTS

16 (INCLUDING TRANSFERS OF FUNDS)

17 For payment of space rental and related costs pursu-
18 ant to Public Law 92-313, including authorities pursuant
19 to the 1984 delegation of authority from the Adminis-
20 trator of General Services to the Department of Agri-
21 culture under 40 U.S.C. 486, for programs and activities
22 of the Department which are included in this Act, and for
23 alterations and other actions needed for the Department
24 and its agencies to consolidate unneeded space into con-
25 figurations suitable for release to the Administrator of

1 General Services, and for the operation, maintenance, im-
2 provement, and repair of Agriculture buildings and facili-
3 ties, and for related costs, \$241,336,000, to remain avail-
4 able until expended, of which \$175,694,000 shall be avail-
5 able for payments to the General Services Administration
6 for rent; of which \$13,473,000 is for payments to the De-
7 partment of Homeland Security for building security ac-
8 tivities; and of which \$52,169,000 is for buildings oper-
9 ations and maintenance expenses: *Provided*, That the Sec-
10 retary may use unobligated prior year balances of an agen-
11 cy or office that are no longer available for new obligation
12 to cover shortfalls incurred in prior year rental payments
13 for such agency or office: *Provided further*, That the Sec-
14 retary is authorized to transfer funds from a Depart-
15 mental agency to this account to recover the full cost of
16 the space and security expenses of that agency that are
17 funded by this account when the actual costs exceed the
18 agency estimate which will be available for the activities
19 and payments described herein.

20 HAZARDOUS MATERIALS MANAGEMENT

21 (INCLUDING TRANSFERS OF FUNDS)

22 For necessary expenses of the Department of Agri-
23 culture, to comply with the Comprehensive Environmental
24 Response, Compensation, and Liability Act (42 U.S.C.
25 9601 et seq.) and the Resource Conservation and Recovery

1 Act (42 U.S.C. 6901 et seq.), \$3,992,000, to remain avail-
2 able until expended: *Provided*, That appropriations and
3 funds available herein to the Department for Hazardous
4 Materials Management may be transferred to any agency
5 of the Department for its use in meeting all requirements
6 pursuant to the above Acts on Federal and non-Federal
7 lands.

8 DEPARTMENTAL ADMINISTRATION

9 (INCLUDING TRANSFERS OF FUNDS)

10 For Departmental Administration, \$27,647,000, to
11 provide for necessary expenses for management support
12 services to offices of the Department and for general ad-
13 ministration, security, repairs and alterations, and other
14 miscellaneous supplies and expenses not otherwise pro-
15 vided for and necessary for the practical and efficient work
16 of the Department: *Provided*, That this appropriation shall
17 be reimbursed from applicable appropriations in this Act
18 for travel expenses incident to the holding of hearings as
19 required by 5 U.S.C. 551–558.

20 OFFICE OF THE ASSISTANT SECRETARY FOR

21 CONGRESSIONAL RELATIONS

22 (INCLUDING TRANSFERS OF FUNDS)

23 For necessary expenses of the Office of the Assistant
24 Secretary for Congressional Relations to carry out the pro-
25 grams funded by this Act, including programs involving

1 intergovernmental affairs and liaison within the executive
2 branch, \$3,869,000: *Provided*, That these funds may be
3 transferred to agencies of the Department of Agriculture
4 funded by this Act to maintain personnel at the agency
5 level: *Provided further*, That no funds made available by
6 this appropriation may be obligated after 30 days from
7 the date of enactment of this Act, unless the Secretary
8 has notified the Committees on Appropriations of both
9 Houses of Congress on the allocation of these funds by
10 USDA agency.

11 OFFICE OF COMMUNICATIONS

12 For necessary expenses of the Office of Communica-
13 tions, \$9,006,000.

14 OFFICE OF INSPECTOR GENERAL

15 For necessary expenses of the Office of Inspector
16 General, including employment pursuant to the Inspector
17 General Act of 1978, \$89,016,000, including such sums
18 as may be necessary for contracting and other arrange-
19 ments with public agencies and private persons pursuant
20 to section 6(a)(9) of the Inspector General Act of 1978,
21 and including not to exceed \$125,000 for certain confiden-
22 tial operational expenses, including the payment of inform-
23 ants, to be expended under the direction of the Inspector
24 General pursuant to Public Law 95-452 and section 1337
25 of Public Law 97-98.

1 OFFICE OF THE GENERAL COUNSEL

2 For necessary expenses of the Office of the General
3 Counsel, \$45,074,000.

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

6 For necessary expenses of the Office of the Under
7 Secretary for Research, Education and Economics,
8 \$893,000.

9 ECONOMIC RESEARCH SERVICE

10 For necessary expenses of the Economic Research
11 Service, \$77,397,000.

12 NATIONAL AGRICULTURAL STATISTICS SERVICE

13 For necessary expenses of the National Agricultural
14 Statistics Service, \$179,477,000, of which up to
15 \$62,500,000 shall be available until expended for the Cen-
16 sus of Agriculture.

17 AGRICULTURAL RESEARCH SERVICE

18 SALARIES AND EXPENSES

19 For necessary expenses of the Agricultural Research
20 Service and for acquisition of lands by donation, exchange,
21 or purchase at a nominal cost not to exceed \$100, and
22 for land exchanges where the lands exchanged shall be of
23 equal value or shall be equalized by a payment of money
24 to the grantor which shall not exceed 25 percent of the
25 total value of the land or interests transferred out of Fed-

1 eral ownership, \$1,101,853,000: *Provided*, That appro-
2 priations hereunder shall be available for the operation
3 and maintenance of aircraft and the purchase of not to
4 exceed one for replacement only: *Provided further*, That
5 appropriations hereunder shall be available pursuant to 7
6 U.S.C. 2250 for the construction, alteration, and repair
7 of buildings and improvements, but unless otherwise pro-
8 vided, the cost of constructing any one building shall not
9 exceed \$375,000, except for headhouses or greenhouses
10 which shall each be limited to \$1,200,000, and except for
11 10 buildings to be constructed or improved at a cost not
12 to exceed \$750,000 each, and the cost of altering any one
13 building during the fiscal year shall not exceed 10 percent
14 of the current replacement value of the building or
15 \$375,000, whichever is greater: *Provided further*, That the
16 limitations on alterations contained in this Act shall not
17 apply to modernization or replacement of existing facilities
18 at Beltsville, Maryland: *Provided further*, That appropria-
19 tions hereunder shall be available for granting easements
20 at the Beltsville Agricultural Research Center: *Provided*
21 *further*, That the foregoing limitations shall not apply to
22 replacement of buildings needed to carry out the Act of
23 April 24, 1948 (21 U.S.C. 113a): *Provided further*, That
24 appropriations hereunder shall be available for granting
25 easements at any Agricultural Research Service location

1 for the construction of a research facility by a non-Federal
2 entity for use by, and acceptable to, the Agricultural Re-
3 search Service and a condition of the easements shall be
4 that upon completion the facility shall be accepted by the
5 Secretary, subject to the availability of funds herein, if the
6 Secretary finds that acceptance of the facility is in the
7 interest of the United States: *Provided further*, That funds
8 may be received from any State, other political subdivi-
9 sion, organization, or individual for the purpose of estab-
10 lishing or operating any research facility or research
11 project of the Agricultural Research Service, as authorized
12 by law.

13 NATIONAL INSTITUTE OF FOOD AND AGRICULTURE
14 RESEARCH AND EDUCATION ACTIVITIES

15 For payments to agricultural experiment stations, for
16 cooperative forestry and other research, for facilities, and
17 for other expenses, \$738,638,000, which shall be for the
18 purposes, and in the amounts, specified in the table titled
19 “National Institute of Food and Agriculture, Research
20 and Education Activities” in the report accompanying this
21 Act: *Provided*, That funds for research grants for 1994
22 institutions, education grants for 1890 institutions, capac-
23 ity building for non-land-grant colleges of agriculture, the
24 agriculture and food research initiative, Critical Agricul-
25 tural Materials Act, veterinary medicine loan repayment,

1 multicultural scholars, graduate fellowship and institution
2 challenge grants, and grants management systems shall
3 remain available until expended: *Provided further*, That
4 each institution eligible to receive funds under the Evans-
5 Allen program receives no less than \$1,000,000: *Provided*
6 *further*, That funds for education grants for Alaska Native
7 and Native Hawaiian-serving institutions be made avail-
8 able to individual eligible institutions or consortia of eligi-
9 ble institutions with funds awarded equally to each of the
10 States of Alaska and Hawaii: *Provided further*, That funds
11 for education grants for 1890 institutions shall be made
12 available to institutions eligible to receive funds under 7
13 U.S.C. 3221 and 3222.

14 HISPANIC-SERVING AGRICULTURAL COLLEGES AND
15 UNIVERSITIES ENDOWMENT FUND

16 For the Hispanic-Serving Agricultural Colleges and
17 Universities Endowment Fund under section 1456(b) (7
18 U.S.C. 3243(b)) of the National Agricultural Research,
19 Extension and Teaching Policy Act of 1977, \$10,000,000,
20 to remain available until expended.

21 NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

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

EXTENSION ACTIVITIES

1
2 For payments to States, the District of Columbia,
3 Puerto Rico, Guam, the Virgin Islands, Micronesia, the
4 Northern Marianas, and American Samoa, \$475,125,000,
5 which shall be for the purposes, and in the amounts, speci-
6 fied in the table titled “National Institute of Food and
7 Agriculture, Extension Activities” in the report accom-
8 panying this Act: *Provided*, That funds for facility im-
9 provements at 1890 institutions shall remain available
10 until expended: *Provided further*, That institutions eligible
11 to receive funds under 7 U.S.C. 3221 for cooperative ex-
12 tension receive no less than \$1,000,000: *Provided further*,
13 That funds for cooperative extension under sections 3(b)
14 and (c) of the Smith-Lever Act (7 U.S.C. 343(b) and (c))
15 and section 208(c) of Public Law 93–471 shall be avail-
16 able for retirement and employees’ compensation costs for
17 extension agents.

