

Calendar No. 492

104TH CONGRESS
2^D SESSION

H. R. 3603

[Report No. 104-317]

AN ACT

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1997, and for other purposes.

JULY 11, 1996

Reported with amendments

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IN THE SENATE OF THE UNITED STATES

JUNE 13, 1996

Received; read twice and referred to the Committee on Appropriations

JULY 11, 1996

Reported by Mr. Cochran, with amendments

[Omit the part struck through and insert the part printed in italic]

AN ACT

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1997, and for other purposes.

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

1 ending September 30, 1997, and for other purposes,
2 namely:

3 TITLE I

4 AGRICULTURAL PROGRAMS

5 PRODUCTION, PROCESSING, AND MARKETING

6 OFFICE OF THE SECRETARY

7 (INCLUDING TRANSFERS OF FUNDS)

8 For necessary expenses of the Office of the Secretary
9 of Agriculture, and not to exceed \$75,000 for employment
10 under 5 U.S.C. 3109, \$2,836,000: *Provided*, That not to
11 exceed \$11,000 of this amount, along with any unobli-
12 gated balances of representation funds in the Foreign Ag-
13 ricultural Service shall be available for official reception
14 and representation expenses, not otherwise provided for,
15 as determined by the Secretary: ~~*Provided further*, That~~
16 ~~none of the funds appropriated or otherwise made avail-~~
17 ~~able by this Act may be used to detail an individual from~~
18 ~~an agency funded in this Act to any Under Secretary office~~
19 ~~or Assistant Secretary office for more than 30 days: *Pro-*~~
20 ~~*vided further*, That none of the funds made available by~~
21 this Act may be used to enforce section 793(d) of Public
22 Law 104-127.

1 EXECUTIVE OPERATIONS

2 CHIEF ECONOMIST

3 For necessary expenses of the Chief Economist, in-
4 cluding economic analysis, risk assessment, cost-benefit
5 analysis, and the functions of the World Agricultural Out-
6 look Board, as authorized by the Agricultural Marketing
7 Act of 1946 (7 U.S.C. 1622g), and including employment
8 pursuant to the second sentence of section 706(a) of the
9 Organic Act of 1944 (7 U.S.C. 2225), of which not to
10 exceed \$5,000 is for employment under 5 U.S.C. 3109,
11 \$4,231,000.

12 NATIONAL APPEALS DIVISION

13 For necessary expenses of the National Appeals Divi-
14 sion, including employment pursuant to the second sen-
15 tence of section 706(a) of the Organic Act of 1944 (7
16 U.S.C. 2225), of which not to exceed \$25,000 is for em-
17 ployment under 5 U.S.C. 3109, \$11,718,000.

18 OFFICE OF BUDGET AND PROGRAM ANALYSIS

19 For necessary expenses of the Office of Budget and
20 Program Analysis, including employment pursuant to the
21 second sentence of section 706(a) of the Organic Act of
22 1944 (7 U.S.C. 2225), of which not to exceed \$5,000 is
23 for employment under 5 U.S.C. 3109, \$5,986,000.

24 CHIEF FINANCIAL OFFICER

25 For necessary expenses of the Office of the Chief Fi-
26 nancial Officer, including employment pursuant to the sec-

1 ond sentence of section 706(a) of the Organic Act of 1944
2 (7 U.S.C. 2225), of which not to exceed \$10,000 is for
3 employment under 5 U.S.C. 3109, \$4,283,000: *Provided*,
4 That the Chief Financial Officer shall actively market
5 cross-servicing activities of the National Finance Center.

6 OFFICE OF THE ASSISTANT SECRETARY FOR
7 ADMINISTRATION

8 For necessary salaries and expenses of the Office of
9 the Assistant Secretary for Administration to carry out
10 the programs funded in this Act, \$613,000.

11 AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL
12 PAYMENTS

13 (INCLUDING TRANSFERS OF FUNDS)

14 For payment of space rental and related costs pursu-
15 ant to Public Law 92–313, including authorities pursuant
16 to the 1984 delegation of authority from the Adminis-
17 trator of General Services to the Department of Agri-
18 culture under 40 U.S.C. 486, for programs and activities
19 of the Department which are included in this Act, and for
20 the operation, maintenance, and repair of Agriculture
21 buildings, \$120,548,000: *Provided*, That in the event an
22 agency within the Department should require modification
23 of space needs, the Secretary of Agriculture may transfer
24 a share of that agency’s appropriation made available by
25 this Act to this appropriation, or may transfer a share

1 of this appropriation to that agency's appropriation, but
2 such transfers shall not exceed 5 percent of the funds
3 made available for space rental and related costs to or
4 from this account. In addition, for construction, repair,
5 improvement, extension, alteration, and purchase of fixed
6 equipment or facilities as necessary to carry out the pro-
7 grams of the Department, where not otherwise provided,
8 ~~\$5,000,000~~, \$25,587,000 to remain available until ex-
9 pended; making a total appropriation of ~~\$125,548,000~~
10 \$146,135,000.

11 HAZARDOUS WASTE MANAGEMENT

12 (INCLUDING TRANSFERS OF FUNDS)

13 For necessary expenses of the Department of Agri-
14 culture, to comply with the requirement of section 107(g)
15 of the Comprehensive Environmental Response, Com-
16 pensation, and Liability Act, as amended, 42 U.S.C.
17 9607(g), and section 6001 of the Resource Conservation
18 and Recovery Act, as amended, 42 U.S.C. 6961,
19 \$15,700,000, to remain available until expended: *Pro-*
20 *vided*, That appropriations and funds available herein to
21 the Department for Hazardous Waste Management may
22 be transferred to any agency of the Department for its
23 use in meeting all requirements pursuant to the above
24 Acts on Federal and non-Federal lands.

1 DEPARTMENTAL ADMINISTRATION

2 (INCLUDING TRANSFERS OF FUNDS)

3 For Departmental Administration, ~~\$28,304,000~~
4 \$30,529,000, to provide for necessary expenses for man-
5 agement support services to offices of the Department and
6 for general administration and disaster management of
7 the Department, repairs and alterations, and other mis-
8 cellaneous supplies and expenses not otherwise provided
9 for and necessary for the practical and efficient work of
10 the Department, including employment pursuant to the
11 second sentence of section 706(a) of the Organic Act of
12 1944 (7 U.S.C. 2225), of which not to exceed \$10,000
13 is for employment under 5 U.S.C. 3109: *Provided*, That
14 this appropriation shall be reimbursed from applicable ap-
15 propriations in this Act for travel expenses incident to the
16 holding of hearings as required by 5 U.S.C. 551–558: *Pro-*
17 *vided further, That of the total amount appropriated, not*
18 *less than \$11,774,000 shall be made available for civil rights*
19 *enforcement.*

20 OFFICE OF THE ASSISTANT SECRETARY FOR

21 CONGRESSIONAL RELATIONS

22 (INCLUDING TRANSFERS OF FUNDS)

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

1 amended, \$63,028,000, including such sums as may be
2 necessary for contracting and other arrangements with
3 public agencies and private persons pursuant to section
4 6(a)(9) of the Inspector General Act of 1978, as amended,
5 including a sum not to exceed \$50,000 for employment
6 under 5 U.S.C. 3109; and including a sum not to exceed
7 \$95,000 for certain confidential operational expenses in-
8 cluding the payment of informants, to be expended under
9 the direction of the Inspector General pursuant to Public
10 Law 95–452 and section 1337 of Public Law 97–98: *Pro-*
11 *vided*, That funds transferred to the Office of the Inspec-
12 tor General through forfeiture proceedings or from the De-
13 partment of Justice Assets Forfeiture Fund or the De-
14 partment of the Treasury Forfeiture Fund, as a partici-
15 pating agency, as an equitable share from the forfeiture
16 of property in investigations in which the Office of the In-
17 spector General participates, or through the granting of
18 a Petition for Remission or Mitigation, shall be deposited
19 to the credit of this account for law enforcement activities
20 authorized under the Inspector General Act of 1978, as
21 amended, to remain available until expended.

