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115TH CONGRESS
2D SESSION

H. R. 5961

[Report No. 115-706]

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2019, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 24, 2018

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

A BILL

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2019, and for other purposes.

AGRICULTURAL PROGRAMS

OFFICE OF THE SECRETARY

For necessary expenses of the Office of the Secretary, \$287,000, of which not to exceed \$5,051,000 shall be available for the immediate Office of the Secretary; not to exceed \$800,000 shall be available for the Office of the Assistant to the Secretary for Rural Development: *Provided*, That funds made available by this Act to an agency in the Rural Development mission area for salaries and expenses are available to fund up to one administrative support staff for the Office; not to exceed \$1,496,000 shall be available for the Office of Homeland Security; not to exceed \$4,711,000 shall be available for the Office of Partnerships and Public Engagement; not to exceed \$176,000 shall be available for the Office of the Assistant

1 ant Secretary for Administration, of which \$16,301,000
2 shall be available for Departmental Administration to pro-
3 vide for necessary expenses for management support serv-
4 ices to offices of the Department and for general adminis-
5 tration, security, repairs and alterations, and other mis-
6 cellaneous supplies and expenses not otherwise provided
7 for and necessary for the practical and efficient work of
8 the Department: *Provided further*, That funds made avail-
9 able by this Act to an agency in the Administration mis-
10 sion area for salaries and expenses are available to fund
11 up to one administrative support staff for the Office; not
12 to exceed \$3,750,000 shall be available for the Office of
13 Assistant Secretary for Congressional Relations to carry
14 out the programs funded by this Act, including programs
15 involving intergovernmental affairs and liaison within the
16 executive branch; and not to exceed \$6,303,000 shall be
17 available for the Office of Communications: *Provided fur-*
18 *ther*, That the Secretary of Agriculture is authorized to
19 transfer funds appropriated for any office of the Office
20 of the Secretary to any other office of the Office of the
21 Secretary: *Provided further*, That no appropriation for any
22 office shall be increased or decreased by more than 5 per-
23 cent: *Provided further*, That not to exceed \$22,000 of the
24 amount made available under this paragraph for the im-
25 mediate Office of the Secretary shall be available for offi-

1 cial reception and representation expenses, not otherwise
 2 provided for, as determined by the Secretary: *Provided*
 3 *further*, That the amount made available under this head-
 4 ing for Departmental Administration shall be reimbursed
 5 from applicable appropriations in this Act for travel ex-
 6 penses incident to the holding of hearings as required by
 7 5 U.S.C. 551–558: *Provided further*, That funds made
 8 available under this heading for the Office of the Assistant
 9 Secretary for Congressional Relations may be transferred
 10 to agencies of the Department of Agriculture funded by
 11 this Act to maintain personnel at the agency level: *Pro-*
 12 *vided further*, That no funds made available under this
 13 heading for the Office of Assistant Secretary for Congres-
 14 sional Relations may be obligated after 30 days from the
 15 date of enactment of this Act, unless the Secretary has
 16 notified the Committees on Appropriations of both Houses
 17 of Congress on the allocation of these funds by USDA
 18 agency.

19 EXECUTIVE OPERATIONS

20 OFFICE OF THE CHIEF ECONOMIST

21 For necessary expenses of the Office of the Chief
 22 Economist, \$21,286,000, of which \$5,000,000 shall be for
 23 grants or cooperative agreements for policy research under
 24 7 U.S.C. 3155.

1 OFFICE OF HEARINGS AND APPEALS

2 For necessary expenses of the Office of Hearings and
3 Appeals, \$14,972,000.

4 OFFICE OF BUDGET AND PROGRAM ANALYSIS

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

7 OFFICE OF THE CHIEF INFORMATION OFFICER

8 For necessary expenses of the Office of the Chief In-
9 formation Officer, \$58,950,000, of which not less than
10 \$33,000,000 is for cybersecurity requirements of the de-
11 partment.

12 OFFICE OF THE CHIEF FINANCIAL OFFICER

13 For necessary expenses of the Office of the Chief Fi-
14 nancial Officer, \$5,741,000.

15 OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL

16 RIGHTS

17 For necessary expenses of the Office of the Assistant
18 Secretary for Civil Rights, \$901,000: *Provided*, That
19 funds made available by this Act to an agency in the Civil
20 Rights mission area for salaries and expenses are available
21 to fund up to one administrative support staff for the Of-
22 fice.

23 OFFICE OF CIVIL RIGHTS

24 For necessary expenses of the Office of Civil Rights,
25 \$24,206,000.

1 AGRICULTURE BUILDINGS AND FACILITIES

2 (INCLUDING TRANSFERS OF FUNDS)

3 For payment of space rental and related costs pursu-
4 ant to Public Law 92–313, including authorities pursuant
5 to the 1984 delegation of authority from the Adminis-
6 trator of General Services to the Department of Agri-
7 culture under 40 U.S.C. 121, for programs and activities
8 of the Department which are included in this Act, and for
9 alterations and other actions needed for the Department
10 and its agencies to consolidate unneeded space into con-
11 figurations suitable for release to the Administrator of
12 General Services, and for the operation, maintenance, im-
13 provement, and repair of Agriculture buildings and facili-
14 ties, and for related costs, \$62,250,000, to remain avail-
15 able until expended.

16 HAZARDOUS MATERIALS MANAGEMENT

17 (INCLUDING TRANSFERS OF FUNDS)

18 For necessary expenses of the Department of Agri-
19 culture, to comply with the Comprehensive Environmental
20 Response, Compensation, and Liability Act (42 U.S.C.
21 9601 et seq.) and the Solid Waste Disposal Act (42 U.S.C.
22 6901 et seq.), \$3,503,000, to remain available until ex-
23 pended: *Provided*, That appropriations and funds available
24 herein to the Department for Hazardous Materials Man-
25 agement may be transferred to any agency of the Depart-

1 ment for its use in meeting all requirements pursuant to
2 the above Acts on Federal and non-Federal lands.

3 OFFICE OF INSPECTOR GENERAL

4 For necessary expenses of the Office of Inspector
5 General, including employment pursuant to the Inspector
6 General Act of 1978 (Public Law 95–452; 5 U.S.C. App.),
7 \$98,208,000, including such sums as may be necessary for
8 contracting and other arrangements with public agencies
9 and private persons pursuant to section 6(a)(9) of the In-
10 spector General Act of 1978 (Public Law 95–452; 5
11 U.S.C. App.), and including not to exceed \$125,000 for
12 certain confidential operational expenses, including the
13 payment of informants, to be expended under the direction
14 of the Inspector General pursuant to the Inspector Gen-
15 eral Act of 1978 (Public Law 95–452; 5 U.S.C. App.) and
16 section 1337 of the Agriculture and Food Act of 1981
17 (Public Law 97–98).

18 OFFICE OF THE GENERAL COUNSEL

19 For necessary expenses of the Office of the General
20 Counsel, \$44,846,000.

21 OFFICE OF ETHICS

22 For necessary expenses of the Office of Ethics,
23 \$4,136,000.

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

3 For necessary expenses of the Office of the Under
4 Secretary for Research, Education, and Economics,
5 \$800,000: *Provided*, That funds made available by this
6 Act to an agency in the Research, Education, and Eco-
7 nomics mission area for salaries and expenses are avail-
8 able to fund up to one administrative support staff for
9 the Office.

10 ECONOMIC RESEARCH SERVICE

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

13 NATIONAL AGRICULTURAL STATISTICS SERVICE

14 For necessary expenses of the National Agricultural
15 Statistics Service, \$173,717,000, of which up to
16 \$45,350,000 shall be available until expended for the Cen-
17 sus of Agriculture: *Provided*, That amounts made available
18 for the Census of Agriculture may be used to conduct Cur-
19 rent Industrial Report surveys subject to 7 U.S.C.
20 2204g(d) and (f).

21 AGRICULTURAL RESEARCH SERVICE

22 SALARIES AND EXPENSES

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

1 for land exchanges where the lands exchanged shall be of
2 equal value or shall be equalized by a payment of money
3 to the grantor which shall not exceed 25 percent of the
4 total value of the land or interests transferred out of Fed-
5 eral ownership, \$1,259,916,000, of which \$10,000,000
6 shall remain available until expended to carry out the
7 science program of the National Bio and Agro-Defense
8 Facility located in Manhattan, Kansas: *Provided*, That ap-
9 propriations hereunder shall be available for the operation
10 and maintenance of aircraft and the purchase of not to
11 exceed one for replacement only: *Provided further*, That
12 appropriations hereunder shall be available pursuant to 7
13 U.S.C. 2250 for the construction, alteration, and repair
14 of buildings and improvements, but unless otherwise pro-
15 vided, the cost of constructing any one building shall not
16 exceed \$500,000, except for headhouses or greenhouses
17 which shall each be limited to \$1,800,000, except for 10
18 buildings to be constructed or improved at a cost not to
19 exceed \$1,100,000 each, and except for two buildings to
20 be constructed at a cost not to exceed \$3,000,000 each,
21 and the cost of altering any one building during the fiscal
22 year shall not exceed 10 percent of the current replace-
23 ment value of the building or \$500,000, whichever is
24 greater: *Provided further*, That appropriations hereunder
25 shall be available for entering into lease agreements at any

1 Agricultural Research Service location for the construction
2 of a research facility by a non-Federal entity for use by
3 the Agricultural Research Service and a condition of the
4 lease shall be that any facility shall be owned, operated,
5 and maintained by the non-Federal entity and shall be re-
6 moved upon the expiration or termination of the lease
7 agreement: *Provided further*, That the limitations on alter-
8 ations contained in this Act shall not apply to moderniza-
9 tion or replacement of existing facilities at Beltsville,
10 Maryland: *Provided further*, That appropriations here-
11 under shall be available for granting easements at the
12 Beltsville Agricultural Research Center: *Provided further*,
13 That the foregoing limitations shall not apply to replace-
14 ment of buildings needed to carry out the Act of April
15 24, 1948 (21 U.S.C. 113a): *Provided further*, That appro-
16 priations hereunder shall be available for granting ease-
17 ments at any Agricultural Research Service location for
18 the construction of a research facility by a non-Federal
19 entity for use by, and acceptable to, the Agricultural Re-
20 search Service and a condition of the easements shall be
21 that upon completion the facility shall be accepted by the
22 Secretary, subject to the availability of funds herein, if the
23 Secretary finds that acceptance of the facility is in the
24 interest of the United States: *Provided further*, That funds
25 may be received from any State, other political subdivi-

1 sion, organization, or individual for the purpose of estab-
 2 lishing or operating any research facility or research
 3 project of the Agricultural Research Service, as authorized
 4 by law.

5 BUILDINGS AND FACILITIES

6 For the acquisition of land, construction, repair, im-
 7 provement, extension, alteration, and purchase of fixed
 8 equipment or facilities as necessary to carry out the agri-
 9 cultural research programs of the Department of Agri-
 10 culture, where not otherwise provided, \$136,000,000 to re-
 11 main available until expended.

12 NATIONAL INSTITUTE OF FOOD AND AGRICULTURE

13 RESEARCH AND EDUCATION ACTIVITIES

14 For payments to agricultural experiment stations, for
 15 cooperative forestry and other research, for facilities, and
 16 for other expenses, \$920,012,000, which shall be for the
 17 purposes, and in the amounts, specified in the table titled
 18 “National Institute of Food and Agriculture, Research
 19 and Education Activities” in the report accompanying this
 20 Act: *Provided*, That funds for research grants for 1994
 21 institutions, education grants for 1890 institutions, capac-
 22 ity building for non-land-grant colleges of agriculture, the
 23 agriculture and food research initiative, veterinary medi-
 24 cine loan repayment, multicultural scholars, graduate fel-
 25 lowship and institution challenge grants, and grants man-

1 agement systems shall remain available until expended:
 2 *Provided further*, That each institution eligible to receive
 3 funds under the Evans-Allen program receives no less
 4 than \$1,000,000: *Provided further*, That funds for edu-
 5 cation grants for Alaska Native and Native Hawaiian-
 6 serving institutions be made available to individual eligible
 7 institutions or consortia of eligible institutions with funds
 8 awarded equally to each of the States of Alaska and Ha-
 9 waii: *Provided further*, That funds for education grants for
 10 1890 institutions shall be made available to institutions
 11 eligible to receive funds under 7 U.S.C. 3221 and 3222:
 12 *Provided further*, That not more than 5 percent of the
 13 amounts made available by this or any other Act to carry
 14 out the Agriculture and Food Research Initiative under
 15 7 U.S.C. 450i(b) may be retained by the Secretary of Ag-
 16 riculture to pay administrative costs incurred by the Sec-
 17 retary in carrying out that authority.

18 NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

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

22 EXTENSION ACTIVITIES

23 For payments to States, the District of Columbia,
 24 Puerto Rico, Guam, the Virgin Islands, Micronesia, the
 25 Northern Marianas, and American Samoa, \$495,626,000,

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

14 INTEGRATED ACTIVITIES

15 For the integrated research, education, and extension
16 grants programs, including necessary administrative ex-
17 penses, \$37,000,000, which shall be for the purposes, and
18 in the amounts, specified in the table titled “National In-
19 stitute of Food and Agriculture, Integrated Activities” in
20 the report accompanying this Act: *Provided*, That funds
21 for the Food and Agriculture Defense Initiative shall re-
22 main available until September 30, 2020: *Provided further*,
23 That notwithstanding any other provision of law, indirect
24 costs shall not be charged against any Extension Imple-

1 mentation Program Area grant awarded under the Crop
2 Protection/Pest Management Program (7 U.S.C. 7626).

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 \$901,000: *Provided*, That funds made available by this
8 Act to an agency in the Marketing and Regulatory Pro-
9 grams mission area for salaries and expenses are available
10 to fund up to one administrative support staff for the Of-
11 fice.

12 ANIMAL AND PLANT HEALTH INSPECTION SERVICE
13 SALARIES AND EXPENSES
14 (INCLUDING TRANSFERS OF FUNDS)

15 For necessary expenses of the Animal and Plant
16 Health Inspection Service, including up to \$30,000 for
17 representation allowances and for expenses pursuant to
18 the Foreign Service Act of 1980 (22 U.S.C. 4085),
19 \$998,353,000, of which \$470,000, to remain available
20 until expended, shall be available for the control of out-
21 breaks of insects, plant diseases, animal diseases and for
22 control of pest animals and birds (“contingency fund”) to
23 the extent necessary to meet emergency conditions; of
24 which \$11,520,000, to remain available until expended,
25 shall be used for the cotton pests program for cost share

1 purposes or for debt retirement for active eradication
2 zones; of which \$37,857,000, to remain available until ex-
3 pended, shall be for Animal Health Technical Services; of
4 which \$705,000 shall be for activities under the authority
5 of the Horse Protection Act of 1970, as amended (15
6 U.S.C. 1831); of which \$62,840,000, to remain available
7 until expended, shall be used to support avian health; of
8 which \$4,251,000, to remain available until expended,
9 shall be for information technology infrastructure; of
10 which \$189,013,000, to remain available until expended,
11 shall be for specialty crop pests; of which, \$9,426,000, to
12 remain available until expended, shall be for field crop and
13 rangeland ecosystem pests; of which \$16,523,000, to re-
14 main available until expended, shall be for zoonotic disease
15 management; of which \$40,966,000, to remain available
16 until expended, shall be for emergency preparedness and
17 response; of which \$54,000,000, to remain available until
18 expended, shall be for tree and wood pests; of which
19 \$5,725,000, to remain available until expended, shall be
20 for the National Veterinary Stockpile; of which up to
21 \$1,500,000, to remain available until expended, shall be
22 for the scrapie program for indemnities; of which
23 \$2,500,000, to remain available until expended, shall be
24 for the wildlife damage management program for aviation
25 safety; of which \$10,600,000, to remain available until ex-

1 pending, shall be used to carry out the science program
2 at the National Bio- and Agro-defense Facility located in
3 Manhattan, Kansas; *Provided*, That of amounts available
4 under this heading for wildlife services methods develop-
5 ment, \$1,000,000 shall remain available until expended:
6 *Provided further*, That of amounts available under this
7 heading for the screwworm program, \$4,990,000 shall re-
8 main available until expended; of which \$3,000,000, to re-
9 main available until expended, shall be for National Bio-
10 and Agro-Defense human capital development: *Provided*
11 *further*, That no funds shall be used to formulate or ad-
12 minister a brucellosis eradication program for the current
13 fiscal year that does not require minimum matching by
14 the States of at least 40 percent: *Provided further*, That
15 this appropriation shall be available for the operation and
16 maintenance of aircraft and the purchase of not to exceed
17 five, of which two shall be for replacement only: *Provided*
18 *further*, That in addition, in emergencies which threaten
19 any segment of the agricultural production industry of the
20 United States, the Secretary may transfer from other ap-
21 propriations or funds available to the agencies or corpora-
22 tions of the Department such sums as may be deemed nec-
23 essary, to be available only in such emergencies for the
24 arrest and eradication of contagious or infectious disease
25 or pests of animals, poultry, or plants, and for expenses

1 in accordance with sections 10411 and 10417 of the Ani-
2 mal Health Protection Act (7 U.S.C. 8310 and 8316) and
3 sections 431 and 442 of the Plant Protection Act (7
4 U.S.C. 7751 and 7772), and any unexpended balances of
5 funds transferred for such emergency purposes in the pre-
6 ceding fiscal year shall be merged with such transferred
7 amounts: *Provided further*, That appropriations hereunder
8 shall be available pursuant to law (7 U.S.C. 2250) for the
9 repair and alteration of leased buildings and improve-
10 ments, but unless otherwise provided the cost of altering
11 any one building during the fiscal year shall not exceed
12 10 percent of the current replacement value of the build-
13 ing.