INTEGRATED ACTIVITIES

18
19 For the integrated research, education, and extension
20 grants programs, including necessary administrative ex-
21 penses, \$24,982,000, which shall be for the purposes, and
22 in the amounts, specified in the table titled “National In-
23 stitute of Food and Agriculture, Integrated Activities” in
24 the report accompanying this Act: *Provided*, That funds

1 for the Food and Agriculture Defense Initiative shall re-
2 main available until September 30, 2014.

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

5 For necessary expenses of the Office of the Under
6 Secretary for Marketing and Regulatory Programs,
7 \$893,000.

8 ANIMAL AND PLANT HEALTH INSPECTION SERVICE
9 SALARIES AND EXPENSES

10 (INCLUDING TRANSFERS OF FUNDS)

11 For necessary expenses of the Animal and Plant
12 Health Inspection Service, including up to \$30,000 for
13 representation allowances and for expenses pursuant to
14 the Foreign Service Act of 1980 (22 U.S.C. 4085),
15 \$816,534,000, of which \$1,500,000, to remain available
16 until expended, shall be available for the control of out-
17 breaks of insects, plant diseases, animal diseases and for
18 control of pest animals and birds (“contingency fund”) to
19 the extent necessary to meet emergency conditions; of
20 which \$15,970,000, to remain available until expended,
21 shall be used for the cotton pests program for cost share
22 purposes or for debt retirement for active eradication
23 zones; of which \$36,858,000, to remain available until ex-
24 pended, shall be for Animal Health Technical Services; of
25 which \$891,000 shall be for activities under the authority

1 of the Horse Protection Act of 1970, as amended (15
2 U.S.C. 1831); of which \$50,761,000, to remain available
3 until expended, shall be used to support avian health; of
4 which \$4,335,000, to remain available until expended,
5 shall be for information technology infrastructure; of
6 which \$153,950,000, to remain available until expended,
7 shall be for specialty crop pests; of which, \$9,068,000, to
8 remain available until expended, shall be for field crop and
9 rangeland ecosystem pests; of which \$56,638,000, to re-
10 main available until expended, shall be for tree and wood
11 pests; of which \$2,750,000, to remain available until ex-
12 pended, shall be for the National Veterinary Stockpile; of
13 which up to \$1,500,000, to remain available until ex-
14 pended, shall be for the scrapie program for indemnities;
15 of which \$1,500,000, to remain available until expended,
16 shall be for the wildlife damage management program for
17 aviation safety: *Provided*, That, of amounts available
18 under this heading for wildlife services methods develop-
19 ment, \$1,000,000 shall remain available until expended:
20 *Provided further*, That, of amounts available under this
21 heading for the screwworm program, \$4,971,000 shall re-
22 main available until expended: *Provided further*, That no
23 funds shall be used to formulate or administer a brucel-
24 losis eradication program for the current fiscal year that
25 does not require minimum matching by the States of at

1 least 40 percent: *Provided further*, That this appropriation
2 shall be available for the operation and maintenance of
3 aircraft and the purchase of not to exceed four, of which
4 two shall be for replacement only: *Provided further*, That,
5 in addition, in emergencies which threaten any segment
6 of the agricultural production industry of this country, the
7 Secretary may transfer from other appropriations or funds
8 available to the agencies or corporations of the Depart-
9 ment such sums as may be deemed necessary, to be avail-
10 able only in such emergencies for the arrest and eradi-
11 cation of contagious or infectious disease or pests of ani-
12 mals, poultry, or plants, and for expenses in accordance
13 with sections 10411 and 10417 of the Animal Health Pro-
14 tection Act (7 U.S.C. 8310 and 8316) and sections 431
15 and 442 of the Plant Protection Act (7 U.S.C. 7751 and
16 7772), and any unexpended balances of funds transferred
17 for such emergency purposes in the preceding fiscal year
18 shall be merged with such transferred amounts: *Provided*
19 *further*, That appropriations hereunder shall be available
20 pursuant to law (7 U.S.C. 2250) for the repair and alter-
21 ation of leased buildings and improvements, but unless
22 otherwise provided the cost of altering any one building
23 during the fiscal year shall not exceed 10 percent of the
24 current replacement value of the building.

1 In fiscal year 2013, the agency is authorized to collect
2 fees to cover the total costs of providing technical assist-
3 ance, goods, or services requested by States, other political
4 subdivisions, domestic and international organizations,
5 foreign governments, or individuals, provided that such
6 fees are structured such that any entity's liability for such
7 fees is reasonably based on the technical assistance, goods,
8 or services provided to the entity by the agency, and such
9 fees shall be reimbursed to this account, to remain avail-
10 able until expended, without further appropriation, for
11 providing such assistance, goods, or services.

12 BUILDINGS AND FACILITIES

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

19 AGRICULTURAL MARKETING SERVICE

20 MARKETING SERVICES

21 For necessary expenses of the Agricultural Marketing
22 Service, \$77,863,000: *Provided*, That this appropriation
23 shall be available pursuant to law (7 U.S.C. 2250) for the
24 alteration and repair of buildings and improvements, but
25 the cost of altering any one building during the fiscal year

1 shall not exceed 10 percent of the current replacement
2 value of the building.

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

6 LIMITATION ON ADMINISTRATIVE EXPENSES

7 Not to exceed \$62,592,000 (from fees collected) shall
8 be obligated during the current fiscal year for administra-
9 tive expenses: *Provided*, That if crop size is understated
10 and/or other uncontrollable events occur, the agency may
11 exceed this limitation by up to 10 percent with notification
12 to the Committees on Appropriations of both Houses of
13 Congress.

14 FUNDS FOR STRENGTHENING MARKETS, INCOME, AND

15 SUPPLY (SECTION 32)

16 (INCLUDING TRANSFERS OF FUNDS)

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

1 ments and orders pursuant to the Agricultural Marketing
2 Agreement Act of 1937 and the Agricultural Act of 1961.

3 PAYMENTS TO STATES AND POSSESSIONS

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

9 GRAIN INSPECTION, PACKERS AND STOCKYARDS

10 ADMINISTRATION

11 SALARIES AND EXPENSES

12 For necessary expenses of the Grain Inspection,
13 Packers and Stockyards Administration, \$40,261,000:
14 *Provided*, That this appropriation shall be available pursu-
15 ant to law (7 U.S.C. 2250) for the alteration and repair
16 of buildings and improvements, but the cost of altering
17 any one building during the fiscal year shall not exceed
18 10 percent of the current replacement value of the build-
19 ing.

20 LIMITATION ON INSPECTION AND WEIGHING SERVICES

21 EXPENSES

22 Not to exceed \$50,000,000 (from fees collected) shall
23 be obligated during the current fiscal year for inspection
24 and weighing services: *Provided*, That if grain export ac-
25 tivities require additional supervision and oversight, or

1 other uncontrollable factors occur, this limitation may be
2 exceeded by up to 10 percent with notification to the Com-
3 mittees on Appropriations of both Houses of Congress.

4 OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

5 For necessary expenses of the Office of the Under
6 Secretary for Food Safety, \$811,000.

7 FOOD SAFETY AND INSPECTION SERVICE

8 For necessary expenses to carry out services author-
9 ized by the Federal Meat Inspection Act, the Poultry
10 Products Inspection Act, and the Egg Products Inspection
11 Act, including not to exceed \$50,000 for representation
12 allowances and for expenses pursuant to section 8 of the
13 Act approved August 3, 1956 (7 U.S.C. 1766),
14 \$1,001,427,000; and in addition, \$1,000,000 may be cred-
15 ited to this account from fees collected for the cost of lab-
16 oratory accreditation as authorized by section 1327 of the
17 Food, Agriculture, Conservation and Trade Act of 1990
18 (7 U.S.C. 138f): *Provided*, That funds provided for the
19 Public Health Data Communication Infrastructure system
20 shall remain available until expended: *Provided further*,
21 That no fewer than 148 full-time equivalent positions shall
22 be employed during fiscal year 2013 for purposes dedi-
23 cated solely to inspections and enforcement related to the
24 Humane Methods of Slaughter Act: *Provided further*, That
25 the Food Safety and Inspection Service shall continue im-

1 plementation of section 11016 of Public Law 110–246:
2 *Provided further*, That this appropriation shall be available
3 pursuant to law (7 U.S.C. 2250) for the alteration and
4 repair of buildings and improvements, but the cost of al-
5 tering any one building during the fiscal year shall not
6 exceed 10 percent of the current replacement value of the
7 building.

8 OFFICE OF THE UNDER SECRETARY FOR FARM AND
9 FOREIGN AGRICULTURAL SERVICES

10 For necessary expenses of the Office of the Under
11 Secretary for Farm and Foreign Agricultural Services,
12 \$893,000.

13 FARM SERVICE AGENCY
14 SALARIES AND EXPENSES
15 (INCLUDING TRANSFERS OF FUNDS)

16 For necessary expenses of the Farm Service Agency,
17 \$1,208,290,000: *Provided*, That the Secretary is author-
18 ized to use the services, facilities, and authorities (but not
19 the funds) of the Commodity Credit Corporation to make
20 program payments for all programs administered by the
21 Agency: *Provided further*, That other funds made available
22 to the Agency for authorized activities may be advanced
23 to and merged with this account: *Provided further*, That
24 funds made available to county committees shall remain
25 available until expended.

1 STATE MEDIATION GRANTS

2 For grants pursuant to section 502(b) of the Agricul-
3 tural Credit Act of 1987, as amended (7 U.S.C. 5101–
4 5106), \$4,369,000.

5 GRASSROOTS SOURCE WATER PROTECTION PROGRAM

6 For necessary expenses to carry out wellhead or
7 groundwater protection activities under section 12400 of
8 the Food Security Act of 1985 (16 U.S.C. 3839bb–2),
9 \$6,500,000, to remain available until expended.