22 OFFICE OF THE GENERAL COUNSEL

23 For necessary expenses of the Office of the General
24 Counsel, \$27,749,000.

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

3 For necessary salaries and expenses of the Office of
4 the Under Secretary for Research, Education and Eco-
5 nomics to administer the laws enacted by the Congress
6 for the Economic Research Service, the National Agricul-
7 tural Statistics Service, the Agricultural Research Service,
8 and the Cooperative State Research, Education, and Ex-
9 tension Service, \$540,000.

10 ECONOMIC RESEARCH SERVICE

11 For necessary expenses of the Economic Research
12 Service in conducting economic research and analysis, as
13 authorized by the Agricultural Marketing Act of 1946 (7
14 U.S.C. 1621–1627) and other laws, ~~\$54,176,000~~
15 *\$53,109,000: Provided*, That this appropriation shall be
16 available for employment pursuant to the second sentence
17 of section 706(a) of the Organic Act of 1944 (7 U.S.C.
18 2225).

19 NATIONAL AGRICULTURAL STATISTICS SERVICE

20 For necessary expenses of the National Agricultural
21 Statistics Service in conducting statistical reporting and
22 service work, including crop and livestock estimates, sta-
23 tistical coordination and improvements, marketing sur-
24 veys, and the Census of Agriculture notwithstanding 13
25 U.S.C. 142(a–b), as authorized by the Agricultural Mar-

1 keting Act of 1946 (7 U.S.C. 1621–1627) and other laws,
2 ~~\$100,221,000~~ \$98,121,000, of which up to \$17,500,000
3 shall be available until expended for the Census of Agri-
4 culture: *Provided*, That this appropriation shall be avail-
5 able for employment pursuant to the second sentence of
6 section 706(a) of the Organic Act of 1944 (7 U.S.C.
7 2225), and not to exceed \$40,000 shall be available for
8 employment under 5 U.S.C. 3109.

9 AGRICULTURAL RESEARCH SERVICE

10 For necessary expenses to enable the Agricultural Re-
11 search Service to perform agricultural research and dem-
12 onstration relating to production, utilization, marketing,
13 and distribution (not otherwise provided for); home eco-
14 nomics or nutrition and consumer use including the acqui-
15 sition, preservation, and dissemination of agricultural in-
16 formation; and for acquisition of lands by donation, ex-
17 change, or purchase at a nominal cost not to exceed \$100,
18 ~~\$702,831,000~~ \$721,758,000: *Provided*, That appropria-
19 tions hereunder shall be available for temporary employ-
20 ment pursuant to the second sentence of section 706(a)
21 of the Organic Act of 1944 (7 U.S.C. 2225), and not to
22 exceed \$115,000 shall be available for employment under
23 5 U.S.C. 3109: *Provided further*, That appropriations
24 hereunder shall be available for the operation and mainte-
25 nance of aircraft and the purchase of not to exceed one

1 for replacement only: *Provided further*, That appropria-
2 tions hereunder shall be available pursuant to 7 U.S.C.
3 2250 for the construction, alteration, and repair of build-
4 ings and improvements, but unless otherwise provided the
5 cost of constructing any one building shall not exceed
6 \$250,000, except for headhouses or greenhouses which
7 shall each be limited to \$1,000,000, and except for ten
8 buildings to be constructed or improved at a cost not to
9 exceed \$500,000 each, and the cost of altering any one
10 building during the fiscal year shall not exceed 10 percent
11 of the current replacement value of the building or
12 \$250,000, whichever is greater: *Provided further*, That the
13 limitations on alterations contained in this Act shall not
14 apply to modernization or replacement of existing facilities
15 at Beltsville, Maryland: *Provided further*, That the fore-
16 going limitations shall not apply to replacement of build-
17 ings needed to carry out the Act of April 24, 1948 (21
18 U.S.C. 113a): *Provided further*, That funds may be re-
19 ceived from any State, other political subdivision, organi-
20 zation, or individual for the purpose of establishing or op-
21 erating any research facility or research project of the Ag-
22 ricultural Research Service, as authorized by law.

23 None of the funds in the foregoing paragraph shall
24 be available to carry out research related to the produc-

1 tion, processing or marketing of tobacco or tobacco prod-
 2 ucts.

3 BUILDINGS AND FACILITIES

4 For acquisition of land, construction, repair, improve-
 5 ment, extension, alteration, and purchase of fixed equip-
 6 ment or facilities as necessary to carry out the agricultural
 7 research programs of the Department of Agriculture,
 8 where not otherwise provided, ~~\$59,600,000~~ \$59,200,000,
 9 to remain available until expended (7 U.S.C. 2209b): *Pro-*
 10 *vided*, That funds may be received from any State, other
 11 political subdivision, organization, or individual for the
 12 purpose of establishing any research facility of the Agri-
 13 cultural Research Service, as authorized by law.

14 COOPERATIVE STATE RESEARCH, EDUCATION, AND
 15 EXTENSION SERVICE

16 RESEARCH AND EDUCATION ACTIVITIES

17 For payments to agricultural experiment stations, for
 18 cooperative forestry and other research, for facilities, and
 19 for other expenses, including ~~\$163,671,000~~ \$168,734,000
 20 to carry into effect the provisions of the Hatch Act (7
 21 U.S.C. 361a–361i); ~~\$19,882,000~~ \$20,497,000 for grants
 22 for cooperative forestry research (16 U.S.C. 582a–582–
 23 a7); ~~\$26,902,000~~ \$27,735,000 for payments to the 1890
 24 land-grant colleges, including Tuskegee University (7
 25 U.S.C. 3222); ~~\$44,235,000~~ \$46,068,000 for special grants

1 for agricultural research (7 U.S.C. 450i(c)); \$11,769,000
2 for special grants for agricultural research on improved
3 pest control (7 U.S.C. 450i(c)); ~~\$96,735,000~~ \$93,935,000
4 for competitive research grants (7 U.S.C. 450i(b));
5 ~~\$4,775,000~~ \$5,051,000 for the support of animal health
6 and disease programs (7 U.S.C. 3195); ~~\$650,000~~
7 \$500,000 for supplemental and alternative crops and prod-
8 ucts (7 U.S.C. 3319d); ~~\$500,000~~ \$700,000 for grants for
9 research pursuant to the Critical Agricultural Materials
10 Act of 1984 (7 U.S.C. 178) and section 1472 of the Food
11 and Agriculture Act of 1977, as amended (7 U.S.C. 3318),
12 to remain available until expended; \$475,000 for range-
13 land research grants (7 U.S.C. 3331–3336); \$3,000,000
14 for higher education graduate fellowships grants (7 U.S.C.
15 3152(b)(6)), to remain available until expended (7 U.S.C.
16 2209b); \$4,000,000 for higher education challenge grants
17 (7 U.S.C. 3152(b)(1)); \$1,000,000 for a higher education
18 minority scholars program (7 U.S.C. 3152(b)(5)), to re-
19 main available until expended (7 U.S.C. 2209b);
20 ~~\$2,000,000~~ \$1,500,000 for an education grants program
21 for Hispanic-serving Institutions (7 U.S.C. 3241);
22 \$4,000,000 for aquaculture grants (7 U.S.C. 3322);
23 ~~\$8,000,000~~ \$8,100,000 for sustainable agriculture re-
24 search and education (7 U.S.C. 5811); \$9,200,000 for a
25 program of capacity building grants (7 U.S.C. 3152(b)(4))

1 to colleges eligible to receive funds under the Act of Au-
 2 gust 30, 1890 (7 U.S.C. 321–326 and 328), including
 3 Tuskegee University ~~7 U.S.C. 3152(b)(4)~~, to remain avail-
 4 able until expended (7 U.S.C. 2209b); \$1,450,000 for pay-
 5 ments to the 1994 Institutions pursuant to section
 6 534(a)(1) of Public Law 103–382; and ~~\$9,605,000~~
 7 *\$10,644,000* for necessary expenses of Research and Edu-
 8 cation Activities, of which not to exceed \$100,000 shall
 9 be for employment under 5 U.S.C. 3109; in all,
 10 ~~\$411,849,000~~ *\$418,358,000*.