14 In fiscal year 2019, the agency is authorized to collect
15 fees to cover the total costs of providing technical assist-
16 ance, goods, or services requested by States, other political
17 subdivisions, domestic and international organizations,
18 foreign governments, or individuals, provided that such
19 fees are structured such that any entity's liability for such
20 fees is reasonably based on the technical assistance, goods,
21 or services provided to the entity by the agency, and such
22 fees shall be reimbursed to this account, to remain avail-
23 able until expended, without further appropriation, for
24 providing such assistance, goods, or services.

1 BUILDINGS AND FACILITIES

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

8 AGRICULTURAL MARKETING SERVICE

9 MARKETING SERVICES

10 For necessary expenses of the Agricultural Marketing
11 Service, \$153,095,000: *Provided*, That this appropriation
12 shall be available pursuant to law (7 U.S.C. 2250) for the
13 alteration and repair of buildings and improvements, but
14 the cost of altering any one building during the fiscal year
15 shall not exceed 10 percent of the current replacement
16 value of the building.

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

20 LIMITATION ON ADMINISTRATIVE EXPENSES

21 Not to exceed \$61,227,000 (from fees collected) shall
22 be obligated during the current fiscal year for administra-
23 tive expenses: *Provided*, That if crop size is understated
24 and/or other uncontrollable events occur, the agency may
25 exceed this limitation by up to 10 percent with notification

1 to the Committees on Appropriations of both Houses of
2 Congress.

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

6 Funds available under section 32 of the Act of Au-
7 gust 24, 1935 (7 U.S.C. 612c), shall be used only for com-
8 modity program expenses as authorized therein, and other
9 related operating expenses, except for: (1) transfers to the
10 Department of Commerce as authorized by the Fish and
11 Wildlife Act of 1956 (16 U.S.C. 742a et seq.); (2) trans-
12 fers otherwise provided in this Act; and (3) not more than
13 \$20,705,000 for formulation and administration of mar-
14 keting agreements and orders pursuant to the Agricultural
15 Marketing Agreement Act of 1937 and the Agricultural
16 Act of 1961 (Public Law 87–128).

17 PAYMENTS TO STATES AND POSSESSIONS

18 For payments to departments of agriculture, bureaus
19 and departments of markets, and similar agencies for
20 marketing activities under section 204(b) of the Agricul-
21 tural Marketing Act of 1946 (7 U.S.C. 1623(b)),
22 \$1,235,000.

10 OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

17 FOOD SAFETY AND INSPECTION SERVICE

•HR 5961 RH

1 oratory accreditation as authorized by section 1327 of the
2 Food, Agriculture, Conservation and Trade Act of 1990
3 (7 U.S.C. 138f): *Provided*, That funds provided for the
4 Public Health Data Communication Infrastructure system
5 shall remain available until expended: *Provided further*,
6 That no fewer than 148 full-time equivalent positions shall
7 be employed during fiscal year 2019 for purposes dedi-
8 cated solely to inspections and enforcement related to the
9 Humane Methods of Slaughter Act (7 U.S.C. 1901 et
10 seq.): *Provided further*, That this appropriation shall be
11 available pursuant to law (7 U.S.C. 2250) for the alter-
12 ation and repair of buildings and improvements, but the
13 cost of altering any one building during the fiscal year
14 shall not exceed 10 percent of the current replacement
15 value of the building.

16 TITLE II

17 FARM PRODUCTION AND CONSERVATION

18 PROGRAMS

19 OFFICE OF THE UNDER SECRETARY FOR FARM

20 PRODUCTION AND CONSERVATION

21 For necessary expenses of the Office of the Under
22 Secretary for Farm Production and Conservation,
23 \$901,000: *Provided*, That funds made available by this
24 Act to an agency in the Farm Production and Conserva-
25 tion mission area for salaries and expenses are available

1 to fund up to one administrative support staff for the Of-
2 fice.

3 FARM PRODUCTION AND CONSERVATION BUSINESS
4 CENTER

5 (INCLUDING TRANSFERS OF FUNDS)

6 For necessary expenses of the Farm Production and
7 Conservation Business Center, \$115,402,000, to remain
8 available until expended.

9 FARM SERVICE AGENCY

10 SALARIES AND EXPENSES

11 (INCLUDING TRANSFERS OF FUNDS)

12 For necessary expenses of the Farm Service Agency,
13 \$1,095,769,000: *Provided*, That not more than 50 percent
14 of the \$44,691,000 made available under this heading for
15 information technology related to farm program delivery,
16 including the Modernize and Innovate the Delivery of Ag-
17 ricultural Systems and other farm program delivery sys-
18 tems, may be obligated until the Secretary submits to the
19 Committees on Appropriations of both Houses of Con-
20 gress, and receives written or electronic notification of re-
21 ceipt from such Committees of, a plan for expenditure that
22 (1) identifies for each project/investment over \$25,000 (a)
23 the functional and performance capabilities to be delivered
24 and the mission benefits to be realized, (b) the estimated
25 lifecycle cost, including estimates for development as well

1 as maintenance and operations, and (c) key milestones to
2 be met; (2) demonstrates that each project/investment is,
3 (a) consistent with the Farm Service Agency Information
4 Technology Roadmap, (b) being managed in accordance
5 with applicable lifecycle management policies and guid-
6 ance, and (c) subject to the applicable Department's cap-
7 ital planning and investment control requirements; and (3)
8 has been reviewed by the Government Accountability Of-
9 fice and approved by the Committees on Appropriations
10 of both Houses of Congress: *Provided further*, That the
11 agency shall submit a report by the end of the fourth quar-
12 ter of fiscal year 2018 to the Committees on Appropria-
13 tions and the Government Accountability Office, that iden-
14 tifies for each project/investment that is operational (a)
15 current performance against key indicators of customer
16 satisfaction, (b) current performance of service level agree-
17 ments or other technical metrics, (c) current performance
18 against a pre-established cost baseline, (d) a detailed
19 breakdown of current and planned spending on oper-
20 ational enhancements or upgrades, and (e) an assessment
21 of whether the investment continues to meet business
22 needs as intended as well as alternatives to the investment:
23 *Provided further*, That the Secretary is authorized to use
24 the services, facilities, and authorities (but not the funds)
25 of the Commodity Credit Corporation to make program

1 payments for all programs administered by the Agency:
2 *Provided further*, That other funds made available to the
3 Agency for authorized activities may be advanced to and
4 merged with this account: *Provided further*, That funds
5 made available to county committees shall remain avail-
6 able until expended: *Provided further*, That none of the
7 funds available to the Farm Service Agency shall be used
8 to close Farm Service Agency county offices: *Provided fur-*
9 *ther*, That none of the funds available to the Farm Service
10 Agency shall be used to permanently relocate county based
11 employees that would result in an office with two or fewer
12 employees without prior notification and approval of the
13 Committees on Appropriations of both Houses of Con-
14 gress.

15 STATE MEDIATION GRANTS

16 For grants pursuant to section 502(b) of the Agricul-
17 tural Credit Act of 1987, as amended (7 U.S.C. 5101–
18 5106), \$3,228,000.

19 GRASSROOTS SOURCE WATER PROTECTION PROGRAM

20 For necessary expenses to carry out wellhead or
21 groundwater protection activities under section 1240O of
22 the Food Security Act of 1985 (16 U.S.C. 3839bb–2),
23 \$6,500,000, to remain available until expended.

1 DAIRY INDEMNITY PROGRAM

2 (INCLUDING TRANSFER OF FUNDS)

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

13 AGRICULTURAL CREDIT INSURANCE FUND PROGRAM

14 ACCOUNT

15 (INCLUDING TRANSFERS OF FUNDS)

16 For gross obligations for the principal amount of di-
17 rect and guaranteed farm ownership (7 U.S.C. 1922 et
18 seq.) and operating (7 U.S.C. 1941 et seq.) loans, emer-
19 gency loans (7 U.S.C. 1961 et seq.), Indian tribe land ac-
20 quisition loans (25 U.S.C. 488), boll weevil loans (7
21 U.S.C. 1989), guaranteed conservation loans (7 U.S.C.
22 1924 et seq.), and Indian highly fractionated land loans
23 (25 U.S.C. 488) to be available from funds in the Agricul-
24 tural Credit Insurance Fund, as follows: \$2,750,000,000
25 for guaranteed farm ownership loans and \$1,500,000,000

1 for farm ownership direct loans; \$1,960,000,000 for un-
2 subsidized guaranteed operating loans and
3 \$1,530,000,000 for direct operating loans; emergency
4 loans, \$37,668,000; Indian tribe land acquisition loans,
5 \$20,000,000; guaranteed conservation loans,
6 \$150,000,000; Indian highly fractionated land loans,
7 \$10,000,000; and for boll weevil eradication program
8 loans, \$30,000,000: *Provided*, That the Secretary shall
9 deem the pink bollworm to be a boll weevil for the purpose
10 of boll weevil eradication program loans.

11 For the cost of direct and guaranteed loans and
12 grants, including the cost of modifying loans as defined
13 in section 502 of the Congressional Budget Act of 1974,
14 as follows: farm operating loans, \$59,670,000 for direct
15 operating loans, \$21,168,000 for unsubsidized guaranteed
16 operating loans, emergency loans, \$1,567,000 and
17 \$2,134,000 for Indian highly fractionated land loans to
18 remain available until expended.

19 In addition, for administrative expenses necessary to
20 carry out the direct and guaranteed loan programs,
21 \$328,268,000: *Provided*, That of this amount,
22 \$302,117,000 shall be transferred to and merged with the
23 appropriation for “Farm Service Agency, Salaries and Ex-
24 penses”, of which \$11,600,000 shall be available until
25 September 30, 2020: *Provided further*, that of this amount

1 \$16,081,000 shall be transferred to and merged with the
2 appropriation for “Farm Production and Conservation
3 Business Center, Salaries and Expenses”.

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

11 RISK MANAGEMENT AGENCY

12 SALARIES AND EXPENSES

13 For necessary expenses of the Risk Management
14 Agency, \$75,419,000: *Provided*, That not to exceed
15 \$1,000 shall be available for official reception and rep-
16 resentation expenses, as authorized by 7 U.S.C. 1506(i).

17 NATURAL RESOURCES CONSERVATION SERVICE

18 CONSERVATION OPERATIONS

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

1 trol agricultural related pollutants); operation of conserva-
2 tion plant materials centers; classification and mapping of
3 soil; dissemination of information; acquisition of lands,
4 water, and interests therein for use in the plant materials
5 program by donation, exchange, or purchase at a nominal
6 cost not to exceed \$100 pursuant to the Act of August
7 3, 1956 (7 U.S.C. 428a); purchase and erection or alter-
8 ation or improvement of permanent and temporary build-
9 ings; and operation and maintenance of aircraft,
10 \$890,293,000, to remain available until September 30,
11 2020: *Provided*, That appropriations hereunder shall be
12 available pursuant to 7 U.S.C. 2250 for construction and
13 improvement of buildings and public improvements at
14 plant materials centers, except that the cost of alterations
15 and improvements to other buildings and other public im-
16 provements shall not exceed \$250,000: *Provided further*,
17 That when buildings or other structures are erected on
18 non-Federal land, that the right to use such land is ob-
19 tained as provided in 7 U.S.C. 2250a.

20 WATERSHED AND FLOOD PREVENTION OPERATIONS

21 For necessary expenses to carry out preventive meas-
22 ures, including but not limited to surveys and investiga-
23 tions, engineering operations, works of improvement, and
24 changes in use of land, in accordance with the Watershed
25 Protection and Flood Prevention Act (16 U.S.C. 1001–

1 1005 and 1007–1009) and in accordance with the provi-
2 sions of laws relating to the activities of the Department,
3 \$150,000,000, to remain available until expended: *Pro-*
4 *vided*, That for funds provided by this Act or any other
5 prior Act, the limitation regarding the size of the water-
6 shed or subwatershed exceeding two hundred and fifty
7 thousand acres in which such activities can be undertaken
8 shall only apply for activities undertaken for the primary
9 purpose of flood prevention (including structural and land
10 treatment measures): *Provided further*, That of the
11 amounts made available under this heading, \$50,000,000
12 shall be allocated to projects and activities that can com-
13 mence promptly following enactment; that address re-
14 gional priorities for flood prevention, agricultural water
15 management, inefficient irrigation systems, fish and wild-
16 life habitat, or watershed protection; or that address au-
17 thorized ongoing projects under the authorities of section
18 13 of the Flood Control Act of December 22, 1944 (Public
19 Law 78–534) with a primary purpose of watershed protec-
20 tion by preventing floodwater damage and stabilizing
21 stream channels, tributaries, and banks to reduce erosion
22 and sediment transport.

23 WATERSHED REHABILITATION PROGRAM

24 Under the authorities of section 14 of the Watershed
25 Protection and Flood Prevention Act, \$10,000,000 is pro-

1 vided: *Provided*, That of the amounts made available
2 under this heading, \$5,000,000 shall remain available
3 until expended for watershed rehabilitation projects in
4 states with high-hazard dams and other watershed struc-
5 tures and that have recently incurred flooding events
6 which caused fatalities.

7 CORPORATIONS

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

18 FEDERAL CROP INSURANCE CORPORATION FUND

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

1 COMMODITY CREDIT CORPORATION FUND
2 REIMBURSEMENT FOR NET REALIZED LOSSES
3 (INCLUDING TRANSFERS OF FUNDS)

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

17 HAZARDOUS WASTE MANAGEMENT
18 (LIMITATION ON EXPENSES)

19 For the current fiscal year, the Commodity Credit
20 Corporation shall not expend more than \$5,000,000 for
21 site investigation and cleanup expenses, and operations
22 and maintenance expenses to comply with the requirement
23 of section 107(g) of the Comprehensive Environmental
24 Response, Compensation, and Liability Act (42 U.S.C.

1 9607(g)), and section 6001 of the Solid Waste Disposal
2 Act (42 U.S.C. 6961).