10 DAIRY INDEMNITY PROGRAM

11 (INCLUDING TRANSFER OF FUNDS)

12 For necessary expenses involved in making indemnity
13 payments to dairy farmers and manufacturers of dairy
14 products under a dairy indemnity program, such sums as
15 may be necessary, to remain available until expended: *Pro-*
16 *vided*, That such program is carried out by the Secretary
17 in the same manner as the dairy indemnity program de-
18 scribed in the Agriculture, Rural Development, Food and
19 Drug Administration, and Related Agencies Appropria-
20 tions Act, 2001 (Public Law 106–387, 114 Stat. 1549A–
21 12).

1 For the cost of direct and guaranteed loans and
2 grants, including the cost of modifying loans as defined
3 in section 502 of the Congressional Budget Act of 1974,
4 as follows: farm ownership loans, \$20,140,000 for direct
5 loans; operating loans, \$76,340,000, of which
6 \$17,850,000 shall be for unsubsidized guaranteed loans,
7 and \$58,490,000 shall be for direct loans; emergency
8 loans, \$1,317,000, to remain available until expended; and
9 Indian highly fractionated land loans, \$173,000.

10 In addition, for administrative expenses necessary to
11 carry out the direct and guaranteed loan programs,
12 \$312,897,000 of which \$304,977,000 shall be transferred
13 to and merged with the appropriation for “Farm Service
14 Agency, Salaries and Expenses”.

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

22 RISK MANAGEMENT AGENCY

23 For necessary expenses of the Risk Management
24 Agency, \$74,900,000: *Provided*, That not to exceed

1 available to the Commodity Credit Corporation under sec-
2 tion 11 of the Commodity Credit Corporation Charter Act
3 (15 U.S.C. 714i) for the conduct of its business with the
4 Foreign Agricultural Service, up to \$5,000,000 may be
5 transferred to and used by the Foreign Agricultural Serv-
6 ice for information resource management activities of the
7 Foreign Agricultural Service that are not related to Com-
8 modity Credit Corporation business.

9 HAZARDOUS WASTE MANAGEMENT

10 (LIMITATION ON EXPENSES)

11 For the current fiscal year, the Commodity Credit
12 Corporation shall not expend more than \$5,000,000 for
13 site investigation and cleanup expenses, and operations
14 and maintenance expenses to comply with the requirement
15 of section 107(g) of the Comprehensive Environmental
16 Response, Compensation, and Liability Act (42 U.S.C.
17 9607(g)), and section 6001 of the Resource Conservation
18 and Recovery Act (42 U.S.C. 6961).

19 TITLE II

20 CONSERVATION PROGRAMS

21 OFFICE OF THE UNDER SECRETARY FOR NATURAL

22 RESOURCES AND ENVIRONMENT

23 For necessary expenses of the Office of the Under
24 Secretary for Natural Resources and Environment,
25 \$893,000.

1 NATURAL RESOURCES CONSERVATION SERVICE
2 CONSERVATION OPERATIONS

3 For necessary expenses for carrying out the provi-
4 sions of the Act of April 27, 1935 (16 U.S.C. 590a–f),
5 including preparation of conservation plans and establish-
6 ment of measures to conserve soil and water (including
7 farm irrigation and land drainage and such special meas-
8 ures for soil and water management as may be necessary
9 to prevent floods and the siltation of reservoirs and to con-
10 trol agricultural related pollutants); operation of conserva-
11 tion plant materials centers; classification and mapping of
12 soil; dissemination of information; acquisition of lands,
13 water, and interests therein for use in the plant materials
14 program by donation, exchange, or purchase at a nominal
15 cost not to exceed \$100 pursuant to the Act of August
16 3, 1956 (7 U.S.C. 428a); purchase and erection or alter-
17 ation or improvement of permanent and temporary build-
18 ings; and operation and maintenance of aircraft,
19 \$828,498,000, to remain available until September 30,
20 2014: *Provided*, That appropriations hereunder shall be
21 available pursuant to 7 U.S.C. 2250 for construction and
22 improvement of buildings and public improvements at
23 plant materials centers, except that the cost of alterations
24 and improvements to other buildings and other public im-
25 provements shall not exceed \$250,000: *Provided further*,

1 That when buildings or other structures are erected on
2 non-Federal land, that the right to use such land is ob-
3 tained as provided in 7 U.S.C. 2250a.

4 TITLE III

5 RURAL DEVELOPMENT

6 OFFICE OF THE UNDER SECRETARY FOR RURAL

7 DEVELOPMENT

8 For necessary expenses of the Office of the Under
9 Secretary for Rural Development, \$893,000.

10 RURAL DEVELOPMENT SALARIES AND EXPENSES

11 (INCLUDING TRANSFERS OF FUNDS)

12 For necessary expenses for carrying out the adminis-
13 tration and implementation of programs in the Rural De-
14 velopment mission area, including activities with institu-
15 tions concerning the development and operation of agricul-
16 tural cooperatives; and for cooperative agreements;
17 \$206,857,000: *Provided*, That notwithstanding any other
18 provision of law, funds appropriated under this heading
19 may be used for advertising and promotional activities
20 that support the Rural Development mission area: *Pro-*
21 *vided further*, That any balances available from prior years
22 for the Rural Utilities Service, Rural Housing Service, and
23 the Rural Business—Cooperative Service salaries and ex-
24 penses accounts shall be transferred to and merged with
25 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: \$900,000,000
8 shall be for direct loans and \$24,000,000,000 shall be for
9 unsubsidized guaranteed loans; \$27,952,000 for section
10 504 housing repair loans; \$28,433,000 for section 515
11 rental housing; \$150,000,000 for section 538 guaranteed
12 multi-family housing loans; \$10,000,000 for credit sales
13 of single family housing acquired property; and
14 \$5,000,000 for section 523 self-help housing land develop-
15 ment loans.

16 For the cost of direct and guaranteed loans, including
17 the cost of modifying loans, as defined in section 502 of
18 the Congressional Budget Act of 1974, as follows: section
19 502 loans, \$53,730,000 shall be for direct loans; section
20 504 housing repair loans, \$3,821,000; and repair, rehabili-
21 tation, and new construction of section 515 rental housing,
22 \$10,000,000: *Provided*, That to support the loan program
23 level for section 538 guaranteed loans made available
24 under this heading the Secretary may charge or adjust
25 any fees to cover the projected cost of such loan guaran-

1 tees pursuant to the provisions of the Credit Reform Act
2 of 1990 (2 U.S.C. 661 et seq.), and the interest on such
3 loans may not be subsidized: *Provided further*, That com-
4 munities that have a current administrative population
5 waiver under section 541 of the Housing Act of 1949 (42
6 U.S.C. 1490q) shall be eligible for section 502 guaranteed
7 loans provided under this heading: *Provided further*, That
8 of the total amount appropriated in this paragraph, the
9 amount equal to the amount of Rural Housing Insurance
10 Fund Program Account funds allocated by the Secretary
11 for Rural Economic Area Partnership Zones for the fiscal
12 year 2012, shall be available through June 30, 2013, for
13 communities designated by the Secretary of Agriculture
14 as Rural Economic Area Partnership Zones: *Provided fur-*
15 *ther*, That, of the amounts available under this paragraph
16 for section 502 direct loans, no less than \$5,000,000 shall
17 be available for direct loans for individuals whose homes
18 will be built pursuant to a program funded with a mutual
19 and self help housing grant authorized by section 523 of
20 the Housing Act of 1949 until June 1, 2013: *Provided*
21 *further*, That in balancing the needs between the section
22 515 rental housing program and the multi-family housing
23 revitalization program, the Secretary may transfer not
24 more than 50 percent of the funds appropriated for the

1 section 515 program to the Multi-Family Housing Revital-
2 ization Program Account.

3 In addition, for the cost of direct loans, grants, and
4 contracts, as authorized by 42 U.S.C. 1484 and 1486,
5 \$17,526,000, to remain available until expended, for direct
6 farm labor housing loans and domestic farm labor housing
7 grants and contracts: *Provided*, That any balances avail-
8 able for the Farm Labor Program Account shall be trans-
9 ferred to and merged with this account.

10 In addition, for administrative expenses necessary to
11 carry out the direct and guaranteed loan programs,
12 \$410,627,000 shall be transferred to and merged with the
13 appropriation for “Rural Development, Salaries and Ex-
14 penses”.

15 RENTAL ASSISTANCE PROGRAM

16 For rental assistance agreements entered into or re-
17 newed pursuant to the authority under section 521(a)(2)
18 or agreements entered into in lieu of debt forgiveness or
19 payments for eligible households as authorized by section
20 502(c)(5)(D) of the Housing Act of 1949, \$907,128,000;
21 and, in addition, such sums as may be necessary, as au-
22 thorized by section 521(c) of the Act, to liquidate debt
23 incurred prior to fiscal year 1992 to carry out the rental
24 assistance program under section 521(a)(2) of the Act:
25 *Provided*, That of this amount not less than \$3,000,000

1 is for newly constructed units financed under sections 514
2 and 516 of the Housing Act of 1949: *Provided further*,
3 That rental assistance agreements entered into or renewed
4 during the current fiscal year shall be funded for a 1-year
5 period: *Provided further*, That any unexpended balances
6 remaining at the end of such 1-year agreements may be
7 transferred and used for the purposes of any debt reduc-
8 tion; maintenance, repair, or rehabilitation of any existing
9 projects; preservation; and rental assistance activities au-
10 thorized under title V of the Act: *Provided further*, That
11 rental assistance provided under agreements entered into
12 prior to fiscal year 2013 for a farm labor multi-family
13 housing project financed under section 514 or 516 of the
14 Act may not be recaptured for use in another project until
15 such assistance has remained unused for a period of 12
16 consecutive months, if such project has a waiting list of
17 tenants seeking such assistance or the project has rental
18 assistance eligible tenants who are not receiving such as-
19 sistance: *Provided further*, That such recaptured rental as-
20 sistance shall, to the extent practicable, be applied to an-
21 other farm labor multi-family housing project financed
22 under section 514 or 516 of the Act.