11 None of the funds in the foregoing paragraph shall
 12 be available to carry out research related to the produc-
 13 tion, processing or marketing of tobacco or tobacco prod-
 14 ucts.

15 NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

16 For establishment of a Native American institutions
 17 endowment fund, as authorized by Public Law 130–382
 18 (7 U.S.C. 301 note), \$4,600,000.

19 BUILDINGS AND FACILITIES

20 For acquisition of land, construction, repair, improve-
 21 ment, extension, alteration, and purchase of fixed equip-
 22 ment or facilities and for grants to States and other eligi-
 23 ble recipients for such purposes, as necessary to carry out
 24 the agricultural research, extension, and teaching pro-
 25 grams of the Department of Agriculture, where not other-

1 wise provided, ~~\$30,449,000~~ \$55,668,000 (7 U.S.C. 390 et
 2 seq.), to remain available until expended (7 U.S.C. 2209b).

3 EXTENSION ACTIVITIES

4 Payments to States, the District of Columbia, Puerto
 5 Rico, Guam, the Virgin Islands, Micronesia, Northern
 6 Marianas, and American Samoa: For payments for coop-
 7 erative extension work under the Smith-Lever Act, as
 8 amended, to be distributed under sections 3(b) and 3(c)
 9 of said Act, and under section 208(c) of Public Law 93–
 10 471, for retirement and employees' compensation costs for
 11 extension agents and for costs of penalty mail for coopera-
 12 tive extension agents and State extension directors,
 13 ~~\$260,438,000~~ \$268,493,000; \$2,500,000 for extension work
 14 at the 1994 Institutions under the Smith-Lever Act (7
 15 U.S.C. 343(b)(3)); payments for the nutrition and family
 16 education program for low-income areas under section
 17 3(d) of the Act, ~~\$58,695,000~~ \$60,510,000; payments for
 18 the pest management program under section 3(d) of the
 19 Act, \$10,783,000; payments for the farm safety program
 20 under section 3(d) of the Act, ~~\$2,855,000~~ \$2,943,000; pay-
 21 ments for the pesticide impact assessment program under
 22 section 3(d) of the Act, ~~\$3,214,000~~ \$3,313,000; payments
 23 to upgrade 1890 land-grant college research, extension,
 24 and teaching facilities as authorized by section 1447 of
 25 Public Law 95–113, as amended (7 U.S.C. 3222b),

1 ~~\$7,549,000~~ \$7,782,000, to remain available until ex-
2 pended; \$1,700,000 for *institutional capacity building*
3 *grants at the 1994 Institutions (7 U.S.C. 301 note)*, to re-
4 *main available until expended (7 U.S.C. 2209b)*; payments
5 for the rural development centers under section 3(d) of
6 the Act, ~~\$908,000~~ \$936,000; payments for a groundwater
7 quality program under section 3(d) of the Act,
8 ~~\$10,733,000~~ \$11,065,000; payments for the agricultural
9 telecommunications program, as authorized by Public Law
10 101–624 (7 U.S.C. 5926), ~~\$1,167,000~~ \$1,203,000; pay-
11 ments for youth-at-risk programs under section 3(d) of the
12 Act, ~~\$9,554,000~~ \$9,850,000; payments for a food safety
13 program under section 3(d) of the Act, ~~\$2,365,000~~
14 \$2,438,000; payments for carrying out the provisions of
15 the Renewable Resources Extension Act of 1978,
16 ~~\$3,192,000~~ \$3,291,000; payments for Indian reservation
17 agents under section 3(d) of the Act, ~~\$1,672,000~~
18 \$1,724,000; payments for sustainable agriculture programs
19 under section 3(d) of the Act, ~~\$3,309,000~~ \$3,411,000; pay-
20 ments for rural health and safety education as authorized
21 by section 2390 of Public Law 101–624 (7 U.S.C. 2661
22 note, 2662), ~~\$2,628,000~~ \$2,709,000; payments for cooper-
23 ative extension work by the colleges receiving the benefits
24 of the second Morrill Act (7 U.S.C. 321–326, 328) and
25 Tuskegee University, ~~\$24,337,000~~ \$25,090,000; and for

1 Federal administration and coordination including admin-
2 istration of the Smith-Lever Act, as amended, and the Act
3 of September 29, 1977 (7 U.S.C. 341–349), as amended,
4 and section 1361(c) of the Act of October 3, 1980 (7
5 U.S.C. 301 note), and to coordinate and provide program
6 leadership for the extension work of the Department and
7 the several States and insular possessions, ~~\$6,271,000~~
8 *\$11,331,000*; in all, ~~\$409,670,000~~ *\$431,072,000*: *Provided,*
9 That funds hereby appropriated pursuant to section 3(c)
10 of the Act of June 26, 1953, and section 506 of the Act
11 of June 23, 1972, as amended, shall not be paid to any
12 State, the District of Columbia, Puerto Rico, Guam, or
13 the Virgin Islands, Micronesia, Northern Marianas, and
14 American Samoa prior to availability of an equal sum from
15 non-Federal sources for expenditure during the current
16 fiscal year.

17 OFFICE OF THE ASSISTANT SECRETARY FOR
18 MARKETING AND REGULATORY PROGRAMS

19 For necessary salaries and expenses of the Office of
20 the Assistant Secretary for Marketing and Regulatory
21 Programs to administer programs under the laws enacted
22 by the Congress for the Animal and Plant Health Inspec-
23 tion Service, Agricultural Marketing Service, and the
24 Grain Inspection, Packers and Stockyards Administration,
25 \$618,000.

1 ANIMAL AND PLANT HEALTH INSPECTION SERVICE
2 SALARIES AND EXPENSES
3 (INCLUDING TRANSFERS OF FUNDS)

4 For expenses, not otherwise provided for, including
5 those pursuant to the Act of February 28, 1947, as
6 amended (21 U.S.C. 114b–c), necessary to prevent, con-
7 trol, and eradicate pests and plant and animal diseases;
8 to carry out inspection, quarantine, and regulatory activi-
9 ties; to discharge the authorities of the Secretary of Agri-
10 culture under the Act of March 2, 1931 (46 Stat. 1468;
11 7 U.S.C. 426–426b); and to protect the environment, as
12 authorized by law, ~~\$435,428,000~~ \$432,103,000, of which
13 ~~\$4,500,000~~ \$5,000,000 shall be available for the control
14 of outbreaks of insects, plant diseases, animal diseases and
15 for control of pest animals and birds to the extent nec-
16 essary to meet emergency conditions: *Provided*, That no
17 funds shall be used to formulate or administer a brucel-
18 losis eradication program for the current fiscal year that
19 does not require minimum matching by the States of at
20 least 40 percent: *Provided further*, That this appropriation
21 shall be available for field employment pursuant to the sec-
22 ond sentence of section 706(a) of the Organic Act of 1944
23 (7 U.S.C. 2225), and not to exceed \$40,000 shall be avail-
24 able for employment under 5 U.S.C. 3109: *Provided fur-*
25 *ther*, That this appropriation shall be available for the op-