3 TITLE III

4 RURAL DEVELOPMENT PROGRAMS

5 RURAL DEVELOPMENT

6 SALARIES AND EXPENSES

7 (INCLUDING TRANSFERS OF FUNDS)

8 For necessary expenses for carrying out the adminis-
9 tration and implementation of Rural Development pro-
10 grams, including activities with institutions concerning the
11 development and operation of agricultural cooperatives;
12 and for cooperative agreements; \$236,835,000: *Provided*,
13 That no less than \$6,000,000 shall be for information
14 technology investments: *Provided further*, That notwith-
15 standing any other provision of law, funds appropriated
16 under this heading may be used for advertising and pro-
17 motional activities that support Rural Development pro-
18 grams: *Provided further*, That in addition to any other
19 funds appropriated for purposes authorized by section
20 502(i) of the Housing Act of 1949 (42 U.S.C. 1472(i)),
21 any amounts collected under such section, as amended by
22 this Act, will immediately be credited to this account and
23 will remain available until expended for such purposes.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: \$1,000,000,000 shall be for direct loans and \$24,000,000,000 shall be for unsubsidized guaranteed loans; \$28,000,000 for section 504 housing repair loans; \$40,000,000 for section 515 rental housing; \$230,000,000 for section 538 guaranteed multi-family housing loans; \$10,000,000 for credit sales of single family housing acquired property; \$5,000,000 for section 523 self-help housing land development loans; and \$5,000,000 for section 524 site development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, \$49,000,000 shall be for direct loans; section 504 housing repair loans, \$3,418,000; section 523 self-help housing land development loans, \$430,500; section 524 site development loans, \$175,500; and repair, rehabilitation, and new construction of section 515 rental housing, \$9,484,000: *Provided*, That to support the loan program level for section 538 guaranteed loans made

1 available under this heading the Secretary may charge or
2 adjust any fees to cover the projected cost of such loan
3 guarantees pursuant to the provisions of the Credit Re-
4 form Act of 1990 (2 U.S.C. 661 et seq.), and the interest
5 on such loans may not be subsidized: *Provided further*,
6 That applicants in communities that have a current rural
7 area waiver under section 541 of the Housing Act of 1949
8 (42 U.S.C. 1490q) shall be treated as living in a rural
9 area for purposes of section 502 guaranteed loans pro-
10 vided under this heading: *Provided further*, That of the
11 amounts available under this paragraph for section 502
12 direct loans, no less than \$5,000,000 shall be available for
13 direct loans for individuals whose homes will be built pur-
14 suant to a program funded with a mutual and self-help
15 housing grant authorized by section 523 of the Housing
16 Act of 1949 until June 1, 2019: *Provided further*, That
17 the Secretary shall implement provisions to provide incen-
18 tives to nonprofit organizations and public housing au-
19 thorities to facilitate the acquisition of Rural Housing
20 Service (RHS) multifamily housing properties by such
21 nonprofit organizations and public housing authorities
22 that commit to keep such properties in the RHS multi-
23 family housing program for a period of time as determined
24 by the Secretary, with such incentives to include, but not
25 be limited to, the following: allow such nonprofit entities

1 and public housing authorities to earn a Return on Invest-
2 ment on their own resources to include proceeds from low
3 income housing tax credit syndication, own contributions,
4 grants, and developer loans at favorable rates and terms,
5 invested in a deal; and allow reimbursement of organiza-
6 tional costs associated with owner's oversight of asset re-
7 ferred to as "Asset Management Fee" of up to \$7,500
8 per property.

9 In addition, for the cost of direct loans, grants, and
10 contracts, as authorized by sections 514 and 516 of the
11 Housing Act of 1949 (42 U.S.C. 1484, 1486),
12 \$16,853,000, to remain available until expended, for direct
13 farm labor housing loans and domestic farm labor housing
14 grants and contracts: *Provided*, That any balances avail-
15 able for the Farm Labor Program Account shall be trans-
16 ferred to and merged with this account.

17 In addition, for administrative expenses necessary to
18 carry out the direct and guaranteed loan programs,
19 \$412,254,000 shall be transferred to and merged with the
20 appropriation for "Rural Development, Salaries and Ex-
21 penses".

22 RENTAL ASSISTANCE PROGRAM

23 For rental assistance agreements entered into or re-
24 newed pursuant to the authority under section 521(a)(2)
25 of the Housing Act of 1949 or agreements entered into

1 in lieu of debt forgiveness or payments for eligible house-
2 holds as authorized by section 502(c)(5)(D) of the Hous-
3 ing Act of 1949, \$1,331,400,000, of which \$40,000,000
4 shall be available until September 30, 2020; and in addi-
5 tion such sums as may be necessary, as authorized by sec-
6 tion 521(c) of the Act, to liquidate debt incurred prior to
7 fiscal year 1992 to carry out the rental assistance program
8 under section 521(a)(2) of the Act: *Provided*, That rental
9 assistance agreements entered into or renewed during the
10 current fiscal year shall be funded for a one-year period:
11 *Provided further*, That any unexpended balances remain-
12 ing at the end of such one-year agreements may be trans-
13 ferred and used for purposes of any debt reduction; main-
14 tenance, repair, or rehabilitation of any existing projects;
15 preservation; and rental assistance activities authorized
16 under title V of the Act: *Provided further*, That rental as-
17 sistance provided under agreements entered into prior to
18 fiscal year 2019 for a farm labor multi-family housing
19 project financed under section 514 or 516 of the Act may
20 not be recaptured for use in another project until such
21 assistance has remained unused for a period of 12 con-
22 secutive months, if such project has a waiting list of ten-
23 ants seeking such assistance or the project has rental as-
24 sistance eligible tenants who are not receiving such assist-
25 ance: *Provided further*, That such recaptured rental assist-

ACCOUNT

•HR 5961 RH

1 shall be the difference between comparable market rent
2 for the section 515 unit and the tenant paid rent for such
3 unit: *Provided further*, That funds made available for such
4 vouchers shall be subject to the availability of annual ap-
5 propriations: *Provided further*, That the Secretary shall,
6 to the maximum extent practicable, administer such
7 vouchers with current regulations and administrative guid-
8 ance applicable to section 8 housing vouchers administered
9 by the Secretary of the Department of Housing and Urban
10 Development: *Provided further*, That if the Secretary de-
11 termines that the amount made available for vouchers in
12 this or any other Act is not needed for vouchers, the Sec-
13 retary may use such funds for the demonstration program
14 for the preservation and revitalization of multi-family
15 rental housing properties described in this paragraph: *Pro-*
16 *vided further*, That of the funds made available under this
17 heading, \$25,000,000 shall be available for a demonstra-
18 tion program for the preservation and revitalization of the
19 sections 514, 515, and 516 multi-family rental housing
20 properties to restructure existing USDA multi-family
21 housing loans, as the Secretary deems appropriate, ex-
22 pressly for the purposes of ensuring the project has suffi-
23 cient resources to preserve the project for the purpose of
24 providing safe and affordable housing for low-income resi-
25 dents and farm laborers including reducing or eliminating

1 interest; deferring loan payments, subordinating, reducing
2 or reamortizing loan debt; and other financial assistance
3 including advances, payments and incentives (including
4 the ability of owners to obtain reasonable returns on in-
5 vestment) required by the Secretary: *Provided further*,
6 That the Secretary shall as part of the preservation and
7 revitalization agreement obtain a restrictive use agreement
8 consistent with the terms of the restructuring: *Provided*
9 *further*, That if the Secretary determines that additional
10 funds for vouchers described in this paragraph are needed,
11 funds for the preservation and revitalization demonstra-
12 tion program may be used for such vouchers: *Provided fur-*
13 *ther*, That if Congress enacts legislation to permanently
14 authorize a multi-family rental housing loan restructuring
15 program similar to the demonstration program described
16 herein, the Secretary may use funds made available for
17 the demonstration program under this heading to carry
18 out such legislation with the prior approval of the Commit-
19 tees on Appropriations of both Houses of Congress: *Pro-*
20 *vided further*, That in addition to any other available
21 funds, the Secretary may expend not more than
22 \$1,000,000 total, from the program funds made available
23 under this heading, for administrative expenses for activi-
24 ties funded under this heading.

1 MUTUAL AND SELF-HELP HOUSING GRANTS

2 For grants and contracts pursuant to section
3 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C.
4 1490c), \$30,000,000, to remain available until expended.

5 RURAL HOUSING ASSISTANCE GRANTS

6 For grants for very low-income housing repair and
7 rural housing preservation made by the Rural Housing
8 Service, as authorized by 42 U.S.C. 1474, and 1490m,
9 \$45,000,000, to remain available until expended.

10 RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

11 (INCLUDING TRANSFERS OF FUNDS)

12 For gross obligations for the principal amount of di-
13 rect and guaranteed loans as authorized by section 306
14 and described in section 381E(d)(1) of the Consolidated
15 Farm and Rural Development Act, \$2,800,000,000 for di-
16 rect loans and \$200,000,000 for guaranteed loans.

17 For the cost of grants for rural community facilities
18 programs as authorized by section 306 and described in
19 section 381E(d)(1) of the Consolidated Farm and Rural
20 Development Act, \$43,778,000, to remain available until
21 expended: *Provided*, That \$4,000,000 of the amount ap-
22 propriated under this heading shall be available for a
23 Rural Community Development Initiative: *Provided fur-*
24 *ther*, That such funds shall be used solely to develop the
25 capacity and ability of private, nonprofit community-based

1 housing and community development organizations, low-
2 income rural communities, and Federally Recognized Na-
3 tive American Tribes to undertake projects to improve
4 housing, community facilities, community and economic
5 development projects in rural areas: *Provided further*,
6 That such funds shall be made available to qualified pri-
7 vate, nonprofit and public intermediary organizations pro-
8 posing to carry out a program of financial and technical
9 assistance: *Provided further*, That such intermediary orga-
10 nizations shall provide matching funds from other sources,
11 including Federal funds for related activities, in an
12 amount not less than funds provided: *Provided further*,
13 That \$5,778,000 of the amount appropriated under this
14 heading shall be to provide grants for facilities in rural
15 communities with extreme unemployment and severe eco-
16 nomic depression (Public Law 106–387), with up to 5 per-
17 cent for administration and capacity building in the State
18 rural development offices: *Provided further*, That
19 \$4,000,000 of the amount appropriated under this head-
20 ing shall be available for community facilities grants to
21 tribal colleges, as authorized by section 306(a)(19) of such
22 Act: *Provided further*, That sections 381E–H and 381N
23 of the Consolidated Farm and Rural Development Act are
24 not applicable to the funds made available under this
25 heading.

1 RURAL BUSINESS—COOPERATIVE SERVICE

2 RURAL BUSINESS PROGRAM ACCOUNT

3 (INCLUDING TRANSFERS OF FUNDS)

4 For the cost of loan guarantees and grants, for the
5 rural business development programs authorized by sec-
6 tion 310B and described in subsections (a), (c), (f) and
7 (g) of section 310B of the Consolidated Farm and Rural
8 Development Act, \$67,215,000, to remain available until
9 expended: *Provided*, That of the amount appropriated
10 under this heading, not to exceed \$500,000 shall be made
11 available for one grant to a qualified national organization
12 to provide technical assistance for rural transportation in
13 order to promote economic development and \$5,000,000
14 shall be for grants to the Delta Regional Authority (7
15 U.S.C. 2009aa et seq.) and the Appalachian Regional
16 Commission (40 U.S.C. 14101 et seq.) for any Rural Com-
17 munity Advancement Program purpose as described in
18 section 381E(d) of the Consolidated Farm and Rural De-
19 velopment Act, of which not more than 5 percent may be
20 used for administrative expenses: *Provided further*, That
21 \$4,000,000 of the amount appropriated under this head-
22 ing shall be for business grants to benefit Federally Recog-
23 nized Native American Tribes, including \$250,000 for a
24 grant to a qualified national organization to provide tech-
25 nical assistance for rural transportation in order to pro-

1 mote economic development: *Provided further*, That sec-
 2 tions 381E–H and 381N of the Consolidated Farm and
 3 Rural Development Act are not applicable to funds made
 4 available under this heading.

5 INTERMEDIARY RELENDING PROGRAM FUND ACCOUNT
 6 (INCLUDING TRANSFER OF FUNDS)

7 For the principal amount of direct loans, as author-
 8 ized by the Intermediary Relending Program Fund Ac-
 9 count (7 U.S.C. 1936b), \$20,000,000.

10 For the cost of direct loans, \$4,402,000, as author-
 11 ized by the Intermediary Relending Program Fund Ac-
 12 count (7 U.S.C. 1936b), of which \$557,000 shall be avail-
 13 able through June 30, 2019, for Federally Recognized Na-
 14 tive American Tribes. *Provided*, That such costs, including
 15 the cost of modifying such loans, shall be as defined in
 16 section 502 of the Congressional Budget Act of 1974.

17 In addition, for administrative expenses to carry out
 18 the direct loan programs, \$4,468,000 shall be transferred
 19 to and merged with the appropriation for “Rural Develop-
 20 ment, Salaries and Expenses”.

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

24 For the principal amount of direct loans, as author-
 25 ized under section 313 of the Rural Electrification Act,

1 for the purpose of promoting rural economic development
2 and job creation projects, \$50,000,000.

3 Of the funds derived from the interest on the cushion
4 of credit payments, as authorized by section 313 of the
5 Rural Electrification Act of 1936, \$50,000,000 shall not
6 be obligated and \$50,000,000 are rescinded.

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

11 RURAL COOPERATIVE DEVELOPMENT GRANTS

12 For rural cooperative development grants authorized
13 under section 310B(e) of the Consolidated Farm and
14 Rural Development Act (7 U.S.C. 1932), \$27,550,000, of
15 which \$2,750,000 shall be for cooperative agreements for
16 the appropriate technology transfer for rural areas pro-
17 gram: *Provided*, That not to exceed \$3,000,000 shall be
18 for grants for cooperative development centers, individual
19 cooperatives, or groups of cooperatives that serve socially
20 disadvantaged groups and a majority of the boards of di-
21 rectors or governing boards of which are comprised of in-
22 dividuals who are members of socially disadvantaged
23 groups; and of which \$16,000,000, to remain available
24 until expended, shall be for value-added agricultural prod-
25 uct market development grants, as authorized by section

1 231 of the Agricultural Risk Protection Act of 2000 (7
2 U.S.C. 1632a), of which up to \$1,000,000 may be for Ag-
3 riculture Innovation Centers authorized pursuant to sec-
4 tion 6402 of Public Law 107–171.

5 RURAL ENERGY FOR AMERICA PROGRAM

6 For the cost of a program of loan guarantees, under
7 the same terms and conditions as authorized by section
8 9007 of the Farm Security and Rural Investment Act of
9 2002 (7 U.S.C. 8107), \$334,500: *Provided*, That the cost
10 of loan guarantees, including the cost of modifying such
11 loans, shall be as defined in section 502 of the Congres-
12 sional Budget Act of 1974.

13 RURAL UTILITIES SERVICE

14 RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT

15 (INCLUDING TRANSFERS OF FUNDS)

16 For the cost of direct loans, loan guarantees, and
17 grants for the rural water, waste water, waste disposal,
18 and solid waste management programs authorized by sec-
19 tions 306, 306A, 306C, 306D, 306E, and 310B and de-
20 scribed in sections 306C(a)(2), 306D, 306E, and
21 381E(d)(2) of the Consolidated Farm and Rural Develop-
22 ment Act, \$637,690,000, to remain available until ex-
23 pended, of which not to exceed \$1,000,000 shall be avail-
24 able for the rural utilities program described in section
25 306(a)(2)(B) of such Act, and of which not to exceed

1 \$1,500,000 shall be available for the rural utilities pro-
2 gram described in section 306E of such Act: *Provided*,
3 That not to exceed \$15,000,000 of the amount appro-
4 priated under this heading shall be for grants authorized
5 by section 306A(i)(2) of the Consolidated Farm and Rural
6 Development Act in addition to funding authorized by sec-
7 tion 306A(i)(1) of such Act: *Provided further*, That
8 \$65,000,000 of the amount appropriated under this head-
9 ing shall be for loans and grants including water and
10 waste disposal systems grants authorized by section
11 306C(a)(2)(B) and section 306D of the Consolidated
12 Farm and Rural Development Act, and Federally Recog-
13 nized Native American Tribes authorized by 306C(a)(1)
14 of such Act: *Provided further*, That funding provided for
15 section 306D of the Consolidated Farm and Rural Devel-
16 opment Act may be provided to a consortium formed pur-
17 suant to section 325 of Public Law 105–83: *Provided fur-*
18 *ther*, That not more than 2 percent of the funding pro-
19 vided for section 306D of the Consolidated Farm and
20 Rural Development Act may be used by the State of Alas-
21 ka for training and technical assistance programs and not
22 more than 2 percent of the funding provided for section
23 306D of the Consolidated Farm and Rural Development
24 Act may be used by a consortium formed pursuant to sec-
25 tion 325 of Public Law 105–83 for training and technical

1 assistance programs: *Provided further*, That not to exceed
2 \$22,000,000 of the amount appropriated under this head-
3 ing shall be for technical assistance grants for rural water
4 and waste systems pursuant to section 306(a)(14) of such
5 Act, unless the Secretary makes a determination of ex-
6 treme need, of which \$8,000,000 shall be made available
7 for a grant to a qualified nonprofit multi-State regional
8 technical assistance organization, with experience in work-
9 ing with small communities on water and waste water
10 problems, the principal purpose of such grant shall be to
11 assist rural communities with populations of 3,300 or less,
12 in improving the planning, financing, development, oper-
13 ation, and management of water and waste water systems,
14 and of which not less than \$800,000 shall be for a quali-
15 fied national Native American organization to provide
16 technical assistance for rural water systems for tribal com-
17 munities: *Provided further*, That not to exceed
18 \$19,000,000 of the amount appropriated under this head-
19 ing shall be for contracting with qualified national organi-
20 zations for a circuit rider program to provide technical as-
21 sistance for rural water systems: *Provided further*, That
22 not to exceed \$4,000,000 shall be for solid waste manage-
23 ment grants: *Provided further*, That \$10,000,000 of the
24 amount appropriated under this heading shall be trans-
25 ferred to, and merged with, the Rural Utilities Service,

1 High Energy Cost Grants Account to provide grants au-
 2 thorized under section 19 of the Rural Electrification Act
 3 of 1936 (7 U.S.C. 918a): *Provided further*, That any prior
 4 year balances for high-energy cost grants authorized by
 5 section 19 of the Rural Electrification Act of 1936 (7
 6 U.S.C. 918a) shall be transferred to and merged with the
 7 Rural Utilities Service, High Energy Cost Grants Ac-
 8 count: *Provided further*, That sections 381E–H and 381N
 9 of the Consolidated Farm and Rural Development Act are
 10 not applicable to the funds made available under this
 11 heading.