1 terminates that the amount made available for vouchers in
2 this or any other Act is not needed for vouchers, the Sec-
3 retary may use such funds for the demonstration program
4 for the preservation and revitalization of multi-family
5 rental housing properties described in this paragraph: *Pro-*
6 *vided further*, That of the funds made available under this
7 heading, \$16,782,000 shall be available for a demonstra-
8 tion program for the preservation and revitalization of the
9 sections 514, 515, and 516 multi-family rental housing
10 properties to restructure existing USDA multi-family
11 housing loans, as the Secretary deems appropriate, ex-
12 pressly for the purposes of ensuring the project has suffi-
13 cient resources to preserve the project for the purpose of
14 providing safe and affordable housing for low-income resi-
15 dents and farm laborers including reducing or eliminating
16 interest; deferring loan payments, subordinating, reducing
17 or reamortizing loan debt; and other financial assistance
18 including advances, payments and incentives (including
19 the ability of owners to obtain reasonable returns on in-
20 vestment) required by the Secretary: *Provided further*,
21 That the Secretary shall as part of the preservation and
22 revitalization agreement obtain a restrictive use agreement
23 consistent with the terms of the restructuring: *Provided*
24 *further*, That if the Secretary determines that additional
25 funds for vouchers described in this paragraph are needed,

1 funds for the preservation and revitalization demonstra-
2 tion program may be used for such vouchers: *Provided fur-*
3 *ther*, That if Congress enacts legislation to permanently
4 authorize a multi-family rental housing loan restructuring
5 program similar to the demonstration program described
6 herein, the Secretary may use funds made available for
7 the demonstration program under this heading to carry
8 out such legislation with the prior approval of the Commit-
9 tees on Appropriations of both Houses of Congress: *Pro-*
10 *vided further*, That in addition to any other available
11 funds, the Secretary may expend not more than
12 \$1,000,000 total, from the program funds made available
13 under this heading, for administrative expenses for activi-
14 ties funded under this heading.

15 MUTUAL AND SELF-HELP HOUSING GRANTS

16 For grants and contracts pursuant to section
17 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C.
18 1490c), \$30,000,000, to remain available until expended:
19 *Provided*, That of the total amount appropriated under
20 this heading, the amount equal to the amount of Mutual
21 and Self-Help Grants allocated by the Secretary for Rural
22 Economic Area Partnership Zones for the fiscal year
23 2012, shall be available through June 30, 2013, for com-
24 munities designated by the Secretary of Agriculture as
25 Rural Economic Area Partnership Zones.

1 RURAL HOUSING ASSISTANCE GRANTS

2 For grants for very low-income housing repair and
3 rural housing preservation made by the Rural Housing
4 Service, as authorized by 42 U.S.C. 1474, and 1490m,
5 \$33,136,000, to remain available until expended: *Pro-*
6 *vided*, That of the total amount appropriated under this
7 heading, the amount equal to the amount of Rural Hous-
8 ing Assistance Grants allocated by the Secretary for Rural
9 Economic Area Partnership Zones for the fiscal year
10 2012, shall be available through June 30, 2013, for com-
11 munities designated by the Secretary of Agriculture as
12 Rural Economic Area Partnership Zones.

13 RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

14 (INCLUDING TRANSFERS OF FUNDS)

15 For gross obligations for the principal amount of di-
16 rect loans as authorized by section 306 and described in
17 section 381E(d)(1) of the Consolidated Farm and Rural
18 Development Act, \$2,000,000,000.

19 For the cost of grants for rural community facilities
20 programs as authorized by section 306 and described in
21 section 381E(d)(1) of the Consolidated Farm and Rural
22 Development Act, \$28,428,000, to remain available until
23 expended: *Provided*, That \$6,121,000 of the amount ap-
24 propriated under this heading shall be available for a
25 Rural Community Development Initiative: *Provided fur-*

1 *ther*, That such funds shall be used solely to develop the
2 capacity and ability of private, nonprofit community-based
3 housing and community development organizations, low-
4 income rural communities, and Federally Recognized Na-
5 tive American Tribes to undertake projects to improve
6 housing, community facilities, community and economic
7 development projects in rural areas: *Provided further*,
8 That such funds shall be made available to qualified pri-
9 vate, nonprofit and public intermediary organizations pro-
10 posing to carry out a program of financial and technical
11 assistance: *Provided further*, That such intermediary orga-
12 nizations shall provide matching funds from other sources,
13 including Federal funds for related activities, in an
14 amount not less than funds provided: *Provided further*,
15 That \$5,938,000 of the amount appropriated under this
16 heading shall be to provide grants for facilities in rural
17 communities with extreme unemployment and severe eco-
18 nomic depression (Public Law 106–387), with up to 5 per-
19 cent for administration and capacity building in the State
20 rural development offices: *Provided further*, That
21 \$3,369,000 of the amount appropriated under this head-
22 ing shall be available for community facilities grants to
23 tribal colleges, as authorized by section 306(a)(19) of such
24 Act: *Provided further*, That of the total amount appro-
25 priated under this heading, the amount equal to the

1 amount of Rural Community Facilities Program Account
2 funds allocated by the Secretary for Rural Economic Area
3 Partnership Zones for the fiscal year 2012, shall be avail-
4 able through June 30, 2013, for communities designated
5 by the Secretary of Agriculture as Rural Economic Area
6 Partnership Zones: *Provided further*, That sections 381E-
7 H and 381N of the Consolidated Farm and Rural Devel-
8 opment Act are not applicable to the funds made available
9 under this heading.

10 RURAL BUSINESS—COOPERATIVE SERVICE

11 RURAL BUSINESS PROGRAM ACCOUNT

12 (INCLUDING TRANSFERS OF FUNDS)

13 For the cost of loan guarantees and grants, for the
14 rural business development programs authorized by sec-
15 tions 306 and 310B and described in subsections (f) and
16 (g) of section 310B and section 381E(d)(3) of the Consoli-
17 dated Farm and Rural Development Act, \$85,904,000, to
18 remain available until expended: *Provided*, That of the
19 amount appropriated under this heading, not to exceed
20 \$500,000 shall be made available for a grant to a qualified
21 national organization to provide technical assistance for
22 rural transportation in order to promote economic develop-
23 ment and \$3,000,000 shall be for grants to the Delta Re-
24 gional Authority (7 U.S.C. 2009aa et seq.) for any Rural
25 Community Advancement Program purpose as described

1 in section 381E(d) of the Consolidated Farm and Rural
2 Development Act, of which not more than 5 percent may
3 be used for administrative expenses: *Provided further,*
4 That \$4,000,000 of the amount appropriated under this
5 heading shall be for business grants to benefit Federally
6 Recognized Native American Tribes, including \$250,000
7 for a grant to a qualified national organization to provide
8 technical assistance for rural transportation in order to
9 promote economic development: *Provided further,* That of
10 the total amount appropriated under this heading, the
11 amount equal to the amount of Rural Business Program
12 Account funds allocated by the Secretary for Rural Eco-
13 nomic Area Partnership Zones for the fiscal year 2012,
14 shall be available through June 30, 2013, for communities
15 designated by the Secretary of Agriculture as Rural Eco-
16 nomic Area Partnership Zones for the rural business and
17 cooperative development programs described in section
18 381E(d)(3) of the Consolidated Farm and Rural Develop-
19 ment Act: *Provided further,* That sections 381E–H and
20 381N of the Consolidated Farm and Rural Development
21 Act are not applicable to funds made available under this
22 heading.

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)), \$18,889,000.

6 For the cost of direct loans, \$6,052,000, as author-
7 ized by the Rural Development Loan Fund (42 U.S.C.
8 9812(a)), of which \$900,000 shall be available through
9 June 30, 2013, for Federally Recognized Native American
10 Tribes; and of which \$2,000,000 shall be available through
11 June 30, 2013, for Mississippi Delta Region 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 as defined in section 502 of the Con-
15 gressional Budget Act of 1974: *Provided further*, That of
16 the total amount appropriated under this heading, the
17 amount equal to the amount of Rural Development Loan
18 Fund Program Account funds allocated by the Secretary
19 for Rural Economic Area Partnership Zones for the fiscal
20 year 2012, shall be available through June 30, 2013, 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, \$4,438,000 shall be transferred

1 to and merged with the appropriation for “Rural Develop-
 2 ment, Salaries and Expenses”.

3 RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM

4 ACCOUNT

5 (INCLUDING RESCISSION)

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, \$180,000,000 shall not be ob-
 13 ligated and \$180,000,000 are rescinded.

14 RURAL COOPERATIVE DEVELOPMENT GRANTS

15 For rural cooperative development grants authorized
 16 under section 310B(e) of the Consolidated Farm and
 17 Rural Development Act (7 U.S.C. 1932), \$27,706,000, of
 18 which \$2,250,000 shall be for cooperative agreements for
 19 the appropriate technology transfer for rural areas pro-
 20 gram: *Provided*, That not to exceed \$3,456,000 shall be
 21 for grants for cooperative development centers, individual
 22 cooperatives, or groups of cooperatives that serve socially
 23 disadvantaged groups and a majority of the boards of di-
 24 rectors or governing boards of which are comprised of in-
 25 dividuals who are members of socially disadvantaged

1 groups; and of which \$15,000,000, to remain available
 2 until expended, shall be for value-added agricultural prod-
 3 uct market development grants, as authorized by section
 4 231 of the Agricultural Risk Protection Act of 2000 (7
 5 U.S.C. 1621 note).

6 RURAL ENERGY FOR AMERICA PROGRAM

7 For the cost of a program of loan guarantees, under
 8 the same terms and conditions as authorized by section
 9 9007 of the Farm Security and Rural Investment Act of
 10 2002 (7 U.S.C. 8107), \$3,400,000: *Provided*, That the
 11 cost of loan guarantees, including the cost of modifying
 12 such loans, shall be as defined in section 502 of the Con-
 13 gressional Budget Act of 1974.