1 eration and maintenance of aircraft and the purchase of
2 not to exceed four, of which two shall be for replacement
3 only: *Provided further*, That, in addition, in emergencies
4 which threaten any segment of the agricultural production
5 industry of this country, the Secretary may transfer from
6 other appropriations or funds available to the agencies or
7 corporations of the Department such sums as he may
8 deem necessary, to be available only in such emergencies
9 for the arrest and eradication of contagious or infectious
10 disease or pests of animals, poultry, or plants, and for ex-
11 penses in accordance with the Act of February 28, 1947,
12 as amended, and section 102 of the Act of September 21,
13 1944, as amended, and any unexpended balances of funds
14 transferred for such emergency purposes in the next pre-
15 ceding fiscal year shall be merged with such transferred
16 amounts: *Provided further*, That appropriations hereunder
17 shall be available pursuant to law (7 U.S.C. 2250) for the
18 repair and alteration of leased buildings and improve-
19 ments, but unless otherwise provided the cost of altering
20 any one building during the fiscal year shall not exceed
21 10 percent of the current replacement value of the build-
22 ing.

23 In fiscal year 1997 the agency is authorized to collect
24 fees to cover the total costs of providing technical assist-
25 ance, goods, or services requested by States, other political

1 subdivisions, domestic and international organizations,
2 foreign governments, or individuals, provided that such
3 fees are structured such that any entity's liability for such
4 fees is reasonably based on the technical assistance, goods,
5 or services provided to the entity by the agency, and such
6 fees shall be credited to this account, to remain available
7 until expended, without further appropriation, for provid-
8 ing such assistance, goods, or services.

9 Of the total amount available under this heading in
10 fiscal year 1997, \$98,000,000 shall be derived from user
11 fees deposited in the Agricultural Quarantine Inspection
12 User Fee Account.

13 BUILDINGS AND FACILITIES

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

20 AGRICULTURAL MARKETING SERVICE

21 MARKETING SERVICES

22 For necessary expenses to carry on services related
23 to consumer protection, agricultural marketing and dis-
24 tribution, transportation, and regulatory programs, as au-
25 thorized by law, and for administration and coordination

1 of payments to States; including field employment pursu-
2 ant to section 706(a) of the Organic Act of 1944 (7 U.S.C.
3 2225), and not to exceed \$90,000 for employment under
4 5 U.S.C. 3109, ~~\$37,592,000~~ \$47,829,000, including funds
5 for the wholesale market development program for the de-
6 sign and development of wholesale and farmer market fa-
7 cilities for the major metropolitan areas of the country:
8 *Provided*, That this appropriation shall be available pursu-
9 ant to law (7 U.S.C. 2250) for the alteration and repair
10 of buildings and improvements, but the cost of altering
11 any one building during the fiscal year shall not exceed
12 10 percent of the current replacement value of the build-
13 ing.

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

17 LIMITATION ON ADMINISTRATIVE EXPENSES

18 Not to exceed \$59,012,000 (from fees collected) shall
19 be obligated during the current fiscal year for administra-
20 tive expenses: *Provided*, That if crop size is understated
21 and/or other uncontrollable events occur, the agency may
22 exceed this limitation by up to 10 percent with notification
23 to the Appropriations Committees.

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

4 Funds available under section 32 of the Act of Au-
5 gust 24, 1935 (7 U.S.C. 612c) shall be used only for com-
6 modity program expenses as authorized therein, and other
7 related operating expenses, except for: (1) transfers to the
8 Department of Commerce as authorized by the Fish and
9 Wildlife Act of August 8, 1956; (2) transfers otherwise
10 provided in this Act; and (3) not more than \$10,576,000
11 for formulation and administration of marketing agree-
12 ments and orders pursuant to the Agricultural Marketing
13 Agreement Act of 1937, as amended, and the Agricultural
14 Act of 1961.

15 PAYMENTS TO STATES AND POSSESSIONS

16 For payments to departments of agriculture, bureaus
17 and departments of markets, and similar agencies for
18 marketing activities under section 204(b) of the Agricul-
19 tural Marketing Act of 1946 (7 U.S.C. 1623(b)),
20 \$1,200,000.

21 GRAIN INSPECTION, PACKERS AND STOCKYARDS

22 ADMINISTRATION

23 SALARIES AND EXPENSES

24 For necessary expenses to carry out the provisions
25 of the United States Grain Standards Act, as amended,

1 for the administration of the Packers and Stockyards Act,
2 for certifying procedures used to protect purchasers of
3 farm products, and the standardization activities related
4 to grain under the Agricultural Marketing Act of 1946,
5 as amended, including field employment pursuant to sec-
6 tion 706(a) of the Organic Act of 1944 (7 U.S.C. 2225),
7 and not to exceed \$25,000 for employment under 5 U.S.C.
8 3109, \$22,728,000: *Provided*, That this appropriation
9 shall be available pursuant to law (7 U.S.C. 2250) for the
10 alteration and repair of buildings and improvements, but
11 the cost of altering any one building during the fiscal year
12 shall not exceed 10 percent of the current replacement
13 value of the building.

14 INSPECTION AND WEIGHING SERVICES

15 LIMITATION ON INSPECTION AND WEIGHING SERVICE

16 EXPENSES

17 Not to exceed \$43,207,000 (from fees collected) shall
18 be obligated during the current fiscal year for inspection
19 and weighing services: *Provided*, That if grain export ac-
20 tivities require additional supervision and oversight, or
21 other uncontrollable factors occur, this limitation may be
22 exceeded by up to 10 percent with notification to the Ap-
23 propriations Committees.

1 OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

2 For necessary salaries and expenses of the Office of
3 the Under Secretary for Food Safety to administer the
4 laws enacted by the Congress for the Food Safety and In-
5 spection Service, \$446,000.

6 FOOD SAFETY AND INSPECTION SERVICE

7 For necessary expenses to carry on services author-
8 ized by the Federal Meat Inspection Act, as amended, the
9 Poultry Products Inspection Act, as amended, and the
10 Egg Products Inspection Act, as amended, ~~\$574,000,000~~
11 \$557,697,000, and in addition, \$1,000,000 may be credited
12 to this account from fees collected for the cost of labora-
13 tory accreditation as authorized by section 1017 of Public
14 Law 102-237: *Provided*, That this appropriation shall not
15 be available for shell egg surveillance under section 5(d)
16 of the Egg Products Inspection Act (21 U.S.C. 1034(d)):
17 *Provided further*, That this appropriation shall be available
18 for field employment pursuant to section 706(a) of the Or-
19 ganic Act of 1944 (7 U.S.C. 2225), and not to exceed
20 \$75,000 shall be available for employment under 5 U.S.C.
21 3109: *Provided further*, That this appropriation shall be
22 available pursuant to law (7 U.S.C. 2250) for the alter-
23 ation and repair of buildings and improvements, but the
24 cost of altering any one building during the fiscal year

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

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

5 For necessary salaries and expenses of the Office of
6 the Under Secretary for Farm and Foreign Agricultural
7 Services to administer the laws enacted by Congress for
8 the ~~Consolidated~~ Farm Service Agency, Foreign Agricul-
9 tural Service, and the Commodity Credit Corporation,
10 \$572,000.