12 RURAL ELECTRIFICATION AND TELECOMMUNICATIONS

13 LOANS PROGRAM ACCOUNT

14 (INCLUDING TRANSFER OF FUNDS)

15 The principal amount of direct and guaranteed loans
 16 as authorized by sections 305, 306, and 317 of the Rural
 17 Electrification Act of 1936 (7 U.S.C. 935, 936, and 940g)
 18 shall be made as follows: loans made pursuant to sections
 19 305, 306, and 317, notwithstanding 317(c), of that Act,
 20 rural electric, \$5,500,000,000; guaranteed underwriting
 21 loans pursuant to section 313A, \$750,000,000; 5 percent
 22 rural telecommunications loans, cost of money rural tele-
 23 communications loans, and for loans made pursuant to
 24 section 306 of that Act, rural telecommunications loans,
 25 \$690,000,000: *Provided*, That up to \$2,000,000,000 shall

1 be used for the construction, acquisition, or improvement
2 of fossil-fueled electric generating plants (whether new or
3 existing) that utilize carbon sequestration systems.

4 For the cost of direct loans as authorized by section
5 305 of the Rural Electrification Act of 1936 (7 U.S.C.
6 935), including the cost of modifying loans, as defined in
7 section 502 of the Congressional Budget Act of 1974, cost
8 of money rural telecommunications loans, \$1,125,000.

9 In addition, for administrative expenses necessary to
10 carry out the direct and guaranteed loan programs,
11 \$33,270,000, which shall be transferred to and merged
12 with the appropriation for “Rural Development, Salaries
13 and Expenses”.

14 DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND
15 PROGRAM

16 For the principal amount of broadband telecommuni-
17 cation loans, \$29,851,000.

18 For grants for telemedicine and distance learning
19 services in rural areas, as authorized by 7 U.S.C. 950aaa
20 et seq., \$35,000,000, to remain available until expended:
21 *Provided*, That \$3,000,000 shall be made available for
22 grants authorized by 379G of the Consolidated Farm and
23 Rural Development Act: *Provided further*, That funding
24 provided under this heading for grants under 379G of the
25 Consolidated Farm and Rural Development Act may only

1 be provided to entities that meet all of the eligibility cri-
2 teria for a consortium as established by this section.

3 For the cost of broadband loans, as authorized by
4 section 601 of the Rural Electrification Act, \$5,829,900,
5 to remain available until expended: *Provided*, That the
6 cost of direct loans shall be as defined in section 502 of
7 the Congressional Budget Act of 1974.

8 In addition, \$30,000,000, to remain available until
9 expended, for a grant program to finance broadband
10 transmission in rural areas eligible for Distance Learning
11 and Telemedicine Program benefits authorized by 7
12 U.S.C. 950aaa.

13 TITLE IV

14 DOMESTIC FOOD PROGRAMS

15 OFFICE OF THE UNDER SECRETARY FOR FOOD, 16 NUTRITION, AND CONSUMER SERVICES

17 For necessary expenses of the Office of the Under
18 Secretary for Food, Nutrition, and Consumer Services,
19 \$800,000: *Provided*, That funds made available by this
20 Act to an agency in the Food, Nutrition, and Consumer
21 Services mission area for salaries and expenses are avail-
22 able to fund up to one administrative support staff for
23 the Office.

1 FOOD AND NUTRITION SERVICE

2 CHILD NUTRITION PROGRAMS

3 (INCLUDING TRANSFERS OF FUNDS)

4 For necessary expenses to carry out the Richard B.
5 Russell National School Lunch Act (42 U.S.C. 1751 et
6 seq.), except section 21, and the Child Nutrition Act of
7 1966 (42 U.S.C. 1771 et seq.), except sections 17 and
8 21; \$23,183,512,000 to remain available through Sep-
9 tember 30, 2020, of which such sums as are made avail-
10 able under section 14222(b)(1) of the Food, Conservation,
11 and Energy Act of 2008 (Public Law 110–246), as
12 amended by this Act, shall be merged with and available
13 for the same time period and purposes as provided herein:
14 *Provided*, That of the total amount available, \$17,004,000
15 shall be available to carry out section 19 of the Child Nu-
16 trition Act of 1966 (42 U.S.C. 1771 et seq.): *Provided*
17 *further*, That of the total amount available, \$30,000,000
18 shall be available to provide competitive grants to State
19 agencies for subgrants to local educational agencies and
20 schools to purchase the equipment, with a value of greater
21 than \$1,000, needed to serve healthier meals, improve food
22 safety, and to help support the establishment, mainte-
23 nance, or expansion of the school breakfast program: *Pro-*
24 *vided further*, That of the total amount available,
25 \$28,000,000 shall remain available until expended to carry

1 out section 749(g) of the Agriculture Appropriations Act
 2 of 2010 (Public Law 111–80): *Provided further*, That sec-
 3 tion 26(d) of the Richard B. Russell National School
 4 Lunch Act (42 U.S.C. 1769g(d)) is amended in the first
 5 sentence by striking “2010 through 2018” and inserting
 6 “2010 through 2019”: *Provided further*, That section
 7 9(h)(3) of the Richard B. Russell National School Lunch
 8 Act (42 U.S.C. 1758(h)(3)) is amended in the first sen-
 9 tence by striking “For fiscal year 2018” and inserting
 10 “For fiscal year 2019”: *Provided further*, That section
 11 9(h)(4) of the Richard B. Russell National School Lunch
 12 Act (42 U.S.C. 1758(h)(4)) is amended in the first sen-
 13 tence by striking “For fiscal year 2018” and inserting
 14 “For fiscal year 2019”.

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

17 For necessary expenses to carry out the special sup-
 18 plemental nutrition program as authorized by section 17
 19 of the Child Nutrition Act of 1966 (42 U.S.C. 1786),
 20 \$6,000,000,000, to remain available through September
 21 30, 2020: *Provided*, That notwithstanding section
 22 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C.
 23 1786(h)(10)), not less than \$60,000,000 shall be used for
 24 breastfeeding peer counselors and other related activities,
 25 and \$14,000,000 shall be used for infrastructure: *Pro-*

1 *vided further*, That none of the funds provided in this ac-
 2 count shall be available for the purchase of infant formula
 3 except in accordance with the cost containment and com-
 4 petitive bidding requirements specified in section 17 of
 5 such Act: *Provided further*, That none of the funds pro-
 6 vided shall be available for activities that are not fully re-
 7 imbursed by other Federal Government departments or
 8 agencies unless authorized by section 17 of such Act: *Pro-*
 9 *vided further*, That upon termination of a federally man-
 10 dated vendor moratorium and subject to terms and condi-
 11 tions established by the Secretary, the Secretary may
 12 waive the requirement at 7 CFR 246.12(g)(6) at the re-
 13 quest of a State agency.

14 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

15 For necessary expenses to carry out the Food and
 16 Nutrition Act of 2008 (7 U.S.C. 2011 et seq.),
 17 \$73,219,274,000, of which \$3,000,000,000, to remain
 18 available through December 31, 2020, shall be placed in
 19 reserve for use only in such amounts and at such times
 20 as may become necessary to carry out program operations:
 21 *Provided*, That funds provided herein shall be expended
 22 in accordance with section 16 of the Food and Nutrition
 23 Act of 2008: *Provided further*, That of the funds made
 24 available under this heading, \$998,000 may be used to
 25 provide nutrition education services to State agencies and

1 Federally Recognized Tribes participating in the Food
 2 Distribution Program on Indian Reservations: *Provided*
 3 *further*, That this appropriation shall be subject to any
 4 work registration or workfare requirements as may be re-
 5 quired by law: *Provided further*, That funds made available
 6 for Employment and Training under this heading shall re-
 7 main available through September 30, 2020: *Provided fur-*
 8 *ther*, That funds made available under this heading for
 9 section 28(d)(1), section 4(b), and section 27(a) of the
 10 Food and Nutrition Act of 2008 shall remain available
 11 through September 30, 2020: *Provided further*, That none
 12 of the funds made available under this heading may be
 13 obligated or expended in contravention of section 213A of
 14 the Immigration and Nationality Act (8 U.S.C. 1183A):
 15 *Provided further*, That, subject to section 737 of this Act,
 16 funds made available under this heading may be used to
 17 enter into contracts and employ staff to conduct studies,
 18 evaluations, or to conduct activities related to program in-
 19 tegrity provided that such activities are authorized by the
 20 Food and Nutrition Act of 2008.

21 COMMODITY ASSISTANCE PROGRAM

22 For necessary expenses to carry out disaster assist-
 23 ance and the Commodity Supplemental Food Program as
 24 authorized by section 4(a) of the Agriculture and Con-
 25 sumer Protection Act of 1973 (7 U.S.C. 612c note); the

1 Emergency Food Assistance Act of 1983; special assist-
 2 ance for the nuclear affected islands, as authorized by sec-
 3 tion 103(f)(2) of the Compact of Free Association Amend-
 4 ments Act of 2003 (Public Law 108–188); and the Farm-
 5 ers’ Market Nutrition Program, as authorized by section
 6 17(m) of the Child Nutrition Act of 1966, \$306,910,000,
 7 to remain available through September 30, 2020: *Pro-*
 8 *vided*, That none of these funds shall be available to reim-
 9 burse the Commodity Credit Corporation for commodities
 10 donated to the program: *Provided further*, That notwith-
 11 standing any other provision of law, effective with funds
 12 made available in fiscal year 2019 to support the Seniors
 13 Farmers’ Market Nutrition Program, as authorized by
 14 section 4402 of the Farm Security and Rural Investment
 15 Act of 2002, such funds shall remain available through
 16 September 30, 2020: *Provided further*, That of the funds
 17 made available under section 27(a) of the Food and Nutri-
 18 tion Act of 2008 (7 U.S.C. 2036(a)), the Secretary may
 19 use up to 15 percent for costs associated with the distribu-
 20 tion of commodities.

21 NUTRITION PROGRAMS ADMINISTRATION

22 For necessary administrative expenses of the Food
 23 and Nutrition Service for carrying out any domestic nutri-
 24 tion assistance program, \$162,838,000, of which
 25 \$12,297,000 shall remain available through September

1 30, 2021, for the development and dissemination of the
2 Dietary Guidelines for Americans: *Provided*, That of the
3 funds provided herein, \$2,000,000 shall be used for the
4 purposes of section 4404 of Public Law 107–171, as
5 amended by section 4401 of Public Law 110–246.

6 TITLE V

7 FOREIGN ASSISTANCE AND RELATED

8 PROGRAMS

9 OFFICE OF THE UNDER SECRETARY FOR TRADE AND

10 FOREIGN AGRICULTURAL AFFAIRS

11 For necessary expenses of the Office of the Under
12 Secretary for Trade and Foreign Agricultural Affairs,
13 \$875,000: *Provided*, That funds made available by this
14 Act to any agency in the Trade and Foreign Agricultural
15 Affairs mission area for salaries and expenses are avail-
16 able to fund up to one administrative support staff for
17 the Office.

18 OFFICE OF CODEX ALIMENTARIUS

19 For necessary expenses of the Office of Codex
20 Alimentarius, \$3,796,000 including not to exceed \$40,000
21 for official reception and representation expenses.

1 FOREIGN AGRICULTURAL SERVICE

2 SALARIES AND EXPENSES

3 (INCLUDING TRANSFERS OF FUNDS)

4 For necessary expenses of the Foreign Agricultural
5 Service, including not to exceed \$250,000 for representa-
6 tion allowances and for expenses pursuant to section 8 of
7 the Act approved August 3, 1956 (7 U.S.C. 1766),
8 \$204,138,000, for overseas operations to include the pay-
9 ment of locally employed staff: *Provided*, That the Service
10 may utilize advances of funds, or reimburse this appro-
11 priation for expenditures made on behalf of Federal agen-
12 cies, public and private organizations and institutions
13 under agreements executed pursuant to the agricultural
14 food production assistance programs (7 U.S.C. 1737) and
15 the foreign assistance programs of the United States
16 Agency for International Development: *Provided further*,
17 That funds made available for middle-income country
18 training programs, funds made available for the Borlaug
19 International Agricultural Science and Technology Fellow-
20 ship program, and up to \$2,000,000 of the Foreign Agri-
21 cultural Service appropriation solely for the purpose of off-
22 setting fluctuations in international currency exchange
23 rates, subject to documentation by the Foreign Agricul-
24 tural Service, shall remain available until expended.

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

4 For administrative expenses to carry out the credit
5 program of title I, Food for Peace Act (Public Law 83–
6 480) and the Food for Progress Act of 1985, \$142,000,
7 shall be transferred to and merged with the appropriation
8 for “Farm Service Agency, Salaries and Expenses”.

9 FOOD FOR PEACE TITLE II GRANTS

10 For expenses during the current fiscal year, not oth-
11 erwise recoverable, and unrecovered prior years’ costs, in-
12 cluding interest thereon, under the Food for Peace Act
13 (Public Law 83–480), for commodities supplied in connec-
14 tion with dispositions abroad under title II of said Act,
15 \$1,500,000,000, to remain available until expended: *Pro-*
16 *vided*, That the Administrator of the United States Agen-
17 cy for International Development shall in each instance
18 notify in writing the Committees on Appropriations of
19 both Houses of Congress, the Committee on Agriculture
20 of the House, the Committee on Foreign Relations of the
21 Senate, the Committee on Foreign Affairs of the House,
22 and the Committee on Agriculture, Nutrition, and For-
23 estry of the Senate and make publicly available online the
24 amount and use of authority in section 202(a) of the Food
25 for Peace Act (7 U.S.C. 1722(a)) to notwithstanding the min-

1 imum level of nonemergency assistance required by section
 2 412(e)(2) of the Food for Peace Act (7 U.S.C.
 3 1736f(e)(2)) not later than 15 days after the date of such
 4 action.

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

7 For necessary expenses to carry out the provisions
 8 of section 3107 of the Farm Security and Rural Invest-
 9 ment Act of 2002 (7 U.S.C. 1736o–1), \$207,626,000, to
 10 remain available until expended, of which \$1,000,000 is
 11 for the use of recently developed potable water tech-
 12 nologies in school feeding projects: *Provided*, That the
 13 Commodity Credit Corporation is authorized to provide
 14 the services, facilities, and authorities for the purpose of
 15 implementing such section, subject to reimbursement from
 16 amounts provided herein.

17 COMMODITY CREDIT CORPORATION EXPORT (LOANS)

18 CREDIT GUARANTEE PROGRAM ACCOUNT

19 (INCLUDING TRANSFERS OF FUNDS)

20 For administrative expenses to carry out the Com-
 21 modity Credit Corporation's Export Guarantee Program,
 22 GSM 102 and GSM 103, \$9,180,000; to cover common
 23 overhead expenses as permitted by section 11 of the Com-
 24 modity Credit Corporation Charter Act and in conformity
 25 with the Federal Credit Reform Act of 1990, of which

1 \$6,717,000 shall be transferred to and merged with the
2 appropriation for “Foreign Agricultural Service, Salaries
3 and Expenses”, and of which \$2,463,000 shall be trans-
4 ferred to and merged with the appropriation for “Farm
5 Service Agency, Salaries and Expenses”.