14 RURAL UTILITIES SERVICE

15 RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT

16 (INCLUDING TRANSFERS OF FUNDS)

17 For the cost of direct loans, loan guarantees, and
 18 grants for the rural water, waste water, waste disposal,
 19 and solid waste management programs authorized by sec-
 20 tions 306, 306A, 306C, 306D, 306E, and 310B and de-
 21 scribed in sections 306C(a)(2), 306D, 306E, and
 22 381E(d)(2) of the Consolidated Farm and Rural Develop-
 23 ment Act, \$522,481,000, to remain available until ex-
 24 pended, of which not to exceed \$1,000,000 shall be avail-
 25 able for the rural utilities program described in section

1 306(a)(2)(B) of such Act, and of which not to exceed
2 \$993,000 shall be available for the rural utilities program
3 described in section 306E of such Act: *Provided*, That
4 \$66,500,000 of the amount appropriated under this head-
5 ing shall be for loans and grants including water and
6 waste disposal systems grants authorized by
7 306C(a)(2)(B) and 306D of the Consolidated Farm and
8 Rural Development Act, Federally recognized Native
9 American Tribes authorized by 306C(a)(1), and the De-
10 partment of Hawaiian Home Lands (of the State of Ha-
11 waii): *Provided further*, That funding provided for section
12 306D of the Consolidated Farm and Rural Development
13 Act may be provided to a consortium formed pursuant to
14 section 325 of Public Law 105–83: *Provided further*, That
15 not more than 2 percent of the funding provided for sec-
16 tion 306D of the Consolidated Farm and Rural Develop-
17 ment Act may be used by the State of Alaska for training
18 and technical assistance programs and not more than 2
19 percent of the funding provided for section 306D of the
20 Consolidated Farm and Rural Development Act may be
21 used by a consortium formed pursuant to section 325 of
22 Public Law 105–83 for training and technical assistance
23 programs: *Provided further*, That not to exceed
24 \$19,000,000 of the amount appropriated under this head-
25 ing shall be for technical assistance grants for rural water

1 and waste systems pursuant to section 306(a)(14) of such
2 Act, unless the Secretary makes a determination of ex-
3 treme need, of which \$5,750,000 shall be made available
4 for a grant to a qualified non-profit multi-state regional
5 technical assistance organization, with experience in work-
6 ing with small communities on water and waste water
7 problems, the principal purpose of such grant shall be to
8 assist rural communities with populations of 3,300 or less,
9 in improving the planning, financing, development, oper-
10 ation, and management of water and waste water systems,
11 and of which not less than \$800,000 shall be for a quali-
12 fied national Native American organization to provide
13 technical assistance for rural water systems for tribal com-
14 munities: *Provided further*, That not to exceed
15 \$15,000,000 of the amount appropriated under this head-
16 ing shall be for contracting with qualified national organi-
17 zations for a circuit rider program to provide technical as-
18 sistance for rural water systems: *Provided further*, That
19 not to exceed \$3,400,000 shall be for solid waste manage-
20 ment grants: *Provided further*, That of the total amount
21 appropriated under this heading, the amount equal to the
22 amount of Rural Water and Waste Disposal Program Ac-
23 count funds allocated by the Secretary for Rural Economic
24 Area Partnership Zones for the fiscal year 2012, shall be
25 available through June 30, 2013, for communities des-

1 ignated by the Secretary of Agriculture as Rural Economic
2 Area Partnership Zones for the rural utilities programs
3 described in section 381E(d)(2) of the Consolidated Farm
4 and Rural Development Act: *Provided further*, That
5 \$10,000,000 of the amount appropriated under this head-
6 ing shall be transferred to, and merged with, the Rural
7 Utilities Service, High Energy Cost Grants Account to
8 provide grants authorized under section 19 of the Rural
9 Electrification Act of 1936 (7 U.S.C. 918a): *Provided fur-*
10 *ther*, That any prior year balances for high-energy cost
11 grants authorized by section 19 of the Rural Electrifica-
12 tion Act of 1936 (7 U.S.C. 918a) shall be transferred to
13 and merged with the Rural Utilities Service, High Energy
14 Cost Grants Account: *Provided further*, That sections
15 381E–H and 381N of the Consolidated Farm and Rural
16 Development Act are not applicable to the funds made
17 available under this heading.

18 For gross obligations for the principal amount of di-
19 rect loans as authorized by section 1006a of title 16 of
20 the United States Code, except for the limitations con-
21 tained in the last sentence of such section, for projects
22 whose features include agricultural water supply benefits,
23 groundwater protection, environmental enhancement and
24 flood control, \$40,000,000: *Provided*, That such loans
25 shall be made by the Rural Utilities Service.

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

4 The principal amount of direct and guaranteed loans
5 as authorized by sections 305 and 306 of the Rural Elec-
6 trification Act of 1936 (7 U.S.C. 935 and 936) shall be
7 made as follows: 5 percent rural electrification loans,
8 \$100,000,000; loans made pursuant to section 306 of that
9 Act, rural electric, \$6,500,000,000; guaranteed under-
10 writing loans pursuant to section 313A, \$500,000,000;
11 cost of money rural telecommunications loans,
12 \$690,000,000: *Provided*, That up to \$2,000,000,000 shall
13 be used for the construction, acquisition, or improvement
14 of fossil-fueled electric generating plants (whether new or
15 existing) that utilize carbon sequestration systems.

16 In addition, for administrative expenses necessary to
17 carry out the direct and guaranteed loan programs,
18 \$34,467,000, which shall be transferred to and merged
19 with the appropriation for “Rural Development, Salaries
20 and Expenses”.

21 DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND
22 PROGRAM

23 For the principal amount of broadband telecommuni-
24 cation loans, \$63,358,000.

1 For grants for telemedicine and distance learning
2 services in rural areas, as authorized by 7 U.S.C. 950aaa
3 et seq., \$24,950,000, to remain available until expended:
4 *Provided*, That \$3,000,000 shall be made available for
5 grants authorized by 379G of the Consolidated Farm and
6 Rural Development Act: *Provided further*, That funding
7 provided under this heading for grants under 379G of the
8 Consolidated Farm and Rural Development Act may only
9 be provided to entities that meet all of the eligibility cri-
10 teria for a consortium as established by this section: *Pro-*
11 *vided further*, That \$3,000,000 shall be made available to
12 those noncommercial educational television broadcast sta-
13 tions that serve rural areas and are qualified for Commu-
14 nity Service Grants by the Corporation for Public Broad-
15 casting under section 396(k) of the Communications Act
16 of 1934, including associated translators and repeaters,
17 regardless of the location of their main transmitter, stu-
18 dio-to-transmitter links, and equipment to allow local con-
19 trol over digital content and programming through the use
20 of high-definition broadcast, multi-casting and datacasting
21 technologies.

22 For the cost of broadband loans, as authorized by
23 section 601 of the Rural Electrification Act, \$6,000,000,
24 to remain available until expended: *Provided*, That the

1 cost of direct loans shall be as defined in section 502 of
2 the Congressional Budget Act of 1974.

3 In addition, \$10,372,000, to remain available until
4 expended, for a grant program to finance broadband
5 transmission in rural areas eligible for Distance Learning
6 and Telemedicine Program benefits authorized by 7
7 U.S.C. 950aaa.

8 TITLE IV

9 DOMESTIC FOOD PROGRAMS

10 OFFICE OF THE UNDER SECRETARY FOR FOOD,

11 NUTRITION AND CONSUMER SERVICES

12 For necessary expenses of the Office of the Under
13 Secretary for Food, Nutrition and Consumer Services,
14 \$811,000.

15 FOOD AND NUTRITION SERVICE

16 CHILD NUTRITION PROGRAMS

17 (INCLUDING TRANSFERS OF FUNDS)

18 For necessary expenses to carry out the Richard B.
19 Russell National School Lunch Act (42 U.S.C. 1751 et
20 seq.), except section 21, and the Child Nutrition Act of
21 1966 (42 U.S.C. 1771 et seq.), except sections 17 and
22 21; \$19,657,500,000, to remain available through Sep-
23 tember 30, 2014, of which such sums as are made avail-
24 able under section 14222(b)(1) of the Food, Conservation,
25 and Energy Act of 2008 (Public Law 110–246) shall be

1 merged with and available for the same time period and
2 purposes as provided herein: *Provided*, That of the total
3 amount available, \$16,504,000 shall be available to carry
4 out section 19 of the Child Nutrition Act of 1966 (42
5 U.S.C. 1771 et seq.): *Provided further*, That of the total
6 amount available, \$1,000,000 shall be available to imple-
7 ment section 23 of the Child Nutrition Act of 1966 (42
8 U.S.C. 1771 et seq.).

9 SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR
10 WOMEN, INFANTS, AND CHILDREN (WIC)

11 For necessary expenses to carry out the special sup-
12 plemental nutrition program as authorized by section 17
13 of the Child Nutrition Act of 1966 (42 U.S.C. 1786),
14 \$7,041,000,000, to remain available through September
15 30, 2014: *Provided*, That notwithstanding section
16 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C.
17 1786(h)(10)), of the amounts made available under this
18 heading, only the provisions of section 17(h)(10)(B)(iii)
19 shall be effective in fiscal year 2013 (excluding perform-
20 ance bonus payments), for which not less than
21 \$60,000,000 shall be used for breast-feeding peer coun-
22 selors and other related activities, \$14,000,000 shall be
23 used for infrastructure, and \$30,000,000 shall be used for
24 management information systems: *Provided further*, That
25 funds made available for the purposes specified in section

1 17(h)(10)(B)(i) and section 17(h)(10)(B)(ii) shall only be
2 made available upon a determination by the Secretary that
3 funds are available to meet caseload requirements without
4 the use of the contingency reserve funds: *Provided further*,
5 That none of the funds provided in this account shall be
6 available for the purchase of infant formula except in ac-
7 cordance with the cost containment and competitive bid-
8 ding requirements specified in section 17 of such Act: *Pro-*
9 *vided further*, That none of the funds provided shall be
10 available for activities that are not fully reimbursed by
11 other Federal Government departments or agencies unless
12 authorized by section 17 of such Act.