11 FARM SERVICE AGENCY
12 SALARIES AND EXPENSES

13 (INCLUDING TRANSFERS OF FUNDS)

14 For necessary expenses for carrying out the adminis-
15 tration and implementation of programs administered by
16 the Farm Service Agency, ~~\$746,440,000~~ \$795,000,000:
17 *Provided*, That the Secretary is authorized to use the serv-
18 ices, facilities, and authorities (but not the funds) of the
19 Commodity Credit Corporation to make program pay-
20 ments for all programs administered by the Agency: *Pro-*
21 *vided further*, That other funds made available to the
22 Agency for authorized activities may be advanced to and
23 merged with this account: *Provided further*, That these
24 funds shall be available for employment pursuant to the
25 second sentence of section 706(a) of the Organic Act of

1 1944 (7 U.S.C. 2225), and not to exceed \$1,000,000 shall
2 be available for employment under 5 U.S.C. 3109.

3 *STATE MEDIATION GRANTS*

4 *For grants pursuant to section 502(b) of the Agricul-*
5 *tural Credit Act of 1987, as amended (7 U.S.C. 5101–5106),*
6 *\$2,000,000.*

7 *DAIRY INDEMNITY PROGRAM*

8 *(INCLUDING TRANSFERS OF FUNDS)*

9 For necessary expenses involved in making indemnity
10 payments to dairy farmers for milk or cows producing
11 such milk and manufacturers of dairy products who have
12 been directed to remove their milk or dairy products from
13 commercial markets because it contained residues of
14 chemicals registered and approved for use by the Federal
15 Government, and in making indemnity payments for milk,
16 or cows producing such milk, at a fair market value to
17 any dairy farmer who is directed to remove his milk from
18 commercial markets because of (1) the presence of prod-
19 ucts of nuclear radiation or fallout if such contamination
20 is not due to the fault of the farmer, or (2) residues of
21 chemicals or toxic substances not included under the first
22 sentence of the Act of August 13, 1968, as amended (7
23 U.S.C. 450j), if such chemicals or toxic substances were
24 not used in a manner contrary to applicable regulations
25 or labeling instructions provided at the time of use and
26 the contamination is not due to the fault of the farmer,

1 loans and \$200,000,000 shall be for subsidized guaranteed
2 loans; Indian tribe land acquisition loans as authorized by
3 25 U.S.C. 488, \$1,000,000; for emergency insured loans,
4 ~~\$25,000,000~~ \$75,000,000 to meet the needs resulting from
5 natural disasters; *for boll weevil eradication program loans*
6 *as authorized by 7 U.S.C. 1989, \$15,384,000*; and for credit
7 sales of acquired property, \$25,000,000.

8 For the cost of direct and guaranteed loans, including
9 the cost of modifying loans as defined in section 502 of
10 the Congressional Budget Act of 1974, as follows: farm
11 ownership loans, \$27,975,000, of which \$22,055,000 shall
12 be for guaranteed loans; operating loans, \$96,840,000, of
13 which \$19,210,000 shall be for unsubsidized guaranteed
14 loans and \$18,480,000 shall be for subsidized guaranteed
15 loans; Indian tribe land acquisition loans as authorized by
16 25 U.S.C. 488, \$54,000; for emergency insured loans,
17 ~~\$6,365,000~~ \$19,095,000 to meet the needs resulting from
18 natural disasters; *for boll weevil eradication program loans*
19 *as authorized by 7 U.S.C. 1989, \$2,000,000*; and for credit
20 sales of acquired property, \$2,530,000.

21 In addition, for administrative expenses necessary to
22 carry out the direct and guaranteed loan programs,
23 \$221,046,000, of which \$208,446,000 shall be transferred
24 to and merged with the “Farm Service Agency, Salaries
25 and Expenses” account.

1 OFFICE OF RISK MANAGEMENT

2 For administrative and operating expenses, as au-
3 thorized by the Federal Agriculture Improvement and Re-
4 form Act of 1996 (7 U.S.C. 6933), \$62,198,000: *Provided*,
5 That not to exceed \$700 shall be available for official re-
6 ception and representation expenses, as authorized by 7
7 U.S.C. 1506(i).

8 CORPORATIONS

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

19 FEDERAL CROP INSURANCE CORPORATION FUND

20 For payments as authorized by section 516 of the
21 Federal Crop Insurance Act, as amended, such sums as
22 may be necessary, to remain available until expended (7
23 U.S.C. 2209b).

1 COMMODITY CREDIT CORPORATION FUND

2 REIMBURSEMENT FOR NET REALIZED LOSSES

3 For fiscal year 1997, such sums as may be necessary
4 to reimburse the Commodity Credit Corporation for net
5 realized losses sustained, but not previously reimbursed
6 (estimated to be \$1,500,000,000 in the President's fiscal
7 year 1997 Budget Request (H. Doc. 104-162)), but not
8 to exceed \$1,500,000,000, pursuant to section 2 of the
9 Act of August 17, 1961, as amended (15 U.S.C. 713a-
10 11).

11 OPERATIONS AND MAINTENANCE FOR HAZARDOUS WASTE

12 MANAGEMENT

13 For fiscal year 1997, the Commodity Credit Corpora-
14 tion shall not expend more than \$5,000,000 for expenses
15 to comply with the requirement of section 107(g) of the
16 Comprehensive Environmental Response, Compensation,
17 and Liability Act, as amended, 42 U.S.C. 9607(g), and
18 section 6001 of the Resource Conservation and Recovery
19 Act, as amended, 42 U.S.C. 6961: *Provided*, That ex-
20 penses shall be for operations and maintenance costs only
21 and that other hazardous waste management costs shall
22 be paid for by the USDA Hazardous Waste Management
23 appropriation in this Act.

1 TITLE II
2 CONSERVATION PROGRAMS
3 OFFICE OF THE UNDER SECRETARY FOR NATURAL
4 RESOURCES AND ENVIRONMENT

5 For necessary salaries and expenses of the Office of
6 the Under Secretary for Natural Resources and Environ-
7 ment to administer the laws enacted by the Congress for
8 the Forest Service and the Natural Resources Conserva-
9 tion Service, \$693,000.

10 NATURAL RESOURCES CONSERVATION SERVICE
11 CONSERVATION OPERATIONS

12 For necessary expenses for carrying out the provi-
13 sions of the Act of April 27, 1935 (16 U.S.C. 590a–590f)
14 including preparation of conservation plans and establish-
15 ment of measures to conserve soil and water (including
16 farm irrigation and land drainage and such special meas-
17 ures for soil and water management as may be necessary
18 to prevent floods and the siltation of reservoirs and to con-
19 trol agricultural related pollutants); operation of conserva-
20 tion plant materials centers; classification and mapping of
21 soil; dissemination of information; acquisition of lands,
22 water, and interests therein for use in the plant materials
23 program by donation, exchange, or purchase at a nominal
24 cost not to exceed \$100 pursuant to the Act of August
25 3, 1956 (7 U.S.C. 428a); purchase and erection or alter-

1 ation or improvement of permanent and temporary build-
2 ings; and operation and maintenance of aircraft,
3 ~~\$619,392,000~~ \$638,954,000, to remain available until ex-
4 pended (7 U.S.C. 2209b), of which not less than
5 \$5,835,000 is for snow survey and water forecasting and
6 not less than \$8,825,000 is for operation and establish-
7 ment of the plant materials centers: *Provided*, That appro-
8 priations hereunder shall be available pursuant to 7
9 U.S.C. 2250 for construction and improvement of build-
10 ings and public improvements at plant materials centers,
11 except that the cost of alterations and improvements to
12 other buildings and other public improvements shall not
13 exceed \$250,000: *Provided further*, That when buildings
14 or other structures are erected on non-Federal land, that
15 the right to use such land is obtained as provided in 7
16 U.S.C. 2250a: *Provided further*, That this appropriation
17 shall be available for technical assistance and related ex-
18 penses to carry out programs authorized by section 202(c)
19 of title II of the Colorado River Basin Salinity Control
20 Act of 1974, as amended (43 U.S.C. 1592(c)): *Provided*
21 *further*, That no part of this appropriation may be ex-
22 pended for soil and water conservation operations under
23 the Act of April 27, 1935 (16 U.S.C. 590a–590f) in dem-
24 onstration projects: *Provided further*, That this appropria-
25 tion shall be available for employment pursuant to the sec-