6 TITLE VI

7 RELATED AGENCIES AND FOOD AND DRUG

8 ADMINISTRATION

9 DEPARTMENT OF HEALTH AND HUMAN SERVICES

10 FOOD AND DRUG ADMINISTRATION

11 SALARIES AND EXPENSES

12 For necessary expenses of the Food and Drug Ad-
13 ministration, including hire and purchase of passenger
14 motor vehicles; for payment of space rental and related
15 costs pursuant to Public Law 92–313 for programs and
16 activities of the Food and Drug Administration which are
17 included in this Act; for rental of special purpose space
18 in the District of Columbia or elsewhere; in addition to
19 amounts appropriated to the FDA Innovation Account, for
20 carrying out the activities described in section 1002(b)(4)
21 of the 21st Century Cures Act (Public Law 114–255); for
22 miscellaneous and emergency expenses of enforcement ac-
23 tivities, authorized and approved by the Secretary and to
24 be accounted for solely on the Secretary’s certificate, not
25 to exceed \$25,000; and notwithstanding section 521 of

1 Public Law 107–188; \$5,568,010,000: *Provided*, That of
2 the amount provided under this heading, \$960,568,000
3 shall be derived from prescription drug user fees author-
4 ized by 21 U.S.C. 379h, and shall be credited to this ac-
5 count and remain available until expended; \$196,668,000
6 shall be derived from medical device user fees authorized
7 by 21 U.S.C. 379j, and shall be credited to this account
8 and remain available until expended; \$501,396,000 shall
9 be derived from human generic drug user fees authorized
10 by 21 U.S.C. 379j–42, and shall be credited to this ac-
11 count and remain available until expended; \$40,922,000
12 shall be derived from biosimilar biological product user
13 fees authorized by 21 U.S.C. 379j–52, and shall be cred-
14 ited to this account and remain available until expended;
15 \$30,331,000 shall be derived from animal drug user fees
16 authorized by 21 U.S.C. 379j–12, and shall be credited
17 to this account and remain available until expended;
18 \$18,336,000 shall be derived from generic new animal
19 drug user fees authorized by 21 U.S.C. 379j–21, and shall
20 be credited to this account and remain available until ex-
21 pended; \$712,000,000 shall be derived from tobacco prod-
22 uct user fees authorized by 21 U.S.C. 387s, and shall be
23 credited to this account and remain available until ex-
24 pended: *Provided further*, That in addition to and notwith-
25 standing any other provision under this heading, amounts

1 collected for prescription drug user fees, medical device
2 user fees, human generic drug user fees, biosimilar biologi-
3 cal product user fees, animal drug user fees, and generic
4 new animal drug user fees that exceed the respective fiscal
5 year 2019 limitations are appropriated and shall be cred-
6 ited to this account and remain available until expended:
7 *Provided further*, That fees derived from prescription drug,
8 medical device, human generic drug, biosimilar biological
9 product, animal drug, and generic new animal drug as-
10 sessments for fiscal year 2019, including any such fees
11 collected prior to fiscal year 2019 but credited for fiscal
12 year 2019, shall be subject to the fiscal year 2019 limita-
13 tions: *Provided further*, That the Secretary may accept
14 payment during fiscal year 2019 of user fees specified
15 under this heading and authorized for fiscal year 2020,
16 prior to the due date for such fees, and that amounts of
17 such fees assessed for fiscal year 2020 for which the Sec-
18 retary accepts payment in fiscal year 2019 shall not be
19 included in amounts under this heading: *Provided further*,
20 That none of these funds shall be used to develop, estab-
21 lish, or operate any program of user fees authorized by
22 31 U.S.C. 9701: *Provided further*, That of the total
23 amount appropriated: (1) \$1,039,675,000 shall be for the
24 Center for Food Safety and Applied Nutrition and related
25 field activities in the Office of Regulatory Affairs; (2)

1 \$1,839,411,000 shall be for the Center for Drug Evalua-
2 tion and Research and related field activities in the Office
3 of Regulatory Affairs; (3) \$389,731,000 shall be for the
4 Center for Biologics Evaluation and Research and for re-
5 lated field activities in the Office of Regulatory Affairs;
6 (4) \$220,397,000 shall be for the Center for Veterinary
7 Medicine and for related field activities in the Office of
8 Regulatory Affairs; (5) \$564,905,000 shall be for the Cen-
9 ter for Devices and Radiological Health and for related
10 field activities in the Office of Regulatory Affairs; (6)
11 \$65,331,000 shall be for the National Center for Toxi-
12 cological Research; (7) \$662,043,000 shall be for the Cen-
13 ter for Tobacco Products and for related field activities
14 in the Office of Regulatory Affairs; (8) not to exceed
15 \$195,933,000 shall be for Rent and Related activities, of
16 which \$57,373,000 is for White Oak Consolidation, other
17 than the amounts paid to the General Services Adminis-
18 tration for rent; (9) not to exceed \$239,716,000 shall be
19 for payments to the General Services Administration for
20 rent; and (10) \$350,868,000 shall be for other activities,
21 including the Office of the Commissioner of Food and
22 Drugs, the Office of Foods and Veterinary Medicine, the
23 Office of Medical and Tobacco Products, the Office of
24 Global and Regulatory Policy, the Office of Operations,
25 the Office of the Chief Scientist, and central services for

1 these offices: *Provided further*, That not to exceed \$25,000
2 of this amount shall be for official reception and represen-
3 tation expenses, not otherwise provided for, as determined
4 by the Commissioner: *Provided further*, That any transfer
5 of funds pursuant to section 770(n) of the Federal Food,
6 Drug, and Cosmetic Act (21 U.S.C. 379dd(n)) shall only
7 be from amounts made available under this heading for
8 other activities: *Provided further*, That of the amounts
9 that are made available under this heading for “other ac-
10 tivities”, and that are not derived from user fees,
11 \$1,500,000 shall be transferred to and merged with the
12 appropriation for “Department of Health and Human
13 Services—Office of Inspector General” for oversight of the
14 programs and operations of the Food and Drug Adminis-
15 tration and shall be in addition to funds otherwise made
16 available for oversight of the Food and Drug Administra-
17 tion: *Provided further*, That of the total amount made
18 available under this heading, \$3,000,000 shall be used by
19 the Commissioner of Food and Drugs, in coordination
20 with the Secretary of Agriculture, for consumer outreach
21 and education regarding agricultural biotechnology and
22 biotechnology-derived food products and animal feed, in-
23 cluding through publication and distribution of science-
24 based educational information on the environmental, nu-
25 tritional, food safety, economic, and humanitarian impacts

1 of such biotechnology, food products, and feed: *Provided*
2 *further*, That \$50,000,000 of the amount allocated to the
3 Center for Tobacco Products from tobacco product user
4 fees authorized by section 919 of the Federal Food, Drug,
5 and Cosmetic Act in fiscal years 2019, 2020, 2021, and
6 2022, shall be used by the Secretary to develop, establish,
7 and operate a Youth Vapor Product Education, Preven-
8 tion, and Enforcement Program, to include consumer out-
9 reach and education targeted to the use of vapor products
10 by minors, optional grants to school systems, nonprofit
11 public health entities, and other qualifying entities for pro-
12 grams and initiatives aimed at youth vapor product and
13 tobacco product prevention, and enforcement of provisions
14 of the Federal Food, Drug, and Cosmetic Act relating to
15 youth access to vapor products: *Provided further*, That
16 funds may be transferred from one specified activity to
17 another with the prior approval of the Committees on Ap-
18 propriations of both Houses of Congress.

19 In addition, mammography user fees authorized by
20 42 U.S.C. 263b, export certification user fees authorized
21 by 21 U.S.C. 381, priority review user fees authorized by
22 21 U.S.C. 360n and 360ff, food and feed recall fees, food
23 reinspection fees, and voluntary qualified importer pro-
24 gram fees authorized by 21 U.S.C. 379j–31, outsourcing
25 facility fees authorized by 21 U.S.C. 379j–62, prescription

1 drug wholesale distributor licensing and inspection fees
 2 authorized by 21 U.S.C. 353(e)(3), third-party logistics
 3 provider licensing and inspection fees authorized by 21
 4 U.S.C. 360eee–3(c)(1), third-party auditor fees authorized
 5 by 21 U.S.C. 384d(c)(8), and medical countermeasure pri-
 6 ority review voucher user fees authorized by 21 U.S.C.
 7 360bbb–4a, shall be credited to this account, to remain
 8 available until expended.

9 BUILDINGS AND FACILITIES

10 For plans, construction, repair, improvement, exten-
 11 sion, alteration, demolition, and purchase of fixed equip-
 12 ment or facilities of or used by the Food and Drug Admin-
 13 istration, where not otherwise provided, \$11,788,000, to
 14 remain available until expended.

15 FDA INNOVATION ACCOUNT, CURES ACT

16 For necessary expenses to carry out the purposes de-
 17 scribed under section 1002(b)(4) of the 21st Century
 18 Cures Act, in addition to amounts available for such pur-
 19 poses under the heading “Salaries and Expenses”,
 20 \$70,000,000, to remain available until expended: *Pro-*
 21 *vided*, That amounts appropriated in this paragraph are
 22 appropriated pursuant to section 1002(b)(3) of the 21st
 23 Century Cures Act, are to be derived from amounts trans-
 24 ferred under section 1002(b)(2)(A) of such Act, and may
 25 be transferred by the Commissioner of Food and Drugs

1 to the appropriation for “Department of Health and
2 Human Services Food and Drug Administration Salaries
3 and Expenses” solely for the purposes provided in such
4 Act: *Provided further*, That upon a determination by the
5 Commissioner that funds transferred pursuant to the pre-
6 vious proviso are not necessary for the purposes provided,
7 such amounts may be transferred back to the account:
8 *Provided further*, That such transfer authority is in addi-
9 tion to any other transfer authority provided by law.

10 INDEPENDENT AGENCIES

11 COMMODITY FUTURES TRADING COMMISSION

12 For necessary expenses to carry out the provisions
13 of the Commodity Exchange Act (7 U.S.C. 1 et seq.), in-
14 cluding the purchase and hire of passenger motor vehicles,
15 and the rental of space (to include multiple year leases),
16 in the District of Columbia and elsewhere, \$255,000,000,
17 including not to exceed \$3,000 for official reception and
18 representation expenses, and not to exceed \$25,000 for the
19 expenses for consultations and meetings hosted by the
20 Commission with foreign governmental and other regu-
21 latory officials, of which not less than \$50,000,000, to re-
22 main available until September 30, 2020, shall be for the
23 purchase of information technology and of which not less
24 than \$3,000,000 shall be for expenses of the Office of the
25 Inspector General: *Provided*, That notwithstanding the

1 limitations in 31 U.S.C. 1553, amounts provided under
2 this heading are available for the liquidation of obligations
3 equal to current year payments on leases entered into
4 prior to the date of enactment of this Act: *Provided fur-*
5 *ther*, That for the purpose of recording and liquidating any
6 lease obligations that should have been recorded and liq-
7 uidated against accounts closed pursuant to 31 U.S.C.
8 1552, and consistent with the preceding proviso, such
9 amounts shall be transferred to and recorded in a no-year
10 account in the Treasury, which has been established for
11 the sole purpose of recording adjustments for and liqui-
12 dating such unpaid obligations: *Provided further*, That if
13 any furlough or reduction-in-force of personnel at the
14 Commission occurs as a result of an action under 5 U.S.C.
15 7119, the Commission shall submit a report to the Com-
16 mittees on Appropriations of the House of Representatives
17 and the Senate no later than 30 days after the furlough
18 or reduction-in-force occurs detailing the agency's rea-
19 soning for conducting a furlough or reduction-in-force:
20 *Provided further*, That in the report the Commission shall
21 explain why the furlough or reduction-in-force was the
22 only reasonable course of action in response to an action
23 taken under 5 U.S.C. 7119: *Provided further*, That after
24 the conclusion of any furlough or reduction-in-force of the
25 Commission in response to an action taken under 5 U.S.C.

1 7119, the Comptroller General shall submit to the Com-
 2 mittees on Appropriations of the Senate and the House
 3 of Representatives a report that describes (1) the long-
 4 term cost of any pay increases the Commission must make
 5 in response to an action taken under 5 U.S.C. 7119; and
 6 (2) the operational impact of the furlough or reduction-
 7 in-force.

8 FARM CREDIT ADMINISTRATION

9 LIMITATION ON ADMINISTRATIVE EXPENSES

10 Not to exceed \$74,600,000 (from assessments col-
 11 lected from farm credit institutions, including the Federal
 12 Agricultural Mortgage Corporation) shall be obligated
 13 during the current fiscal year for administrative expenses
 14 as authorized under 12 U.S.C. 2249: *Provided*, That this
 15 limitation shall not apply to expenses associated with re-
 16 ceiverships: *Provided further*, That the agency may exceed
 17 this limitation by up to 10 percent with notification to the
 18 Committees on Appropriations of both Houses of Con-
 19 gress.

20 TITLE VII

21 GENERAL PROVISIONS

22 (INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

23 SEC. 701. Within the unit limit of cost fixed by law,
 24 appropriations and authorizations made for the Depart-
 25 ment of Agriculture for the current fiscal year under this

1 Act shall be available for the purchase, in addition to those
2 specifically provided for, of not to exceed 71 passenger
3 motor vehicles of which 68 shall be for replacement only,
4 and for the hire of such vehicles: *Provided*, That notwith-
5 standing this section, the only purchase of new passenger
6 vehicles shall be for those determined by the Secretary to
7 be necessary for transportation safety, to reduce oper-
8 ational costs, and for the protection of life, property, and
9 public safety.

10 SEC. 702. Notwithstanding any other provision of
11 this Act, the Secretary of Agriculture may transfer unobli-
12 gated balances of discretionary funds appropriated by this
13 Act or any other available unobligated discretionary bal-
14 ances that are remaining available of the Department of
15 Agriculture to the Working Capital Fund for the acquisi-
16 tion of plant and capital equipment necessary for the deliv-
17 ery of financial, administrative, and information tech-
18 nology services of primary benefit to the agencies of the
19 Department of Agriculture, such transferred funds to re-
20 main available until expended: *Provided*, That none of the
21 funds made available by this Act or any other Act shall
22 be transferred to the Working Capital Fund without the
23 prior approval of the agency administrator: *Provided fur-*
24 *ther*, That none of the funds transferred to the Working
25 Capital Fund pursuant to this section shall be available

1 for obligation without written notification to and the prior
2 approval of the Committees on Appropriations of both
3 Houses of Congress: *Provided further*, That none of the
4 funds appropriated by this Act or made available to the
5 Department's Working Capital Fund shall be available for
6 obligation or expenditure to make any changes to the De-
7 partment's National Finance Center without written noti-
8 fication to and prior approval of the Committees on Ap-
9 propriations of both Houses of Congress as required by
10 section 717 of this Act: *Provided further*, That none of
11 the funds appropriated by this Act or made available to
12 the Department's Working Capital Fund shall be available
13 for obligation or expenditure to initiate, plan, develop, im-
14 plement, or make any changes to remove or relocate any
15 systems, missions, or functions of the offices of the Chief
16 Financial Officer or any personnel from the National Fi-
17 nance Center prior to written notification to and prior ap-
18 proval of the Committee on Appropriations of both Houses
19 of Congress and in accordance with the requirements of
20 section 717 of this Act: *Provided further*, That the Sec-
21 retary of Agriculture and the offices of the Chief Financial
22 Officer shall actively market to existing and new Depart-
23 ments and other government agencies National Finance
24 Center shared services including, but not limited to, pay-
25 roll, financial management, and human capital shared

1 services and allow the National Finance Center to perform
2 technology upgrades: *Provided further*, That of annual in-
3 come amounts in the Working Capital Fund of the De-
4 partment of Agriculture attributable to the amounts in ex-
5 cess of the true costs of the shared services provided by
6 the National Finance Center and budgeted for the Na-
7 tional Finance Center, the Secretary shall reserve not
8 more than 4 percent for the replacement or acquisition
9 of capital equipment, including equipment for the improve-
10 ment, delivery, and implementation of financial, adminis-
11 trative, and information technology services, and other
12 systems of the National Finance Center or to pay any un-
13 foreseen, extraordinary cost of the National Finance Cen-
14 ter: *Provided further*, That none of the amounts reserved
15 shall be available for obligation unless the Secretary sub-
16 mits written notification of the obligation to the Commit-
17 tees on Appropriations of both Houses of Congress: *Pro-*
18 *vided further*, That the limitations on the obligation of
19 funds pending notification to Congressional Committees
20 shall not apply to any obligation that, as determined by
21 the Secretary, is necessary to respond to a declared state
22 of emergency that significantly impacts the operations of
23 the National Finance Center; or to evacuate employees of
24 the National Finance Center to a safe haven to continue
25 operations of the National Finance Center.