13 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

14 For necessary expenses to carry out the Food and
15 Nutrition Act of 2008 (7 U.S.C. 2011 et seq.),
16 \$79,993,795,000, of which \$3,000,000,000, to remain
17 available through September 30, 2014, shall be placed in
18 reserve for use only in such amounts and at such times
19 as may become necessary to carry out program operations:
20 *Provided*, That funds provided herein shall be expended
21 in accordance with section 16 of the Food and Nutrition
22 Act of 2008: *Provided further*, That, of the funds made
23 available under this heading, \$998,000 may be used to
24 provide nutrition education services to state agencies and
25 Federally recognized tribes participating in the Food Dis-

1 tribution Program on Indian Reservations: *Provided fur-*
2 *ther*, That this appropriation shall be subject to any work
3 registration or workfare requirements as may be required
4 by law: *Provided further*, That funds made available for
5 Employment and Training under this heading shall re-
6 main available until expended, notwithstanding section
7 16(h)(1) of the Food and Nutrition Act of 2008: *Provided*
8 *further*, That funds made available under this heading
9 may be used to enter into contracts and employ staff to
10 conduct studies, evaluations, or to conduct activities re-
11 lated to program integrity provided that such activities are
12 authorized by the Food and Nutrition Act of 2008.

13 COMMODITY ASSISTANCE PROGRAM

14 For necessary expenses to carry out disaster assist-
15 ance and the Commodity Supplemental Food Program as
16 authorized by section 4(a) of the Agriculture and Con-
17 sumer Protection Act of 1973 (7 U.S.C. 612c note); the
18 Emergency Food Assistance Act of 1983; special assist-
19 ance for the nuclear affected islands, as authorized by sec-
20 tion 103(f)(2) of the Compact of Free Association Amend-
21 ments Act of 2003 (Public Law 108–188); and the Farm-
22 ers’ Market Nutrition Program, as authorized by section
23 17(m) of the Child Nutrition Act of 1966, \$253,952,000,
24 to remain available through September 30, 2014: *Pro-*
25 *vided*, That none of these funds shall be available to reim-

1 burse the Commodity Credit Corporation for commodities
2 donated to the program: *Provided further*, That notwith-
3 standing any other provision of law, effective with funds
4 made available in fiscal year 2013 to support the Seniors
5 Farmers' Market Nutrition Program, as authorized by
6 section 4402 of the Farm Security and Rural Investment
7 Act of 2002, such funds shall remain available through
8 September 30, 2014: *Provided further*, That of the funds
9 made available under section 27(a) of the Food and Nutri-
10 tion Act of 2008 (7 U.S.C. 2036(a)), the Secretary may
11 use up to 10 percent for costs associated with the distribu-
12 tion of commodities.

13 NUTRITION PROGRAMS ADMINISTRATION

14 For necessary administrative expenses of the Food
15 and Nutrition Service for carrying out any domestic nutri-
16 tion assistance program, \$143,505,000: *Provided*, That of
17 the funds provided herein, \$2,000,000 shall be used for
18 the purposes of section 4404 of Public Law 107-171, as
19 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 \$176,789,000: *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, \$2,806,000,
 9 shall be transferred to and merged with the appropriation
 10 for “Farm Service Agency, Salaries and Expenses”: *Pro-*
 11 *vided*, That funds made available for the cost of agree-
 12 ments under title I of the Agricultural Trade Development
 13 and Assistance Act of 1954 and for title I ocean freight
 14 differential may be used interchangeably between the two
 15 accounts with prior notice to the Committees on Appro-
 16 priations of both 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, \$1,466,000,000, to remain available until ex-
 24 pended.

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

3 For necessary expenses to carry out the provisions
4 of section 3107 of the Farm Security and Rural Invest-
5 ment Act of 2002 (7 U.S.C. 1736o-1), \$184,000,000, to
6 remain available until expended: *Provided*, That the Com-
7 modity Credit Corporation is authorized to provide the
8 services, facilities, and authorities for the purpose of im-
9 plementing such section, subject to reimbursement from
10 amounts provided herein.

11 COMMODITY CREDIT CORPORATION EXPORT (LOANS)
12 CREDIT GUARANTEE PROGRAM ACCOUNT
13 (INCLUDING TRANSFERS OF FUNDS)

14 For administrative expenses to carry out the Com-
15 modity Credit Corporation's export guarantee program,
16 GSM 102 and GSM 103, \$6,806,000; to cover common
17 overhead expenses as permitted by section 11 of the Com-
18 modity Credit Corporation Charter Act and in conformity
19 with the Federal Credit Reform Act of 1990, of which
20 \$6,452,000 shall be transferred to and merged with the
21 appropriation for "Foreign Agricultural Service, Salaries
22 and Expenses", and of which \$354,000 shall be trans-
23 ferred to and merged with the appropriation for "Farm
24 Service Agency, Salaries and Expenses".

1 TITLE VI
2 RELATED AGENCY 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; \$3,878,416,000: *Provided*, That, of the amount
19 provided under this heading, \$712,808,000 shall be de-
20 rived from prescription drug user fees authorized by 21
21 U.S.C. 379h shall be credited to this account and remain
22 available until expended, and shall not include any fees
23 pursuant to 21 U.S.C. 379h(a)(2) and (a)(3) assessed for
24 fiscal year 2013 but collected in fiscal year 2012;
25 \$69,700,000 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; \$30,530,000
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; \$7,595,000 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; \$505,000,000
11 shall be derived from tobacco product user fees authorized
12 by 21 U.S.C. 387s and shall be credited to this account
13 and remain available until expended; \$12,925,000 shall be
14 derived from food and feed recall fees authorized by sec-
15 tion 743 of the Federal Food, Drug, and Cosmetic Act
16 (Public Law 75–717), as amended by the Food Safety
17 Modernization Act (Public Law 111–353), and shall be
18 credited to this account and remain available until ex-
19 pended; \$15,367,000 shall be derived from food reinspec-
20 tion fees authorized by section 743 of the Federal Food,
21 Drug, and Cosmetic Act (Public Law 75–717), as amend-
22 ed by the Food Safety Modernization Act (Public Law
23 111–353), and shall be credited to this account and re-
24 main available until expended; and amounts derived from
25 voluntary qualified importer program fees authorized by

1 section 743 of the Federal Food, Drug, and Cosmetic Act
2 (Public Law 75–717), as amended by the Food Safety
3 Modernization Act (Public Law 111–353), and shall be
4 credited to this account and remain available until ex-
5 pended: *Provided further*, That, in addition and notwith-
6 standing any other provision under this heading, amounts
7 collected for prescription drug, animal drug user fees, and
8 animal generic drug user fees that exceed the respective
9 fiscal year 2013 limitations are appropriated and shall be
10 credited to this account and remain available until ex-
11 pended: *Provided further*, That fees derived from prescrip-
12 tion drug, medical device, animal drug, and animal generic
13 drug assessments for fiscal year 2013 received during fis-
14 cal year 2013, including any such fees assessed prior to
15 fiscal year 2013 but credited for fiscal year 2013, shall
16 be subject to the fiscal year 2013 limitations: *Provided fur-*
17 *ther*, That none of these funds shall be used to develop,
18 establish, or operate any program of user fees authorized
19 by 31 U.S.C. 9701: *Provided further*, That of the total
20 amount appropriated: (1) \$884,481,000 shall be for the
21 Center for Food Safety and Applied Nutrition and related
22 field activities in the Office of Regulatory Affairs; (2)
23 \$984,248,000 shall be for the Center for Drug Evaluation
24 and Research and related field activities in the Office of
25 Regulatory Affairs; (3) \$331,420,000 shall be for the Cen-

1 ter for Biologics Evaluation and Research and for related
2 field activities in the Office of Regulatory Affairs; (4)
3 \$174,952,000 shall be for the Center for Veterinary Medi-
4 cine and for related field activities in the Office of Regu-
5 latory Affairs; (5) \$360,501,000 shall be for the Center
6 for Devices and Radiological Health and for related field
7 activities in the Office of Regulatory Affairs; (6)
8 \$59,232,000 shall be for the National Center for Toxi-
9 cological Research; (7) \$482,398,000 shall be for the Cen-
10 ter for Tobacco Products and for related field activities
11 in the Office of Regulatory Affairs; (8) not to exceed
12 \$160,669,000 shall be for Rent and Related activities, of
13 which \$61,681,000 is for White Oak Consolidation, other
14 than the amounts paid to the General Services Adminis-
15 tration for rent; (9) not to exceed \$205,853,000 shall be
16 for payments to the General Services Administration for
17 rent; and (10) \$234,662,000 shall be for other activities,
18 including the Office of the Commissioner of Food and
19 Drugs, the Office of Foods, the Office of Medical and To-
20 bacco Products, the Office of Global and Regulatory Pol-
21 icy, the Office of Operations, the Office of the Chief Sci-
22 entist, and central services for these offices: *Provided fur-*
23 *ther*, That the Secretary may, prior to the due date for
24 such fees, accept payment of animal drug user fees and
25 animal generic drug user fees authorized for fiscal year

1 2014, and that amounts of such fees assessed for fiscal
2 year 2014 for which the Secretary accepts payment in fis-
3 cal year 2013 shall not be included in amounts provided
4 under this heading: *Provided further*, That not to exceed
5 \$25,000 of this amount shall be for official reception and
6 representation expenses, not otherwise provided for, as de-
7 termined by the Commissioner: *Provided further*, That
8 funds may be transferred from one specified activity to
9 another with the prior approval of the Committees on Ap-
10 propriations of both Houses of Congress.

11 In addition, mammography user fees authorized by
12 42 U.S.C. 263b, export certification user fees authorized
13 by 21 U.S.C. 381, and priority review user fees authorized
14 by 21 U.S.C. 360n may be credited to this account, to
15 remain available until expended.

16 BUILDINGS AND FACILITIES

17 For plans, construction, repair, improvement, exten-
18 sion, alteration, and purchase of fixed equipment or facili-
19 ties of or used by the Food and Drug Administration,
20 where not otherwise provided, \$5,320,000, to remain
21 available until expended.

1 INDEPENDENT AGENCY
2 FARM CREDIT ADMINISTRATION
3 LIMITATION ON ADMINISTRATIVE EXPENSES
4 Not to exceed \$63,300,000 (from assessments col-
5 lected from farm credit institutions, including the Federal
6 Agricultural Mortgage Corporation) shall be obligated
7 during the current fiscal year for administrative expenses
8 as authorized under 12 U.S.C. 2249: *Provided*, That this
9 limitation shall not apply to expenses associated with re-
10 ceiverships.