1 ond sentence of section 706(a) of the Organic Act of 1944
2 (7 U.S.C. 2225) and not to exceed \$25,000 shall be avail-
3 able for employment under 5 U.S.C. 3109: *Provided fur-*
4 *ther,* That qualified local engineers may be temporarily
5 employed at per diem rates to perform the technical plan-
6 ning work of the Service (16 U.S.C. 590e-2): *Provided*
7 *further, That of the total amount appropriated, no more*
8 *than \$250,000 may be available for purposes authorized*
9 *under sections 351-360 of Public Law 104-127.*

10 WATERSHED SURVEYS AND PLANNING

11 For necessary expenses to conduct research, inves-
12 tigation, and surveys of watersheds of rivers and other wa-
13 terways, and for small watershed investigations and plan-
14 ning, in accordance with the Watershed Protection and
15 Flood Prevention Act approved August 4, 1954, as
16 amended (16 U.S.C. 1001-1009), ~~\$10,762,000~~
17 *\$14,000,000: Provided,* That this appropriation shall be
18 available for employment pursuant to the second sentence
19 of section 706(a) of the Organic Act of 1944 (7 U.S.C.
20 2225), and not to exceed \$110,000 shall be available for
21 employment under 5 U.S.C. 3109.

22 WATERSHED AND FLOOD PREVENTION OPERATIONS

23 For necessary expenses to carry out preventive meas-
24 ures, including but not limited to research, engineering op-
25 erations, methods of cultivation, the growing of vegetation,

1 rehabilitation of existing works and changes in use of land,
2 in accordance with the Watershed Protection and Flood
3 Prevention Act approved August 4, 1954, as amended (16
4 U.S.C. 1001–1005, 1007–1009), the provisions of the Act
5 of April 27, 1935 (16 U.S.C. 590a–f), and in accordance
6 with the provisions of laws relating to the activities of the
7 Department, \$101,036,000, to remain available until ex-
8 pended (7 U.S.C. 2209b) (of which up to \$15,000,000
9 may be available for the watersheds authorized under the
10 Flood Control Act approved June 22, 1936 (33 U.S.C.
11 701, 16 U.S.C. 1006a), as amended and supplemented:
12 *Provided*, That this appropriation shall be available for
13 employment pursuant to the second sentence of section
14 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and
15 not to exceed \$200,000 shall be available for employment
16 under 5 U.S.C. 3109: *Provided further*, That not to exceed
17 \$1,000,000 of this appropriation is available to carry out
18 the purposes of the Endangered Species Act of 1973 (Pub-
19 lic Law 93–205), as amended, including cooperative ef-
20 forts as contemplated by that Act to relocate endangered
21 or threatened species to other suitable habitats as may be
22 necessary to expedite project construction.

23 RESOURCE CONSERVATION AND DEVELOPMENT

24 For necessary expenses in planning and carrying out
25 projects for resource conservation and development and

1 for sound land use pursuant to the provisions of section
2 32(e) of title III of the Bankhead-Jones Farm Tenant
3 Act, as amended (7 U.S.C. 1010–1011; 76 Stat. 607), the
4 Act of April 27, 1935 (16 U.S.C. 590a–f), and the Agri-
5 culture and Food Act of 1981 (16 U.S.C. 3451–3461),
6 \$29,377,000, to remain available until expended (7 U.S.C.
7 2209b): *Provided*, That this appropriation shall be avail-
8 able for employment pursuant to the second sentence of
9 section 706(a) of the Organic Act of 1944 (7 U.S.C.
10 2225), and not to exceed \$50,000 shall be available for
11 employment under 5 U.S.C. 3109.

12 FORESTRY INCENTIVES PROGRAM

13 For necessary expenses, not otherwise provided for,
14 to carry out the program of forestry incentives, as author-
15 ized in the Cooperative Forestry Assistance Act of 1978
16 (16 U.S.C. 2101), including technical assistance and relat-
17 ed expenses, \$6,325,000, to remain available until ex-
18 pended, as authorized by that Act.

19 TITLE III

20 RURAL ECONOMIC AND COMMUNITY

21 DEVELOPMENT PROGRAMS

22 OFFICE OF THE UNDER SECRETARY FOR RURAL

23 DEVELOPMENT

24 For necessary salaries and expenses of the Office of
25 the Under Secretary for Rural Development to administer

1 programs under the laws enacted by the Congress for the
2 Rural Housing Service, Rural Business-Cooperative Serv-
3 ice, and the Rural Utilities Service of the Department of
4 Agriculture, \$588,000.

5 RURAL HOUSING SERVICE

6 RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

7 (INCLUDING TRANSFERS OF FUNDS)

8 For gross obligations for the principal amount of di-
9 rect and guaranteed loans as authorized by title V of the
10 Housing Act of 1949, as amended, to be available from
11 funds in the rural housing insurance fund, as follows:
12 \$3,300,000,000 for loans to section 502 borrowers, as de-
13 termined by the Secretary, of which \$2,300,000,000 shall
14 be for unsubsidized guaranteed loans; \$35,000,000 for
15 section 504 housing repair loans; \$15,000,000 for section
16 514 farm labor housing; \$58,654,000 for section 515 rent-
17 al housing; \$600,000 for section 524 site loans;
18 \$50,000,000 for credit sales of acquired property; and
19 \$600,000 for section 523 self-help housing land develop-
20 ment loans.

21 For the cost of direct and guaranteed loans, including
22 the cost of modifying loans, as defined in section 502 of
23 the Congressional Budget Act of 1974, as follows: section
24 502 loans, \$89,210,000, of which \$6,210,000 shall be for
25 unsubsidized guaranteed loans; section 504 housing repair
26 loans, \$11,081,000; section 514 farm labor housing,

1 \$6,885,000; section 515 rental housing, \$28,987,000:—
2 ~~Provided, That no funds for new construction for section~~
3 ~~515 rental housing may be available for fiscal year 1997;~~
4 credit sales of acquired property, \$4,050,000; and section
5 523 self-help housing land development loans, \$17,000.

6 In addition, for administrative expenses necessary to
7 carry out the direct and guaranteed loan programs,
8 \$366,205,000, which shall be transferred to and merged
9 with the appropriation for “Rural Housing Service, Sala-
10 ries and Expenses”.

11 RENTAL ASSISTANCE PROGRAM

12 For rental assistance agreements entered into or re-
13 newed pursuant to the authority under section 521(a)(2)
14 or agreements entered into in lieu of debt forgiveness or
15 payments for eligible households as authorized by section
16 502(c)(5)(D) of the Housing Act of 1949, as amended,
17 \$493,870,000; and in addition such sums as may be nec-
18 essary, as authorized by section 521(c) of the Act, to liq-
19 uidate debt incurred prior to fiscal year 1992 to carry out
20 the rental assistance program under section 521(a)(2) of
21 the Act: *Provided*, That of this amount not more than
22 \$5,900,000 shall be available for debt forgiveness or pay-
23 ments for eligible households as authorized by section
24 502(c)(5)(D) of the Act, and not to exceed \$10,000 per
25 project for advances to nonprofit organizations or public
26 agencies to cover direct costs (other than purchase price)

1 incurred in purchasing projects pursuant to section
2 502(c)(5)(C) of the Act: *Provided further*, That agree-
3 ments entered into or renewed during fiscal year 1997
4 shall be funded for a five-year period, although the life
5 of any such agreement may be extended to fully utilize
6 amounts obligated.