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

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

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

24 SEC. 706. None of the funds made available to the
25 Department of Agriculture by this Act may be used to ac-

1 quire new information technology systems or significant
2 upgrades, as determined by the Office of the Chief Infor-
3 mation Officer, without the approval of the Chief Informa-
4 tion Officer and the concurrence of the Executive Informa-
5 tion Technology Investment Review Board: *Provided*, That
6 notwithstanding any other provision of law, none of the
7 funds appropriated or otherwise made available by this
8 Act may be transferred to the Office of the Chief Informa-
9 tion Officer without written notification to and the prior
10 approval of the Committees on Appropriations of both
11 Houses of Congress: *Provided further*, That, notwith-
12 standing section 11319 of title 40, United States Code,
13 none of the funds available to the Department of Agri-
14 culture for information technology shall be obligated for
15 projects, contracts, or other agreements over \$25,000
16 prior to receipt of written approval by the Chief Informa-
17 tion Officer: *Provided further*, That the Chief Information
18 Officer may authorize an agency to obligate funds without
19 written approval from the Chief Information Officer for
20 projects, contracts, or other agreements up to \$250,000
21 based upon the performance of an agency measured
22 against the performance plan requirements described in
23 the explanatory statement accompanying Public Law 113–
24 235.

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

6 SEC. 708. Notwithstanding any other provision of
7 law, any former RUS borrower that has repaid or prepaid
8 an insured, direct or guaranteed loan under the Rural
9 Electrification Act of 1936, or any not-for-profit utility
10 that is eligible to receive an insured or direct loan under
11 such Act, shall be eligible for assistance under section
12 313(b)(2)(B) of such Act in the same manner as a bor-
13 rower under such Act.

14 SEC. 709. Except as otherwise specifically provided
15 by law, not more than \$20,000,000 in unobligated bal-
16 ances from appropriations made available for salaries and
17 expenses in this Act for the Farm Service Agency shall
18 remain available through September 30, 2020, for infor-
19 mation technology expenses: *Provided*, That except as oth-
20 erwise specifically provided by law, unobligated balances
21 from appropriations made available for salaries and ex-
22 penses in this Act for the Rural Development mission area
23 shall remain available through September 30, 2020, for
24 information technology expenses.

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

6 SEC. 711. In the case of each program established
7 or amended by the Agricultural Act of 2014 (Public Law
8 113–79), other than by title I or subtitle A of title III
9 of such Act, or programs for which indefinite amounts
10 were provided in that Act, that is authorized or required
11 to be carried out using funds of the Commodity Credit
12 Corporation—

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

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

1 SEC. 712. Of the funds made available by this Act,
2 not more than \$2,900,000 shall be used to cover necessary
3 expenses of activities related to all advisory committees,
4 panels, commissions, and task forces of the Department
5 of Agriculture, except for panels used to comply with nego-
6 tiated rule makings and panels used to evaluate competi-
7 tively awarded grants.

8 SEC. 713. None of the funds in this Act shall be avail-
9 able to pay indirect costs charged against any agricultural
10 research, education, or extension grant awards issued by
11 the National Institute of Food and Agriculture that exceed
12 30 percent of total Federal funds provided under each
13 award: *Provided*, That notwithstanding section 1462 of
14 the National Agricultural Research, Extension, and
15 Teaching Policy Act of 1977 (7 U.S.C. 3310), funds pro-
16 vided by this Act for grants awarded competitively by the
17 National Institute of Food and Agriculture shall be avail-
18 able to pay full allowable indirect costs for each grant
19 awarded under section 9 of the Small Business Act (15
20 U.S.C. 638).

21 SEC. 714. (a) None of the funds made available in
22 this Act may be used to maintain or establish a computer
23 network unless such network blocks the viewing,
24 downloading, and exchanging of pornography.

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

5 SEC. 715. Notwithstanding subsection (b) of section
6 14222 of Public Law 110–246 (7 U.S.C. 612c–6; in this
7 section referred to as “section 14222”), none of the funds
8 appropriated or otherwise made available by this or any
9 other Act shall be used to pay the salaries and expenses
10 of personnel to carry out a program under section 32 of
11 the Act of August 24, 1935 (7 U.S.C. 612c; in this section
12 referred to as “section 32”) in excess of \$1,299,600,000
13 (exclusive of carryover appropriations from prior fiscal
14 years), as follows: Child Nutrition Programs Entitlement
15 Commodities—\$485,000,000; State Option Contracts—
16 \$5,000,000; Removal of Defective Commodities—
17 \$2,500,000; Administration of Section 32 Commodity
18 Purchases—\$35,853,000: *Provided*, That of the total
19 funds made available in the matter preceding this proviso
20 that remain unobligated on October 1, 2019, such unobli-
21 gated balances shall carryover into fiscal year 2020 and
22 shall remain available until expended for any of the three
23 stated purposes of section 32, except that any such carry-
24 over funds used in accordance with clause (3) of section
25 32 may not exceed \$350,000,000 and may not be obli-

1 gated until the Secretary of Agriculture provides written
2 notification of the expenditures to the Committees on Ap-
3 propriations of both Houses of Congress at least two
4 weeks in advance: *Provided further*, That, with the excep-
5 tion of any available carryover funds authorized in any
6 prior appropriations Act to be used for the purposes of
7 clause (3) of section 32, none of the funds appropriated
8 or otherwise made available by this or any other Act shall
9 be used to pay the salaries or expenses of any employee
10 of the Department of Agriculture to carry out clause (3)
11 of section 32.

12 SEC. 716. None of the funds appropriated by this or
13 any other Act shall be used to pay the salaries and ex-
14 penses of personnel who prepare or submit appropriations
15 language as part of the President's budget submission to
16 the Congress for programs under the jurisdiction of the
17 Appropriations Subcommittees on Agriculture, Rural De-
18 velopment, Food and Drug Administration, and Related
19 Agencies that assumes revenues or reflects a reduction
20 from the previous year due to user fees proposals that
21 have not been enacted into law prior to the submission
22 of the budget unless such budget submission identifies
23 which additional spending reductions should occur in the
24 event the user fees proposals are not enacted prior to the

1 date of the convening of a committee of conference for
2 the fiscal year 2020 appropriations Act.

3 SEC. 717. (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 derived by the collection of
8 fees available to the agencies funded by this Act, shall be
9 available for obligation or expenditure through a re-
10 programming, transfer of funds, or reimbursements as au-
11 thorized by the Economy Act, or in the case of the Depart-
12 ment of Agriculture, through use of the authority provided
13 by section 702(b) of the Department of Agriculture Or-
14 ganic Act of 1944 (7 U.S.C. 2257) or section 8 of Public
15 Law 89–106 (7 U.S.C. 2263), that—

- 16 (1) creates new programs;
- 17 (2) eliminates a program, project, or activity;
- 18 (3) increases funds or personnel by any means
19 for any project or activity for which funds have been
20 denied or restricted;
- 21 (4) relocates an office or employees;
- 22 (5) reorganizes offices, programs, or activities;
- 23 or
- 24 (6) contracts out or privatizes any functions or
25 activities presently performed by Federal employees;

1 unless the Secretary of Agriculture, the Chairman of the
2 Commodity Futures Trading Commission, or the Sec-
3 retary of Health and Human Services (as the case may
4 be) notifies in writing and receives approval from the Com-
5 mittees on Appropriations of both Houses of Congress at
6 least 30 days in advance of the reprogramming of such
7 funds or the use of such authority.

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

19 (1) augments existing programs, projects, or ac-
20 tivities;

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

24 (3) results from any general savings from a re-
25 duction in personnel which would result in a change

1 in existing programs, activities, or projects as ap-
2 proved by Congress; unless the Secretary of Agri-
3 culture, the Chairman of the Commodity Futures
4 Trading Commission, or the Secretary of Health and
5 Human Services (as the case may be) notifies in
6 writing and receives approval from the Committees
7 on Appropriations of both Houses of Congress at
8 least 30 days in advance of the reprogramming or
9 transfer of such funds or the use of such authority.

10 (c) The Secretary of Agriculture, the Chairman of the
11 Commodity Futures Trading Commission, or the Sec-
12 retary of Health and Human Services shall notify in writ-
13 ing and receive approval from the Committees on Appro-
14 priations of both Houses of Congress before implementing
15 any program or activity not carried out during the pre-
16 vious fiscal year unless the program or activity is funded
17 by this Act or specifically funded by any other Act.

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

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

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

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

17 (e) As described in this section, no funds may be used
18 for any activities unless the Secretary of Agriculture, the
19 Chairman of the Commodity Futures Trading Commis-
20 sion, or the Secretary of Health and Human Services re-
21 ceives from the Committee on Appropriations of both
22 Houses of Congress written or electronic mail confirma-
23 tion of receipt of the notification as required in this sec-
24 tion.

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

7 SEC. 719. None of the funds appropriated or other-
8 wise made available to the Department of Agriculture, the
9 Food and Drug Administration, the Commodity Futures
10 Trading Commission, or the Farm Credit Administration
11 shall be used to transmit or otherwise make available re-
12 ports, questions, or responses to questions that are a re-
13 sult of information requested for the appropriations hear-
14 ing process to any non-Department of Agriculture, non-
15 Department of Health and Human Services, non-Com-
16 modity Futures Trading Commission, or non-Farm Credit
17 Administration employee.

18 SEC. 720. Unless otherwise authorized by existing
19 law, none of the funds provided in this Act, may be used
20 by an executive branch agency to produce any pre-
21 packaged news story intended for broadcast or distribution
22 in the United States unless the story includes a clear noti-
23 fication within the text or audio of the prepackaged news
24 story that the prepackaged news story was prepared or
25 funded by that executive branch agency.

1 SEC. 721. No employee of the Department of Agri-
2 culture may be detailed or assigned from an agency or
3 office funded by this Act or any other Act to any other
4 agency or office of the Department for more than 60 days
5 in a fiscal year unless the individual's employing agency
6 or office is fully reimbursed by the receiving agency or
7 office for the salary and expenses of the employee for the
8 period of assignment.

9 SEC. 722. Not later than 30 days after the date of
10 enactment of this Act, the Secretary of Agriculture, the
11 Commissioner of the Food and Drug Administration, the
12 Chairman of the Commodity Futures Trading Commis-
13 sion, and the Chairman of the Farm Credit Administra-
14 tion shall submit to the Committees on Appropriations of
15 both Houses of Congress a detailed spending plan by pro-
16 gram, project, and activity for all the funds made available
17 under this Act including appropriated user fees, as defined
18 in the report accompanying this Act.

19 SEC. 723. Of the unobligated balances from amounts
20 made available for the supplemental nutrition program as
21 authorized by section 17 of the Child Nutrition Act of
22 1966 (42 U.S.C. 1786), \$300,000,000 are hereby re-
23 scinded.

24 SEC. 724. The Secretary shall continue an inter-
25 mediary loan packaging program based on the pilot pro-

1 gram in effect for fiscal year 2013 for packaging and re-
2 viewing section 502 single family direct loans. The Sec-
3 retary shall continue agreements with current inter-
4 mediary organizations and with additional qualified inter-
5 mediary organizations. The Secretary shall work with
6 these organizations to increase effectiveness of the section
7 502 single family direct loan program in rural commu-
8 nities and shall set aside and make available from the na-
9 tional reserve section 502 loans an amount necessary to
10 support the work of such intermediaries and provide a pri-
11 ority for review of such loans.

12 SEC. 725. For loans and loan guarantees that do not
13 require budget authority and the program level has been
14 established in this Act, the Secretary of Agriculture may
15 increase the program level for such loans and loan guaran-
16 tees by not more than 25 percent: *Provided*, That prior
17 to the Secretary implementing such an increase, the Sec-
18 retary notifies, in writing, the Committees on Appropria-
19 tions of both Houses of Congress at least 15 days in ad-
20 vance.

21 SEC. 726. None of the credit card refunds or rebates
22 transferred to the Working Capital Fund pursuant to sec-
23 tion 729 of the Agriculture, Rural Development, Food and
24 Drug Administration, and Related Agencies Appropria-
25 tions Act, 2002 (7 U.S.C. 2235a; Public Law 107-76)

1 shall be available for obligation without written notifica-
2 tion to, and the prior approval of, the Committees on Ap-
3 propriations of both Houses of Congress: *Provided*, That
4 the refunds or rebates so transferred shall be available for
5 obligation only for the acquisition of plant and capital
6 equipment necessary for the delivery of financial, adminis-
7 trative, and information technology services of primary
8 benefit to the agencies of the Department of Agriculture.

9 SEC. 727. None of the funds made available by this
10 Act may be used to implement, administer, or enforce the
11 “variety” requirements of the final rule entitled “Enhanc-
12 ing Retailer Standards in the Supplemental Nutrition As-
13 sistance Program (SNAP)” published by the Department
14 of Agriculture in the Federal Register on December 15,
15 2016 (81 Fed. Reg. 90675) until the Secretary of Agri-
16 culture amends the definition of the term “variety” as de-
17 fined in section 278.1(b)(1)(ii)(C) of title 7, Code of Fed-
18 eral Regulations, and “variety” as applied in the definition
19 of the term “staple food” as defined in section 271.2 of
20 title 7, Code of Federal Regulations, to increase the num-
21 ber of items that qualify as acceptable varieties in each
22 staple food category so that the total number of such items
23 in each staple food category exceeds the number of such
24 items in each staple food category included in the final
25 rule as published on December 15, 2016: *Provided*, That

1 until the Secretary promulgates such regulatory amend-
2 ments, the Secretary shall apply the requirements regard-
3 ing acceptable varieties and breadth of stock to Supple-
4 mental Nutrition Assistance Program retailers that were
5 in effect on the day before the date of the enactment of
6 the Agricultural Act of 2014 (Public Law 113–79).

7 SEC. 728. Notwithstanding section 343(a)(13)(C) of
8 the Consolidated Farm and Rural Development Act, for
9 the purpose of water and waste disposal guaranteed loans
10 provided under paragraphs (1) and (24) of section 306(a)
11 of such Act, the terms “rural” and “rural areas” mean
12 a city, town, or unincorporated area that has a population
13 of no more than 20,000 inhabitants.

14 SEC. 729. Funds provided by this or any prior Appro-
15 priations Act for the Agriculture and Food Research Ini-
16 tiative under subsection (b) of the Competitive, Special,
17 and Facilities Research Grant Act (7 U.S.C. 3157(b))
18 shall be made available without regard to section 1492 of
19 the National Agricultural Research, Extension, and
20 Teaching Policy Act of 1977 (7 U.S.C. 3371) under the
21 matching requirements applicable to such Initiative (other
22 than paragraph (9) of such subsection (b)) in effect on
23 the day before the date of enactment of such section 1492.

24 SEC. 730. In carrying out subsection (h) of section
25 502 of the Housing Act of 1949 (42 U.S.C. 1472), the

1 Secretary of Agriculture shall have the same authority
2 with respect to loans guaranteed under such section and
3 eligible lenders for such loans as the Secretary has under
4 subsections (h) and (j) of section 538 of such Act (42
5 U.S.C. 1490p-2) with respect to loans guaranteed under
6 such section 538 and eligible lenders for such loans.

7 SEC. 731. None of the funds made available by this
8 Act may be used to propose, promulgate, or implement
9 any rule, or take any other action with respect to, allowing
10 or requiring information intended for a prescribing health
11 care professional, in the case of a drug or biological prod-
12 uct subject to section 503(b)(1) of the Federal Food,
13 Drug, and Cosmetic Act (21 U.S.C. 353(b)(1)), to be dis-
14 tributed to such professional electronically (in lieu of in
15 paper form) unless and until a Federal law is enacted to
16 allow or require such distribution.