11 TITLE VII
12 GENERAL PROVISIONS
13 (INCLUDING RESCISSIONS AND 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 124 passenger
19 motor vehicles of which 124 shall be for replacement only,
20 and for the hire of such vehicles: *Provided*, That notwith-
21 standing this section, the only purchase of new passenger
22 vehicles shall be for those determined by the Secretary to
23 be necessary for transportation safety, to reduce oper-
24 ational costs, and for the protection of life, property, and
25 public safety.

1 SEC. 702. Notwithstanding any other provision of
2 this Act, the Secretary of Agriculture may transfer unobli-
3 gated balances of discretionary funds appropriated by this
4 Act or any other available unobligated discretionary bal-
5 ances of the Department of Agriculture that are remaining
6 available at the end of the fiscal year, to the Working Cap-
7 ital Fund for the acquisition of plant and capital equip-
8 ment necessary for the delivery of financial, administra-
9 tive, and information technology services of primary ben-
10 efit to the agencies of the Department of Agriculture, such
11 transferred funds to remain available until expended: *Pro-*
12 *vided*, That none of the funds made available by this Act
13 or any other Act shall be transferred to the Working Cap-
14 ital Fund without the prior approval of the agency admin-
15 istrator: *Provided further*, That none of the funds trans-
16 ferred to the Working Capital Fund pursuant to this sec-
17 tion shall be available for obligation without written notifi-
18 cation to and the prior approval of the Committees on Ap-
19 propriations of both Houses of Congress: *Provided further*,
20 That none of the funds appropriated by this Act or made
21 available to the Department's Working Capital Fund shall
22 be available for obligation or expenditure to make any
23 changes to the Department's National Finance Center
24 without written notification to and prior approval of the
25 Committees on Appropriations of both Houses of Congress

1 as required by section 724 of this Act: *Provided further,*
2 That of annual income amounts in the Working Capital
3 Fund of the Department of Agriculture allocated for the
4 National Finance Center, the Secretary may reserve not
5 more than 4 percent for the replacement or acquisition
6 of capital equipment, including equipment for the improve-
7 ment and implementation of a financial management plan,
8 information technology, and other systems of the National
9 Finance Center or to pay any unforeseen, extraordinary
10 cost of the National Finance Center: *Provided further,*
11 That none of the amounts reserved shall be available for
12 obligation unless the Secretary submits written notifica-
13 tion of the obligation to the Committees on Appropriations
14 of the House of Representatives and the Senate: *Provided*
15 *further,* That the limitation on the obligation of funds
16 pending notification to Congressional Committees shall
17 not apply to any obligation that, as determined by the Sec-
18 retary, is necessary to respond to a declared state of emer-
19 gency that significantly impacts the operations of the Na-
20 tional Finance Center; or to evacuate employees of the Na-
21 tional Finance Center to a safe haven to continue oper-
22 ations of the National Finance Center.

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

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

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

21 SEC. 706. Hereafter, none of the funds appropriated
22 by this Act or any other Act may be used to carry out
23 section 410 of the Federal Meat Inspection Act (21 U.S.C.
24 679a) or section 30 of the Poultry Products Inspection
25 Act (21 U.S.C. 471).

1 SEC. 707. None of the funds made available to the
2 Department of Agriculture by this Act may be used to ac-
3 quire new information technology systems or significant
4 upgrades, as determined by the Office of the Chief Infor-
5 mation Officer, without the approval of the Chief Informa-
6 tion Officer and the concurrence of the Executive Informa-
7 tion Technology Investment Review Board: *Provided*, That
8 notwithstanding any other provision of law, none of the
9 funds appropriated or otherwise made available by this
10 Act may be transferred to the Office of the Chief Informa-
11 tion Officer without written notification to and the prior
12 approval of the Committees on Appropriations of both
13 Houses of Congress: *Provided further*, That none of the
14 funds available to the Department of Agriculture for infor-
15 mation technology shall be obligated for projects over
16 \$25,000 prior to receipt of written approval by the Chief
17 Information Officer.

18 SEC. 708. Funds made available under section 1240I
19 and section 1241(a) of the Food Security Act of 1985 and
20 section 524(b) of the Federal Crop Insurance Act (7
21 U.S.C. 1524(b)) in the current fiscal year shall remain
22 available until expended to disburse obligations made in
23 the current fiscal year.

24 SEC. 709. Hereafter, notwithstanding any other pro-
25 vision of law, any former RUS borrower that has repaid

1 or prepaid an insured, direct or guaranteed loan under the
2 Rural Electrification Act of 1936, or any not-for-profit
3 utility that is eligible to receive an insured or direct loan
4 under such Act, shall be eligible for assistance under sec-
5 tion 313(b)(2)(B) of such Act in the same manner as a
6 borrower under such Act.

7 SEC. 710. Notwithstanding any other provision of
8 law, for the purposes of a grant under section 412 of the
9 Agricultural Research, Extension, and Education Reform
10 Act of 1998, none of the funds in this or any other Act
11 may be used to prohibit the provision of in-kind support
12 from non-Federal sources under section 412(e)(3) of such
13 Act in the form of unrecovered indirect costs not otherwise
14 charged against the grant, consistent with the indirect
15 rate of cost approved for a recipient.

16 SEC. 711. Notwithstanding any other provision of
17 this Act, unobligated balances from appropriations made
18 available for salaries and expenses in this Act for the
19 Farm Service Agency and the Rural Development mission
20 area, shall remain available through September 30, 2014,
21 for information technology expenses.

22 SEC. 712. The Secretary of Agriculture may author-
23 ize a State agency to use funds provided in this Act to
24 exceed the maximum amount of liquid infant formula

1 specified in 7 CFR 246.10 when issuing liquid infant for-
2 mula to participants.

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

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

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

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

1 SEC. 715. Notwithstanding any other provision of
2 law, the amounts set forth in section 412(e)(1) of the
3 Food for Peace Act (7 U.S.C. 1736f(e)(1)), may be re-
4 duced by any amount the Administrator determines nec-
5 essary to meet emergency food needs.

6 SEC. 716. None of the funds made available in fiscal
7 year 2013 or preceding fiscal years for programs author-
8 ized under the Food for Peace Act (7 U.S.C. 1691 et seq.)
9 in excess of \$20,000,000 shall be used to reimburse the
10 Commodity Credit Corporation for the release of eligible
11 commodities under section 302(f)(2)(A) of the Bill Emer-
12 son Humanitarian Trust Act (7 U.S.C. 1736f-1): *Pro-*
13 *vided*, That any such funds made available to reimburse
14 the Commodity Credit Corporation shall only be used pur-
15 suant to section 302(b)(2)(B)(i) of the Bill Emerson Hu-
16 manitarian Trust Act.

17 SEC. 717. Of the funds made available by this Act,
18 not more than \$1,800,000 shall be used to cover necessary
19 expenses of activities related to all advisory committees,
20 panels, commissions, and task forces of the Department
21 of Agriculture, except for panels used to comply with nego-
22 tiated rule makings and panels used to evaluate competi-
23 tively awarded grants.

24 SEC. 718. None of the funds in this Act shall be avail-
25 able to pay indirect costs charged against any agricultural

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

12 SEC. 719. There is hereby appropriated \$1,996,000
13 to carry out section 1621 of Public Law 110–246.

14 SEC. 720. Subject to authorization by the Congress,
15 the Secretary may reserve, through April 1, 2013, up to
16 5 percent of the funding available for the following items
17 for projects in areas that are engaged in strategic regional
18 development planning as defined by the Secretary: busi-
19 ness and industry guaranteed loans; rural development
20 loan fund; rural business enterprise grants; rural business
21 opportunity grants; rural economic development program;
22 rural microenterprise program; biorefinery assistance pro-
23 gram; rural energy for America program; value-added pro-
24 ducer grants; broadband program; water and waste pro-
25 gram; and rural community facilities program.

1 SEC. 721. None of the funds appropriated or other-
2 wise made available by this or any other Act shall be used
3 to pay the salaries and expenses of personnel to carry out
4 the following:

5 (1) The Agricultural Management Assistance
6 Program as authorized by section 524 of the Federal
7 Crop Insurance Act, as amended (7 U.S.C. 1524), in
8 excess of \$2,500,000 for the Natural Resources Con-
9 servation Service;

10 (2) The Environmental Quality Incentives Pro-
11 gram as authorized by sections 1240–1240H of the
12 Food Security Act of 1985, as amended (16 U.S.C.
13 3839aa–3839aa(8)), in excess of \$1,400,000,000;

14 (3) The Watershed Rehabilitation program au-
15 thorized by section 14(h)(1) of the Watershed Pro-
16 tection and Flood Prevention Act (16 U.S.C.
17 1012(h)(1));

18 (4) The Wildlife Habitat Incentives Program
19 authorized by section 1240N of the Food Security
20 Act of 1985, as amended (16 U.S.C. 3839bb–1), in
21 excess of \$73,000,000; and

22 (5) A program under subsection (b)(2)(A)(iv) of
23 section 14222 of Public Law 110–246 in excess of
24 \$981,000,000, as follows: Child Nutrition Programs
25 Entitlement Commodities—\$465,000,000; State Op-

1 tion Contracts—\$5,000,000; Removal of Defective
2 Commodities—\$2,500,000: *Provided*, That none of
3 the funds made available in this Act or any other
4 Act shall be used for salaries and expenses to carry
5 out section 19(i)(1)(E) of the Richard B. Russell
6 National School Lunch Act as amended by section
7 4304 of Public Law 110–246 in excess of
8 \$41,000,000, including the transfer of funds under
9 subsection (c) of section 14222 of Public Law 110–
10 246, until October 1, 2013: *Provided further*, That
11 \$117,000,000 made available on October 1, 2013, to
12 carry out section 19(i)(1)(E) of the Richard B. Rus-
13 sell National School Lunch Act as amended by sec-
14 tion 4304 of Public Law 110–246 shall be excluded
15 from the limitation described in subsection
16 (b)(2)(A)(v) of section 14222 of Public Law 110–
17 246: *Provided further*, That none of the funds appro-
18 priated or otherwise made available by this or any
19 other Act shall be used to pay the salaries or ex-
20 penses of any employee of the Department of Agri-
21 culture or officer of the Commodity Credit Corpora-
22 tion to carry out clause 3 of section 32 of the Agri-
23 cultural Adjustment Act of 1935 (Public Law 74–
24 320, 7 U.S.C. 612e, as amended), or for any surplus
25 removal activities or price support activities under

1 section 5 of the Commodity Credit Corporation
2 Charter Act: *Provided further*, That of the available
3 unobligated balances under (b)(2)(A)(v) of section
4 14222 of Public Law 110–246, \$150,000,000 are
5 hereby rescinded.