7 MUTUAL AND SELF-HELP HOUSING GRANTS

8 For grants and contracts pursuant to section
9 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C.
10 1490c), \$26,000,000, to remain available until expended
11 (7 U.S.C. 2209b).

12 RURAL HOUSING ASSISTANCE PROGRAM

13 (INCLUDING TRANSFERS OF FUNDS)

14 For the cost of direct loans, loan guarantees, agree-
15 ments, and grants, as authorized by 7 U.S.C. 1926, 42
16 U.S.C. 1472, 1474, 1479, *1485*, 1486, and 1490(a), ex-
17 cept for sections 381E, 381H, 381N of the Consolidated
18 Farm and Rural Development Act, ~~\$73,190,000~~
19 *\$136,435,000*, to remain available until expended, for di-
20 rect loans and loan guarantees for community facilities,
21 community facilities grant program, *rental assistance asso-*
22 *ciated with and direct loans for new construction of section*
23 *515 rental housing*, rural housing for domestic farm labor
24 grants, supervisory and technical assistance grants, very
25 low-income housing repair grants, rural community fire
26 protection grants, rural housing preservation grants, and

1 compensation for construction defects of the Rural Hous-
2 ing Service: *Provided*, That the cost of direct loans and
3 loan guarantees shall be as defined in section 502 of the
4 Congressional Budget Act of 1974, as amended: *Provided*
5 *further*, That the amounts appropriated shall be trans-
6 ferred to loan program and grant accounts as determined
7 by the Secretary: ~~*Provided further*, That no funds for new~~
8 ~~construction relating to 515 rental housing may be avail-~~
9 ~~able for fiscal year 1997:~~ *Provided further*, That of the
10 funds made available in this paragraph not more than
11 \$1,200,000 shall be available for the multi-family rural
12 housing loan guarantee program as authorized by section
13 5 of Public Law 104–120: *Provided further*, That if such
14 funds are not obligated for multi-family rural housing loan
15 guarantees by June 30, 1997, they remain available for
16 other authorized purposes under this head: *Provided fur-*
17 *ther*, That of the total amount appropriated, not to exceed
18 \$1,200,000 shall be available for the cost of direct loans,
19 loan guarantees, and grants to be made available for
20 empowerment zones and enterprise communities as au-
21 thorized by Public Law 103–66: *Provided further*, That
22 if such funds are not obligated for empowerment zones
23 and enterprise communities by June 30, 1997, they re-
24 main available for other authorized purposes under this
25 head.

1 SALARIES AND EXPENSES

2 For necessary expenses of the Rural Housing Service,
3 including administering the programs authorized by the
4 Consolidated Farm and Rural Development Act, as
5 amended, title V of the Housing Act of 1949, as amended,
6 and cooperative agreements, ~~\$53,889,000~~ \$66,354,000:
7 *Provided*, That this appropriation shall be available for
8 employment pursuant to the second sentence of 706(a) of
9 the Organic Act of 1944, and not to exceed \$520,000 may
10 be used for employment under 5 U.S.C. 3109.

11 RURAL BUSINESS-COOPERATIVE SERVICE

12 RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

13 (INCLUDING TRANSFERS OF FUNDS)

14 For the cost of direct loans, ~~\$18,400,000~~
15 \$17,270,000, as authorized by the Rural Development
16 Loan Fund (42 U.S.C. 9812(a)): *Provided*, That such
17 costs, including the cost of modifying such loans, shall be
18 as defined in section 502 of the Congressional Budget Act
19 of 1974: *Provided further*, That these funds are available
20 to subsidize gross obligations for the principal amount of
21 direct loans of ~~\$40,000,000~~ \$37,544,000: *Provided further*,
22 That through June 30, 1997, of the total amount appro-
23 priated \$3,345,000 shall be available for the cost of direct
24 loans, for empowerment zones and enterprise commu-
25 nities, as authorized by title XIII of the Omnibus Budget

1 Reconciliation Act of 1993, to subsidize gross obligations
2 for the principal amount of direct loans, \$7,246,000.

3 RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM

4 ACCOUNT

5 (INCLUDING TRANSFERS OF FUNDS)

6 For the principal amount of direct loans, as author-
7 ized under section 313 of the Rural Electrification Act,
8 for the purpose of promoting rural economic development
9 and job creation projects, \$12,865,000.

10 For the cost of direct loans, including the cost of
11 modifying loans as defined in section 502 of the Congres-
12 sional Budget Act of 1974, \$2,830,000. In addition, for
13 administrative expenses necessary to carry out the direct
14 loan program, \$654,000, which shall be transferred to and
15 merged with the appropriation for “Salaries and Ex-
16 penses.”

17 ALTERNATIVE AGRICULTURAL RESEARCH AND

18 COMMERCIALIZATION REVOLVING FUND

19 For necessary expenses to carry out the Alternative
20 Agricultural Research and Commercialization Act of 1990
21 (7 U.S.C. 5901–5908), ~~\$6,000,000~~ \$10,000,000 is appro-
22 priated to the alternative agricultural research and com-
23 mercialization revolving fund.

1 RURAL BUSINESS—COOPERATIVE ASSISTANCE PROGRAM
2 (INCLUDING TRANSFERS OF FUNDS)

3 For the cost of direct loans, loan guarantees, and
4 grants, as authorized by 7 U.S.C. 1926, 1928, and 1932,
5 except for 381E, 381H, 381N of the Consolidated Farm
6 and Rural Development Act, ~~\$51,400,000~~ \$53,750,000, to
7 remain available until expended, for direct loans and loan
8 guarantees for business and industry assistance, rural
9 business grants, rural cooperative development grants,
10 and rural business opportunity grants of the Rural Busi-
11 ness—Cooperative Service: *Provided*, That the cost of di-
12 rect loans and loan guarantees shall be as defined in sec-
13 tion 502 of the Congressional Budget Act of 1974, as
14 amended: *Provided further*, That \$500,000 shall be avail-
15 able for grants to qualified nonprofit organizations as au-
16 thorized under section 310B(c)(2) of the Consolidated
17 Farm and Rural Development Act (7 U.S.C. 1932): *Pro-*
18 *vided further*, That the amounts appropriated shall be
19 transferred to loan program and grant accounts as deter-
20 mined by the Secretary: *Provided further*, That, of the
21 total amount appropriated, not to exceed \$3,000,000 shall
22 be available for cooperative development: *Provided further*,
23 *That of the total amount appropriated, not to exceed*
24 *\$1,300,000 may be available through a cooperative agree-*
25 *ment for the appropriate technology transfer for rural areas*
26 *program: Provided further*, That, of the total amount ap-

1 appropriated, not to exceed \$148,000 shall be available for
2 the cost of direct loans, loan guarantees, and grants to
3 be made available for business and industry loans for
4 empowerment zones and enterprise communities as au-
5 thorized by Public Law 103-66 and rural development
6 loans for empowerment zones and enterprise communities
7 as authorized by title XIII of the Omnibus Budget Rec-
8 onciliation Act of 1993: *Provided further*, That if such
9 funds are not obligated for empowerment zones and enter-
10 prise communities by June 30, 1997, they remain avail-
11 able for other authorized purposes under this head.