17 SEC. 732. None of the funds made available by this
18 Act may be used to notify a sponsor or otherwise acknowl-
19 edge receipt of a submission for an exemption for inves-
20 tigational use of a drug or biological product under section
21 505(i) of the Federal Food, Drug, and Cosmetic Act (21
22 U.S.C. 355(i)) or section 351(a)(3) of the Public Health
23 Service Act (42 U.S.C. 262(a)(3)) in research in which
24 a human embryo is intentionally created or modified to
25 include a heritable genetic modification. Any such submis-

1 sion shall be deemed to have not been received by the Sec-
2 retary, and the exemption may not go into effect.

3 SEC. 733. None of the funds made available by this
4 or any other Act may be used to carry out the final rule
5 promulgated by the Food and Drug Administration and
6 put into effect November 16, 2015, in regards to the haz-
7 ard analysis and risk-based preventive control require-
8 ments of the current good manufacturing practice, hazard
9 analysis, and risk-based preventive controls for food for
10 animals rule with respect to the regulation of the produc-
11 tion, distribution, sale, or receipt of dried spent grain by-
12 products of the alcoholic beverage production process.

13 SEC. 734. Funds made available under title II of the
14 Food for Peace Act (7 U.S.C. 1721 et seq.) may only be
15 used to provide assistance to recipient nations if adequate
16 monitoring and controls, as determined by the Adminis-
17 trator, are in place to ensure that emergency food aid is
18 received by the intended beneficiaries in areas affected by
19 food shortages and not diverted for unauthorized or inap-
20 propriate purposes.

21 SEC. 735. Notwithstanding 5 U.S.C.5315, the Ad-
22 ministrator for Rural Utilities Service, U.S. Department
23 of Agriculture, shall receive basic pay at a rate not to ex-
24 ceed the maximum amount of compensation payable to a
25 member of the Senior Executive Service under subsection

1 (b) of section 5382 of title 5 United States Code, except
2 that the certification requirement in that subsection shall
3 not apply to the compensation of the Administrator.

4 SEC. 736. For fiscal year 2018 and hereafter, the
5 Secretary shall regulate products made from cells of ame-
6 nable species of livestock, as defined in the Federal Meat
7 Inspection Act, or poultry, as defined in the Poultry Prod-
8 ucts Inspection act, grown under controlled conditions for
9 use as human food, and shall issue regulations prescribing
10 the type and frequency of inspection required for the man-
11 ufacture and processing of such products, as well as other
12 requirements necessary to prevent the adulteration and
13 misbranding of these products.

14 SEC. 737. None of the funds made available by this
15 Act may be used by the Secretary of Agriculture, acting
16 through the Food and Nutrition Service, to commence any
17 new research and evaluation projects until the Secretary
18 submits to the Committees on Appropriations of both
19 Houses of Congress a research and evaluation plan for fis-
20 cal year 2019, prepared in coordination with the Research,
21 Education, and Economics mission area of the Depart-
22 ment of Agriculture, and a period of 30 days beginning
23 on the date of the submission of the plan expires to permit
24 Congressional review of the plan.

1 SEC. 738. Section 4s(e)(4) of the Commodity Ex-
2 change Act (7 U.S.C. 6s(e)(4)) is amended—

3 (1) by inserting “(A)” before “The require-
4 ments” ; and

5 (2) by adding after and below the end the fol-
6 lowing:

7 “(B) The initial margin requirements im-
8 posed by rules adopted pursuant to paragraphs
9 (2)(A)(ii) and (2)(B)(ii) shall not apply to any
10 swap in which—

11 “(i) one counter party is a person in
12 which the other counterparty, directly or
13 indirectly, holds a majority ownership in-
14 terest; or

15 “(ii) a third party, directly or indi-
16 rectly, holds a majority ownership interest
17 in both counterparties.”.

18 SEC. 739. (a) The Secretary of Agriculture shall—

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

22 (A) veterinary control and oversight;

23 (B) disease history and vaccination prac-
24 tices;

1 (C) livestock demographics and
2 traceability;

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

5 (E) surveillance practices;

6 (F) diagnostic laboratory capabilities; and

7 (G) emergency preparedness and response;

8 and

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

12 SEC. 740. No food that bears or contains partially
13 hydrogenated oils (as defined in the order published by
14 the Food and Drug Administration in the Federal Reg-
15 ister on June 17, 2015 (80 Fed. Reg. 34650 et seq.)) shall
16 be considered to be adulterated within the meaning of sub-
17 section (a)(1) or (a)(2)(C)(i) of section 402 of the Federal
18 Food, Drug, and Cosmetic Act (21 U.S.C. 342(a)) because
19 such food contains such partially hydrogenated oils so long
20 as such food is introduced or delivered for introduction
21 into interstate commerce on or before June 18, 2018.

22 SEC. 741. None of the funds made available by this
23 Act may be used to carry out any activities or incur any
24 expense related to the issuance of licenses under section
25 3 of the Animal Welfare Act (7 U.S.C. 2133), or the re-

1 newal of such licenses, to class B dealers who sell dogs
2 and cats for use in research, experiments, teaching, or
3 testing.

4 SEC. 742. There is appropriated \$20,000,000 to the
5 Commodity Credit Corporation, in addition to amounts
6 otherwise made available, for section 1110(f)(3) of the
7 Food Security Act of 1985 (7 U.S.C. 1736o(f)(3)).

8 SEC. 743. (a)(1) No Federal funds made available for
9 this fiscal year for the rural water, waste water, waste dis-
10 posal, and solid waste management programs authorized
11 by sections 306, 306A, 306C, 306D, 306E, and 310B of
12 the Consolidated Farm and Rural Development Act (7
13 U.S.C. 1926 et seq.) shall be used for a project for the
14 construction, alteration, maintenance, or repair of a public
15 water or wastewater system unless all of the iron and steel
16 products used in the project are produced in the United
17 States.

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

24 (b) Subsection (a) shall not apply in any case or cat-
25 egory of cases in which the Secretary of Agriculture (in

1 this section referred to as the “Secretary”) or the designee
2 of the Secretary finds that—

3 (1) applying subsection (a) would be incon-
4 sistent with the public interest;

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

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

11 (c) If the Secretary or the designee receives a request
12 for a waiver under this section, the Secretary or the des-
13 ignee shall make available to the public on an informal
14 basis a copy of the request and information available to
15 the Secretary or the designee concerning the request, and
16 shall allow for informal public input on the request for
17 at least 15 days prior to making a finding based on the
18 request. The Secretary or the designee shall make the re-
19 quest and accompanying information available by elec-
20 tronic means, including on the official public Internet Web
21 site of the Department.

22 (d) This section shall be applied in a manner con-
23 sistent with United States obligations under international
24 agreements.

1 (e) The Secretary may retain up to 0.25 percent of
2 the funds appropriated in this Act for “Rural Utilities
3 Service—Rural Water and Waste Disposal Program Ac-
4 count” for carrying out the provisions described in sub-
5 section (a)(1) for management and oversight of the re-
6 quirements of this section.

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

13 (g) For purposes of this section, the terms “United
14 States” and “State” shall include each of the several
15 States, the District of Columbia, and each federally recog-
16 nized Indian tribe.

17 SEC. 744. For the purposes of determining eligibility
18 or level of program assistance for Rural Development pro-
19 grams the Secretary shall not include incarcerated prison
20 populations.

21 SEC. 745. None of the funds appropriated by this Act
22 may be used in any way, directly or indirectly, to influence
23 congressional action on any legislation or appropriation
24 matters pending before Congress, other than to commu-

1 nicate to Members of Congress as described in 18 U.S.C.
2 1913.

3 SEC. 746. For an additional amount for “National
4 Institute for Food and Agriculture-Research and Edu-
5 cation Activities,” \$14,000,000 for relocation expenses
6 and for alteration and repair of leased buildings and im-
7 provements pursuant to 7 U.S.C. 2250.

8 SEC. 747. The Secretary of Agriculture and the Sec-
9 retary’s designees are hereby granted the same access to
10 information and subject to the same requirements applica-
11 ble to the Secretary of Housing and Urban Development
12 as provided in section 453 of the Social Security Act (42
13 U.S.C. 653) and section 6103(1)(7)(D)(ix) of the Internal
14 Revenue Code of 1986 (26 U.S.C. 1603(1)(7)(D)(ix)) to
15 verify the income for individuals participating in sections
16 502, 504, 521, and 542 of the Housing Act of 1949 (42
17 U.S.C. 1472, 1474, 1490a, and 1490r), notwithstanding
18 section 453(l)(1) of the Social Security Act.

19 SEC. 748. None of the funds made available by this
20 Act may be used to procure raw or processed poultry prod-
21 ucts imported into the United States from the People’s
22 Republic of China for use in the school lunch program
23 under the Richard B. Russell National School Lunch Act
24 (42 U.S.C. 1751 et seq.), the Child and Adult Care Food
25 Program under section 17 of such Act (42 U.S.C. 1766),

1 the Summer Food Service Program for Children under
2 section 13 of such Act (42 U.S.C. 1761), or the school
3 breakfast program under the Child Nutrition Act of 1966
4 (42 U.S.C. 1771 et seq.).

5 SEC. 749. In response to an eligible community where
6 the drinking water supplies are inadequate due to a nat-
7 ural disaster, as determined by the Secretary, including
8 drought or severe weather, the Secretary may provide po-
9 table water through the Emergency Community Water As-
10 sistance Grant Program for an additional period of time
11 not to exceed 120 days beyond the established period pro-
12 vided under the Program in order to protect public health.

13 SEC. 750. Of the total amounts made available by
14 this Act for direct loans and grants in the following head-
15 ings: “Rural Housing Service—Rural Housing Insurance
16 Fund Program Account”; “Rural Housing Service—Mu-
17 tual and Self-Help Housing Grants”; “Rural Housing
18 Service—Rural Housing Assistance Grants”; “Rural
19 Housing Service—Rural Community Facilities Program
20 Account”; “Rural Business-Cooperative Service—Rural
21 Business Program Account”; “Rural Business-Coopera-
22 tive Service—Rural Economic Development Loans Pro-
23 gram Account”; “Rural Business-Cooperative Service—
24 Rural Cooperative Development Grants”; “Rural Utilities
25 Service—Rural Water and Waste Disposal Program Ac-

1 count”; “Rural Utilities Service—Rural Electrification
2 and Telecommunications Loans Program Account”; and
3 “Rural Utilities Service—Distance Learning, Telemedi-
4 cine, and Broadband Program”, to the maximum extent
5 feasible, at least 10 percent of the funds shall be allocated
6 for assistance in persistent poverty counties under this
7 section, including, notwithstanding any other provision re-
8 garding population limits, any county seat of such a per-
9 sistent poverty county that has a population that does not
10 exceed the authorized population limit by more than 10
11 percent: *Provided*, That for purposes of this section, the
12 term “persistent poverty counties” means any county that
13 has had 20 percent or more of its population living in pov-
14 erty over the past 30 years, as measured by the 1980,
15 1990, and 2000 decennial censuses, and 2007–2011
16 American Community Survey 5-year average: *Provided*
17 *further*, That with respect to specific activities for which
18 program levels have been made available by this Act that
19 are not supported by budget authority, the requirements
20 of this section shall be applied to such program level.

21 SEC. 751. (a) No funds shall be used to finalize the
22 proposed rule entitled “Eligibility of the People’s Republic
23 of China (PRC) to Export to the United States Poultry
24 Products from Birds Slaughtered in the PRC” published
25 in the Federal Register by the Department of Agriculture

1 on June 16, 2017 (82 Fed. Reg. 27625), unless the Sec-
2 retary of Agriculture shall—

3 (1) ensure that the poultry slaughter inspection
4 system for the PRC is equivalent to that of the
5 United States;

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

11 (3) conduct periodic verification reviews and au-
12 dits of any such plants in the PRC intending to ex-
13 port into the United States processed poultry prod-
14 ucts;

15 (4) conduct re-inspection of such poultry prod-
16 ucts at United States ports-of-entry to check the
17 general condition of such products, for the proper
18 certification and labeling of such products, and for
19 any damage to such products that may have oc-
20 curred during transportation; and

21 (5) ensure that shipments of any such poultry
22 products selected to enter the United States are sub-
23 ject to additional re-inspection procedures at appro-
24 priate levels to verify that the products comply with
25 relevant Federal regulations or standards, including

1 examinations for product defects and laboratory
2 analyses to detect harmful chemical residues or
3 pathogen testing appropriate for the products in-
4 volved.

5 (b) This section shall be applied in a manner con-
6 sistent with obligations of the United States under any
7 trade agreement to which the United States is a party.

8 SEC. 752. None of the funds made available by this
9 Act may be used by the Food and Drug Administration
10 to develop, issue, promote, or advance any regulations ap-
11 plicable to food manufacturers for population-wide sodium
12 reduction actions or to develop, issue, promote or advance
13 final guidance applicable to food manufacturers for long
14 term population-wide sodium reduction actions until the
15 date on which a dietary reference intake report with re-
16 spect to sodium is completed.

17 SEC. 753. There is hereby appropriated \$2,000,000,
18 to remain available until September 30, 2020, for the cost
19 of loans and grants that is consistent with section 4206
20 of the Agricultural Act of 2014, for necessary expenses
21 of the Secretary to support projects that provide access
22 to healthy food in underserved areas, to create and pre-
23 serve quality jobs, and to revitalize low-income commu-
24 nities.

1 SEC. 754. For an additional amount for “Animal and
2 Plant Health Inspection Service—Salaries and Expenses”,
3 \$8,500,000, to remain available until September 30, 2020,
4 for one-time control and management and associated ac-
5 tivities directly related to the multiple-agency response to
6 citrus greening.

7 SEC. 755. None of the funds made available by this
8 or any other Act may be used to enforce the final rule
9 promulgated by the Food and Drug Administration enti-
10 tled “Standards for the Growing, Harvesting, Packing,
11 and Holding of Produce for Human Consumption,” and
12 published on November 27, 2015, with respect to the regu-
13 lation of the production, distribution, sale, or receipt of
14 grape varieties that are grown, harvested and used solely
15 for wine and receive commercial processing that ade-
16 quately reduces the presence of microorganisms of public
17 health significance.

18 SEC. 756. None of the funds made available by this
19 Act may be used to revoke an exception made—

20 (1) pursuant to the rule entitled “Exceptions to
21 Geographic Areas for Official Agencies Under the
22 USGSA” published by the Department of Agri-
23 culture in the Federal Register on April 18, 2003
24 (68 Fed. Reg. 19137, 19139); and

25 (2) on a date before April 14, 2017.

1 SEC. 757. For school year 2019–2020, only a school
2 food authority that had a negative balance in the nonprofit
3 school food service account as of December 31, 2018, shall
4 be required to establish a price for paid lunches in accord-
5 ance with Section 12(p) of the Richard B. Russell Na-
6 tional School Lunch Act, 42 U.S.C. 1760(p).

7 SEC. 758. There is hereby appropriated \$5,000,000,
8 to remain available until September 30, 2020, for a pilot
9 program for the National Institute of Food and Agri-
10 culture to provide grants to nonprofit organizations for
11 programs and services to establish and enhance farming
12 and ranching opportunities for military veterans.

13 SEC. 759. For an additional amount for “Rural Utili-
14 ties Service—Distance Learning, Telemedicine, and
15 Broadband Program”, \$550,000,000, to remain available
16 until expended, for the Secretary of Agriculture to conduct
17 a broadband loan and grant pilot program under the Rural
18 Electrification Act of 1936 (7 U.S.C. 901 et seq.): *Pro-*
19 *vided*, That for the purpose of the pilot program, the au-
20 thorities provided in such Act shall include the authority
21 to make grants for such purposes, as described in section
22 601(a) of such Act: *Provided further*, That the cost of di-
23 rect loans shall be as defined in section 502 of the Con-
24 gressional Budget Act of 1974: *Provided further*, That at
25 least 90 percent of the households to be served by a project

1 receiving a loan or grant under the pilot program shall
2 be in a rural area without sufficient access to broadband,
3 defined for this pilot program as 10 Mbps downstream,
4 and 1 Mbps upstream, which shall be reevaluated and re-
5 determined, as necessary, on an annual basis by the Sec-
6 retary of Agriculture: *Provided further*, That an entity to
7 which a loan or grant is made under the pilot program
8 shall not use the loan or grant to overbuild or duplicate
9 broadband expansion efforts made by any entity that has
10 received a broadband loan from the Rural Utilities Service:
11 *Provided further*, That in addition to other available funds,
12 not more than four percent of the funds can be used for
13 administrative costs to carry out this pilot program and
14 up to three percent may be utilized for technical assistance
15 and pre-development planning activities to support the
16 most rural communities, which shall be transferred to and
17 merged with the appropriation for “Rural Development,
18 Salaries and Expenses”: *Provided further*, That the Rural
19 Utility Service is directed to expedite program delivery
20 methods that would implement this section: *Provided fur-*
21 *ther*, That for purposes of this section, the Secretary shall
22 adhere to the notice, reporting and service area assess-
23 ment requirements set forth in sections 6104(a)(2)(D)
24 and 6104(a)(2)(E) of the Agricultural Act of 2014 (7
25 U.S.C. 950bb(d)(5), and 950bb(d)(8) and 950bb(d)(10)).