6 SEC. 722. There is hereby appropriated \$600,000 to
7 the Farm Service Agency to carry out a program to dem-
8 onstrate the use of new technologies that increase the rate
9 of growth of re-forested hardwood trees on private non-
10 industrial forests lands, enrolling lands on the coast of the
11 Gulf of Mexico that were damaged by Hurricane Katrina
12 in 2005.

13 SEC. 723. None of the funds appropriated by this or
14 any other Act shall be used to pay the salaries and ex-
15 penses of personnel who prepare or submit appropriations
16 language as part of the President’s budget submission to
17 the Congress of the United States for programs under the
18 jurisdiction of the Appropriations Subcommittees on Agri-
19 culture, Rural Development, Food and Drug Administra-
20 tion, and Related Agencies that assumes revenues or re-
21 flects a reduction from the previous year due to user fees
22 proposals that have not been enacted into law prior to the
23 submission of the budget unless such budget submission
24 identifies which additional spending reductions should
25 occur in the event the user fees proposals are not enacted

1 prior to the date of the convening of a committee of con-
2 ference for the fiscal year 2014 appropriations Act.

3 SEC. 724. (a) None of the funds provided by this Act,
4 or provided by previous Appropriations Acts to the agen-
5 cies funded by this Act that remain available for obligation
6 or expenditure in the current fiscal year, or provided from
7 any accounts in the Treasury of the United States derived
8 by the collection of fees available to the agencies funded
9 by this Act, shall be available for obligation or expenditure
10 through a reprogramming of funds, or in the case of the
11 Department of Agriculture, through use of the authority
12 provided by section 702(b) of the Department of Agri-
13 culture Organic Act of 1944 (7 U.S.C. 2257) or section
14 8 of Public Law 89–106 (7 U.S.C. 2263), that—

15 (1) creates new programs;

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

17 (3) increases funds or personnel by any means
18 for any project or activity for which funds have been
19 denied or restricted;

20 (4) relocates an office or employees;

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

22 or

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

1 unless the Secretary of Agriculture or the Secretary of
2 Health and Human Services (as the case may be) notifies,
3 in writing, the Committees on Appropriations of both
4 Houses of Congress at least 30 days in advance of the
5 reprogramming of such funds or the use of such authority.

6 (b) None of the funds provided by this Act, or pro-
7 vided by previous Appropriations Acts to the agencies
8 funded by this Act that remain available for obligation or
9 expenditure in the current fiscal year, or provided from
10 any accounts in the Treasury of the United States derived
11 by the collection of fees available to the agencies funded
12 by this Act, shall be available for obligation or expenditure
13 for activities, programs, or projects through a reprogram-
14 ming or use of the authorities referred to in subsection
15 (a) involving funds in excess of \$500,000 or 10 percent,
16 whichever is less, that—

17 (1) augments existing programs, projects, or ac-
18 tivities;

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

22 (3) results from any general savings from a re-
23 duction in personnel which would result in a change
24 in existing programs, activities, or projects as ap-
25 proved by Congress; unless the Secretary of Agri-

1 culture or the Secretary of Health and Human Serv-
2 ices (as the case may be) notifies, in writing, the
3 Committees on Appropriations of both Houses of
4 Congress at least 30 days in advance of the re-
5 programming of such funds or the use of such au-
6 thority.

7 (c) The Secretary of Agriculture or the Secretary of
8 Health and Human Services shall notify in writing the
9 Committees on Appropriations of both Houses of Congress
10 before implementing any program or activity not carried
11 out during the previous fiscal year unless the program or
12 activity is funded by this Act or specifically funded by any
13 other Act.

14 (d) As described in this section, no funds may be used
15 for any activities unless the Secretary of Agriculture or
16 the Secretary of Health and Human Services receives from
17 the Committee on Appropriations of both Houses of Con-
18 gress written or electronic mail confirmation of receipt of
19 the notification as required in this section.

20 SEC. 725. Notwithstanding section 310B(g)(5) of the
21 Consolidated Farm and Rural Development Act (7 U.S.C.
22 1932(g)(5)), the Secretary may assess a one-time fee for
23 any guaranteed business and industry loan in an amount
24 that does not exceed 3 percent of the guaranteed principal
25 portion of the loan.

1 SEC. 726. None of the funds appropriated or other-
2 wise made available to the Department of Agriculture or
3 the Food and Drug Administration shall be used to trans-
4 mit or otherwise make available to any non-Department
5 of Agriculture or non-Department of Health and Human
6 Services employee questions or responses to questions that
7 are a result of information requested for the appropria-
8 tions hearing process.

9 SEC. 727. Unless otherwise authorized by existing
10 law, none of the funds provided in this Act, may be used
11 by an executive branch agency to produce any pre-
12 packaged news story intended for broadcast or distribution
13 in the United States unless the story includes a clear noti-
14 fication within the text or audio of the prepackaged news
15 story that the prepackaged news story was prepared or
16 funded by that executive branch agency.

17 SEC. 728. No employee of the Department of Agri-
18 culture may be detailed or assigned from an agency or
19 office funded by this Act or any other Act to any other
20 agency or office of the Department for more than 30 days
21 unless the individual's employing agency or office is fully
22 reimbursed by the receiving agency or office for the salary
23 and expenses of the employee for the period of assignment.

24 SEC. 729. Notwithstanding any other provision of
25 law, any area eligible for rural housing programs of the

1 Rural Housing Service on September 30, 2012, shall re-
2 main eligible for such programs until September 30, 2013.

3 SEC. 730. None of the funds made available by this
4 Act may be used to enter into a contract, memorandum
5 of understanding, or cooperative agreement with, make a
6 grant to, or provide a loan or loan guarantee to any cor-
7 poration that was convicted (or had an officer or agent
8 of such corporation acting on behalf of the corporation
9 convicted) of a felony criminal violation under any Federal
10 or State law within the preceding 24 months, where the
11 awarding agency is aware of the conviction, unless the
12 agency has considered suspension or debarment of the cor-
13 poration, or such officer or agent, and made a determina-
14 tion that this further action is not necessary to protect
15 the interests of the Government.

16 SEC. 731. 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 any unpaid Federal tax liability that has
21 been assessed, for which all judicial and administrative
22 remedies have been exhausted or have lapsed, and that
23 is not being paid in a timely manner pursuant to an agree-
24 ment with the authority responsible for collecting the tax
25 liability, where the awarding agency is aware of the unpaid

1 tax liability, unless the agency has considered suspension
2 or debarment of the corporation and made a determination
3 that this further action is not necessary to protect the in-
4 terests of the Government.

5 SEC. 732. None of the funds made available in this
6 Act may be used to send or otherwise pay for the attend-
7 ance of more than 50 employees of the Department of Ag-
8 riculture or the Food and Drug Administration who are
9 stationed in the United States, at any single international
10 conference occurring outside the United States, unless the
11 Secretary of Agriculture or the Commissioner of Food and
12 Drugs reports to the Committees on Appropriations that
13 such attendance is in the national interest: *Provided*, That
14 for purposes of this section the term “international con-
15 ference” shall mean a conference attended by representa-
16 tives of the United States Government and of foreign gov-
17 ernments, international organizations, or nongovern-
18 mental organizations.

19 SEC. 733. The conference transparency report re-
20 quired by section 14208 of Public Law 110–246 shall be
21 submitted to the Department of Agriculture Inspector
22 General: *Provided*, That the report shall be made available
23 quarterly: *Provided further*, That in addition to the re-
24 quirements in section 14208(a)(2) of Public Law 110–246
25 the report shall include the cost of any food or beverages,

1 the cost of any audio-visual services, and a description of
2 the contracting procedures, including whether the con-
3 tracts were awarded on a competitive basis for the con-
4 ference and a discussion of any cost comparison con-
5 ducted.

6 SEC. 734. The Food and Drug Administration shall
7 submit quarterly reports to the Department of Health and
8 Human Services Inspector General regarding the costs
9 and contracting procedures relating to each conference
10 during fiscal year 2013 for which the cost to the United
11 States Government was more than \$20,000: *Provided*,
12 That each report submitted shall include a description of
13 the purpose for each conference, the number of partici-
14 pants attending each conference, and a detailed statement
15 of the costs to the United States Government relating to
16 each conference: *Provided further*, That the detailed state-
17 ment of costs shall include the cost of any food or bev-
18 erages, the cost of any audio-visual services, and a discus-
19 sion of the methodology used to determine which costs re-
20 late to each conference: *Provided further*, That the report
21 shall include a description of the contracting procedures
22 relating to each conference, including whether contracts
23 were awarded on a competitive basis for the conference
24 and a discussion of any cost comparison conducted.

1 SEC. 735. Grants or contracts funded by amounts
2 made available by this Act may not be used for the pur-
3 pose of defraying the costs of a conference that is not di-
4 rectly and programmatically related to the purpose for
5 which the grant or contract was awarded, such as a ban-
6 quet or conference held in connection with planning, train-
7 ing, assessment, review, or other routine purposes related
8 to a project funded by the grant or contract.

9 This Act may be cited as the “Agriculture, Rural De-
10 velopment, Food and Drug Administration, and Related
11 Agencies Appropriations Act, 2013”.

Calendar No. 382

112TH CONGRESS
2^D SESSION

S. 2375

[Report No. 112-163]

A BILL

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2013, and for other purposes.

APRIL 26, 2012

Read twice and placed on the calendar