1 SEC. 760. Section 202 of H.R. 238, One Hundred
2 Fifteenth Congress, as passed by the House of Represent-
3 atives on January 12, 2017, is hereby enacted into law.

4 SEC. 761. With the exception of funds needed to ad-
5 minister, complete, and conduct oversight of contracts
6 awarded and obligations incurred prior to enactment of
7 this Act, none of the funds appropriated or otherwise
8 made available by this or any other Act shall be used to
9 pay the salaries and expenses of personnel to carry out
10 the Biomass Crop Assistance Program authorized by sec-
11 tion 9011 of the Farm Security and Rural Investment Act
12 of 2002 (7 U.S.C. 8111).

13 SEC. 762. Not later than July 31, 2019, the Sec-
14 retary of Health and Human Services shall finalize the
15 draft guidance for industry entitled “Bacterial Risk Con-
16 trol Strategies for Blood Collection Establishments and
17 Transfusion Services to Enhance the Safety and Avail-
18 ability of Platelets for Transfusion” issued by the Food
19 and Drug Administration in March of 2016.

20 SEC. 763. Not later than 180 days after the date of
21 the enactment of this section, the Secretary of Agriculture
22 shall submit a report to the Committees on Appropriations
23 of both Houses of Congress that includes a summary of
24 the process used in establishing the 2020-2025 Dietary
25 Guidelines for Americans published pursuant to section

1 301 of the National Nutrition Monitoring and Related Re-
2 search Act of 1990 (7 U.S.C. 5341) and an explanation
3 with respect to the decision to incorporate or exclude in
4 such Dietary Guidelines for Americans recommendations
5 from the report by the National Academies of Science, En-
6 gineering, and Medicine entitled “Redesigning the Process
7 for Establishing the Dietary Guidelines for Americans”
8 and issued September, 2017.

9 SEC. 764. None of the funds made available by this
10 Act shall be used to implement, administer, or enforce the
11 final rule entitled “Food Labeling: Revision of the Nutri-
12 tion and Supplement Facts Labels”, published in the Fed-
13 eral Register on May 27, 2016 (81 Fed. Reg. 33742) to
14 the extent such rule requires that the nutrition facts panel
15 on the labeling of a single-ingredient food that does not
16 have any sugars or sweeteners added to the food, such
17 as honey and maple syrup, include a statement that the
18 food contains added sugars.

19 SEC. 765. Paragraph (4) of section 1444(a) of the
20 National Agricultural Research, Extension, and Teaching
21 Policy Act of 1977 (7 U.S.C. 3221 (a)) is amended—

22 (1) by striking “No more than” and inserting
23 the following: “For fiscal years ending on or before
24 September 30, 2018, no more than”;

1 (2) by striking “by an institution” and insert-
2 ing “by an eligible institution under this section”;
3 and

4 (3) by adding at the end the following new sen-
5 tence: “For fiscal years beginning on or after Octo-
6 ber 1, 2018, the limitation specified in the preceding
7 sentence shall not apply and 100 percent of such
8 funds may be carried forward to the succeeding fis-
9 cal year.”

10 SEC. 766. The establishment of any affirmative dis-
11 closure requirements relating to the genetic engineering
12 of salmon or other finfish, or foods containing genetically
13 engineered salmon or other finfish shall be made in ac-
14 cordance with the National Bioengineered Food Disclosure
15 Standard (7 U.S.C. 1639) and any rules or regulations
16 implementing that Act as promulgated by the Secretary
17 of Agriculture.

18 SEC. 767. None of the funds made available by this
19 Act may be used to implement or enforce the matter fol-
20 lowing the first comma in the second sentence of footnote
21 (c) of section 220.8(c) of title 7, Code of Federal Regula-
22 tions, with respect to the substitution of vegetables for
23 fruits under the school breakfast program established
24 under section 4 of the Child Nutrition Act of 1966 (42
25 U.S.C. 1773).

1 SEC. 768. Section 9 of the Food and Nutrition Act
2 of 2008 (7 U.S.C. 2018) is amended by adding at the end
3 the following:

4 “(i) NONDISCLOSURE.—Any supplemental nutrition
5 assistance program transaction data that contains infor-
6 mation specific to a retail food store, a retail food store
7 location, a person, or other entity shall be exempt from
8 the disclosure requirements of section 552(a) of title 5 of
9 the United States Code pursuant to section 552(b)(3) of
10 title 5 of the United States Code.”.

11 SEC. 769. None of the funds appropriated or other-
12 wise made available by this Act or any other Act with re-
13 spect to any fiscal year may be used to implement, admin-
14 ister, or enforce the final rule with the regulation identifier
15 number 0910–AG38 published by the Food and Drug Ad-
16 ministration in the Federal Register on May 10, 2016 (81
17 Fed. Reg. 28974) with respect to traditional large and
18 premium cigars. For the purposes of this section, the term
19 “traditional large and premium cigar” means—

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

24 (1) has a 100 percent leaf tobacco binder and
25 is hand rolled;

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

5 (3) has a homogenized tobacco leaf binder and
6 is made in the United States using human hands to
7 lay each 100 percent leaf tobacco wrapper individ-
8 ually onto a single machine that bunches, wraps,
9 and caps each individual cigar on such single ma-
10 chine and makes no more than 15 cigars per minute;
11 and

12 (b) is not a cigarette or a little cigar (as such terms
13 are defined in paragraphs (3) and (11), respectively, of
14 section 900 of the Federal Food, Drug, and Cosmetic Act
15 (21 U.S.C. 387)).

16 SEC. 770. None of the funds appropriated or other-
17 wise made available by this Act or any other Act with re-
18 spect to any fiscal year may, for cigars and pipe tobacco,
19 and components and parts thereof, which the Secretary
20 of Health and Human Services by regulation under section
21 901(b) of the Federal Food, Drug, and Cosmetic Act (21
22 U.S.C. 387a(b)) deems to be subject to chapter IX of such
23 Act, be used to treat any reference in sections 905(j) or
24 910(a) of such Act (21 U.S.C. 387e(j), 387j(a)) to Feb-
25 ruary 15, 2007, as other than a reference to April 25,

1 2014, the date of the regulation under which tobacco prod-
2 ucts were proposed to be deemed subject to the require-
3 ments of such chapter pursuant to section 901(b) of such
4 Act (21 U.S.C. 387a(b)).

5 SEC. 771. (a) Section 905(j)(1)(A)(i) of the Federal
6 Food, Drug, and Cosmetic Act (21 U.S.C.
7 387e(j)(1)(A)(i)) is amended by inserting “or to a tobacco
8 product subject to an order that the Secretary has issued
9 to such person under subsection (c)(1)(A)(i) of section
10 910,” after “as of February 15, 2007,”.

11 (b) Section 910(a)(2)(A)(i)(I) of the Federal Food,
12 Drug, and Cosmetic Act (21 U.S.C. 387j(a)(2)(A)(i)(I))
13 is amended by inserting “, or to a tobacco product subject
14 to an order that the Secretary has issued to such person
15 under subsection (c)(1)(A)(i)” after “as of February 15,
16 2007”.

17 SEC. 772. (a) Notwithstanding any other provision
18 of law, not later than 21 months after the date of enact-
19 ment of this Act, the Secretary of Health and Human
20 Services shall issue a notice of proposed rulemaking to es-
21 tablish a product standard for vapor products pursuant
22 to section 907 of the Federal Food, Drug, and Cosmetic
23 Act (21 U.S.C. 387g) to include but not be limited to—

24 (1) characterizing flavors; and

25 (2) batteries.

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

5 SEC. 773. (a) A vapor product shall be deemed to
6 be misbranded under section 903(a) of the Federal Food,
7 Drug, and Cosmetic Act (21 U.S.C. 387c(a)) if the adver-
8 tising with respect to the vapor product is disseminated
9 by a manufacturer, distributor, or retailer of the product
10 in a newspaper, magazine, periodical, or other publication
11 (including any publication of periodic or limited distribu-
12 tion) other than an adult publication.

13 (b)(1) A retailer may only sell any vapor product in
14 a direct face-to-face exchange without the assistance of
15 any electronic or mechanical device (such as a vending ma-
16 chine).

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

19 (A) mail-order; or

20 (B) a vending machine or self-service display if,
21 with respect to the facility in which such vending
22 machine or display is located, the retailer of such
23 products ensures that no person under 18 years of
24 age is present or permitted to enter.

1 (3) A violation of this section is deemed to constitute
2 a violation of the Federal Food, Drug, and Cosmetic Act
3 relating to a tobacco product for purposes of section
4 303(f)(9) of such Act (21 U.S.C. 333(f)(9)).

5 (c)(1) Not later than 12 months after the date of en-
6 actment of this Act, the Secretary of Health and Human
7 Services shall promulgate final regulations to require that
8 the labeling of vapor products contain—

9 (A) the phrase “Keep Out of Reach of Chil-
10 dren”;

11 (B) the phrase “Underage Sale Prohibited”;
12 and

13 (C) an accurate statement of the nicotine con-
14 tent of the vapor product.

15 (2) A vapor product whose label is in violation of the
16 regulations required by paragraph (1) is deemed to be mis-
17 branded under section 903 of the Federal Food, Drug,
18 and Cosmetic Act (21 U.S.C. 387c).

19 (d)(1) Every person who owns or operates an estab-
20 lishment in any State engaged in the retail sale of a vapor
21 product shall register that establishment with the Sec-
22 retary of Health and Human Services within the later of
23 60 days after the date of enactment of this Act, or 30
24 days after first engaging in such retail sale.

1 (2) The requirements of this subsection do not apply
2 with respect to any establishment subject to an active reg-
3 istration under—

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

6 (B) section 905 of the Federal Food, Drug, and
7 Cosmetic Act (21 U.S.C. 387e).

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

11 (e) In this section:

12 (1) The term “adult publication” means any
13 newspaper, magazine, periodical, or other publica-
14 tion—

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

19 (B) that is read by fewer than 2 million
20 persons younger than 18 years of age as meas-
21 ured by competent and reliable survey evidence.

22 (2) The terms “label” and “labeling” have the
23 meanings given to such terms in section 201 of the
24 Federal Food, Drug, and Cosmetic Act (21 U.S.C.
25 321).

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

4 (4) The term “vapor product”—

5 (A) means any non-combustible product
6 that employs a heating element, power source,
7 electronic circuit, or other electronic, chemical,
8 or mechanical means, regardless of shape or
9 size, to produce vapor from nicotine in a solu-
10 tion or other form;

11 (B) includes any electronic cigarette, elec-
12 tronic cigar, electronic cigarillo, electronic pipe,
13 or similar product or device, and any vapor car-
14 tridge or other container of nicotine in a solu-
15 tion or other form; and

16 (C) does not include any product regulated
17 as a drug or device by the Food and Drug Ad-
18 ministration under chapter V of the Federal
19 Food, Drug, and Cosmetic Act (21 U.S.C. 351
20 et seq.).

21 SEC. 774. Section 1043 of the Pro-Children Act of
22 1994 (20 U.S.C. 6083) is amended—

23 (1) by striking “smoking” each place it appears
24 in subsections (a), (b), and (c) and inserting “smok-
25 ing or use of vapor products”; and

1 (2) by striking “smoking” each place it appears
2 in subsection (e) and inserting “smoking or vapor
3 product”.

4 SEC. 775. Section 906(d) of the Federal Food, Drug,
5 and Cosmetic Act (21 U.S.C. 387f(d)) is amended by
6 striking paragraph (4) and inserting the following:

7 “(4) AGE VERIFICATION FOR REMOTE SALES.—

8 A delivery seller of vapor products—

9 “(A) shall not sell, deliver, or cause to be
10 delivered any vapor products to a person under
11 the minimum age required for the legal sale or
12 purchase of vapor products, as determined by
13 the applicable law at the place of delivery; and

14 “(B) shall not accept a delivery sale order
15 from a person without—

16 “(i) obtaining the full name, birth
17 date, and residential address of that per-
18 son; and

19 “(ii) verifying the information pro-
20 vided in clause (i), through the use of a
21 commercially available database or aggre-
22 gate of databases, consisting primarily of
23 data from government sources, that are
24 regularly used by government and busi-
25 nesses for the purpose of age and identity

1 verification and authentication, to ensure
2 that the purchaser is at least the minimum
3 age required for the legal sale or purchase
4 of vapor products, as determined by the
5 applicable law at the place of delivery.

6 “(C) LIMITATION.—No database being
7 used for age and identity verification under
8 subparagraph (B)(ii) shall be in the possession
9 or under the control of the delivery seller, or be
10 subject to any changes or supplementation by
11 the delivery seller.

12 “(D) DEFINITIONS.—In this paragraph:

13 “(i) The term ‘delivery sale’ means a
14 sale of vapor products in which—

15 “(I) the consumer submits the
16 order for the sale by means of a tele-
17 phone or other method of voice trans-
18 mission, the mails, or the Internet or
19 other online service, or the seller is
20 otherwise not in the physical presence
21 of the buyer when the request for pur-
22 chase or order is made; or

23 “(II) the vapor products are de-
24 livered to the buyer by common car-
25 rier, private delivery service, or other

1 method of remote delivery, or the sell-
2 er is not in the physical presence of
3 the buyer when the buyer obtains pos-
4 session of the vapor products.

5 “(ii) The term ‘delivery seller’ means
6 a person who makes a delivery sale, or pro-
7 vides an online marketplace to facilitate a
8 delivery sale.

9 “(iii) The term ‘online marketplace’
10 means an online portal or other digital or
11 similar platform that facilitates the sale of
12 products to consumers, through retail sale,
13 auction, or similar transactions.”.

14 SEC. 776. Not later than 180 days after the date of
15 the enactment of this Act, the Secretary of Health and
16 Human Services shall submit a report to the Committees
17 on Appropriations of both Houses of Congress, the Com-
18 mittee on Health, Education, Labor, and Pensions of the
19 Senate, and the Committee on Energy and Commerce of
20 the House of Representatives, that includes a plan of ac-
21 tion with respect to the development and operation of the
22 Youth Vapor Product Education, Prevention, and En-
23 forcement Program.

24 SEC. 777. (a) The Commissioner of Food and Drugs
25 shall conduct a study on preventing the use of electronic

1 nicotine delivery systems (referred to in this section as
2 “ENDS”) by youth. Such study shall include an analysis
3 of—

4 (1) the potential costs and benefits of using, and re-
5 quiring the use of, biometric security measures in
6 ENDS—

7 (A) during premarket development;

8 (B) at the time of sale; and

9 (C) during postmarket use;

10 (2) the effectiveness of such biometric security meas-
11 ures in preventing usage by youth of ENDS;

12 (3) the potential costs and benefits of requiring such
13 biometric security measures for sales of ENDS made
14 through mail delivery and via the Internet; and

15 (4) alternative technologies that may assist in pre-
16 venting usage by youth of ENDS.

17 (b) The Commissioner of Food and Drugs shall pro-
18 vide a report on the results of the study under subsection

19 (a) to the Committee on Appropriations of both Houses
20 of Congress not later than 180 days after the date of en-
21 actment of this Act.

22 SPENDING REDUCTION ACCOUNT

23 SEC. 778. \$0.

1 This division may be cited as the “Agriculture, Rural
2 Development, Food and Drug Administration, and Re-
3 lated Agencies Appropriations Act, 2019”.

Union Calendar No. 545

115TH CONGRESS
2^D Session

H. R. 5961

[Report No. 115-706]

A BILL

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2019, and for other purposes.

MAY 24, 2018

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