12 SALARIES AND EXPENSES

13 For necessary expenses of the Rural Business-Coop-
14 erative Service, including administering the programs au-
15 thorized by the Consolidated Farm and Rural Develop-
16 ment Act, as amended; section 1323 of the Food Security
17 Act of 1985; the Cooperative Marketing Act of 1926; for
18 activities relating to the marketing aspects of cooperatives,
19 including economic research findings, as authorized by the
20 Agricultural Marketing Act of 1946; for activities with in-
21 stitutions concerning the development and operation of ag-
22 ricultural cooperatives; and cooperative agreements;
23 \$25,680,000: *Provided*, That this appropriation shall be
24 available for employment pursuant to the second sentence
25 of 706(a) of the Organic Act of 1944, and not to exceed

1 \$260,000 may be used for employment under 5 U.S.C.
2 3109.

3 RURAL UTILITIES SERVICE
4 RURAL ELECTRIFICATION AND TELECOMMUNICATIONS
5 LOANS PROGRAM ACCOUNT
6 (INCLUDING TRANSFERS OF FUNDS)

7 Insured loans pursuant to the authority of section
8 305 of the Rural Electrification Act of 1936, as amended
9 (7 U.S.C. 935), shall be made as follows: 5 percent rural
10 electrification loans, \$125,000,000, 5 percent rural tele-
11 communications loans, \$75,000,000; cost of money rural
12 telecommunications loans, \$300,000,000; municipal rate
13 rural electric loans, \$525,000,000; and loans made pursu-
14 ant to section 306 of that Act, rural electric,
15 \$300,000,000, and rural telecommunications,
16 \$120,000,000, to remain available until expended.

17 For the cost, as defined in section 502 of the Con-
18 gressional Budget Act of 1974, including the cost of modi-
19 fying loans, of direct and guaranteed loans authorized by
20 the Rural Electrification Act of 1936, as amended (7
21 U.S.C. 935), as follows: cost of direct loans, \$4,818,000;
22 cost of municipal rate loans, \$28,245,000; cost of money
23 rural telecommunications loans, \$60,000; cost of loans
24 guaranteed pursuant to section 306, \$2,790,000: *Pro-*
25 *vided*, That notwithstanding section 305(d)(2) of the

1 Rural Electrification Act of 1936, borrower interest rates
2 may exceed 7 percent per year.

3 In addition, for administrative expenses necessary to
4 carry out the direct and guaranteed loan programs,
5 \$29,982,000, which shall be transferred to and merged
6 with the appropriation for "Salaries and Expenses."

7 RURAL TELEPHONE BANK PROGRAM ACCOUNT

8 The Rural Telephone Bank is hereby authorized to
9 make such expenditures, within the limits of funds avail-
10 able to such corporation in accord with law, and to make
11 such contracts and commitments without regard to fiscal
12 year limitations as provided by section 104 of the Govern-
13 ment Corporation Control Act, as amended, as may be
14 necessary in carrying out its authorized programs for the
15 current fiscal year. During fiscal year 1997 and within
16 the resources and authority available, gross obligations for
17 the principal amount of direct loans shall be
18 \$175,000,000.

19 For the cost, as defined in section 502 of the Con-
20 gressional Budget Act of 1974, including the cost of modi-
21 fying loans, of direct loans authorized by the Rural Elec-
22 trification Act of 1936, as amended (7 U.S.C. 935),
23 \$2,328,000.

24 In addition, for administrative expenses necessary to
25 carry out the loan programs, \$3,500,000.

1 DISTANCE LEARNING AND MEDICAL LINK PROGRAM

2 For the cost of direct loans and grants, as authorized
3 by 7 U.S.C. 950aaa et seq., as amended, ~~\$7,500,000~~
4 \$10,000,000, to remain available until expended, to be
5 available for loans and grants for telemedicine and dis-
6 tance learning services in rural areas: *Provided*, That the
7 costs of direct loans shall be as defined in section 502 of
8 the Congressional Budget Act of 1974.

9 RURAL UTILITIES ASSISTANCE PROGRAM

10 (INCLUDING TRANSFERS OF FUNDS)

11 For the cost of direct loans, loan guarantees, and
12 grants, as authorized by 7 U.S.C. 1926, 1928, and 1932,
13 except for 381E, 381H, 381N of the Consolidated Farm
14 and Rural Development Act, ~~\$496,868,000~~ \$657,942,000,
15 to remain available until expended, for direct loans and
16 loan guarantees and grants for rural water and waste dis-
17 posal, and solid waste management grants of the Rural
18 Utilities Service: *Provided*, That the cost of direct loans
19 and loan guarantees shall be as defined in section 502 of
20 the Congressional Budget Act of 1974, as amended: *Pro-*
21 *vided further*, That the amounts appropriated shall be
22 transferred to loan program and grant accounts as deter-
23 mined by the Secretary: *Provided further*, That, through
24 June 30, 1997, of the total amount appropriated,
25 \$18,700,000 shall be available for the costs of direct loans,
26 loan guarantees, and grants to be made available for

1 empowerment zones and enterprise communities, as au-
2 thorized by Public Law 103-66: *Provided further*, That,
3 of the total amount appropriated, not to exceed
4 \$18,700,000 shall be for water and waste disposal systems
5 to benefit the Colonias along the United States/Mexico
6 border, including grants pursuant to section 306C of the
7 Consolidated Farm and Rural Development Act, as
8 amended: *Provided further*, That, of the total amount ap-
9 propriated, not to exceed ~~\$5,000,000~~ \$5,400,000 shall be
10 available for contracting with qualified national organiza-
11 tions for a circuit rider program to provide technical as-
12 sistance for rural water systems: *Provided further*, That
13 an amount not less than that available in fiscal year 1996
14 be set aside and made available for ongoing technical as-
15 sistance under sections 306(a)(14) (7 U.S.C. 1926) and
16 310(B)(b) of the Consolidated Farm and Rural Develop-
17 ment Act (7 U.S.C. 1932).

18 SALARIES AND EXPENSES

19 For necessary expenses of the Rural Utilities Service,
20 including administering the programs authorized by the
21 Rural Electrification Act of 1936, as amended, and the
22 Consolidated Farm and Rural Development Act, as
23 amended, and cooperative agreements, \$33,195,000: *Pro-*
24 *vided*, That this appropriation shall be available for em-
25 ployment pursuant to the second sentence of 706(a) of the

1 Organic Act of 1944, and not to exceed \$105,000 may
 2 be used for employment under 5 U.S.C. 3109.

3 TITLE IV

4 DOMESTIC FOOD PROGRAMS

5 OFFICE OF THE UNDER SECRETARY FOR FOOD,
 6 NUTRITION AND CONSUMER SERVICES

7 For necessary salaries and expenses of the Office of
 8 the Under Secretary for Food, Nutrition and Consumer
 9 Services to administer the laws enacted by the Congress
 10 for the Food and Consumer Service, ~~\$454,000~~ \$554,000.

11 CHILD NUTRITION PROGRAMS

12 (INCLUDING TRANSFERS OF FUNDS)

13 For necessary expenses to carry out the National
 14 School Lunch Act (42 U.S.C. 1751–1769b), except section
 15 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1772–
 16 1785, and 1789); except sections 17 and 19;
 17 ~~\$8,652,597,000~~ \$8,654,797,000, to remain available
 18 through September 30, 1998, of which ~~\$3,218,844,000~~
 19 \$3,221,044,000 is hereby appropriated and \$5,433,753,000
 20 shall be derived by transfer from funds available under
 21 section 32 of the Act of August 24, 1935 (7 U.S.C.
 22 612c):—*Provided*, That none of the funds made available
 23 under this heading shall be used for new studies and eval-
 24 uations: *Provided*, That not to exceed \$2,000,000 of the
 25 funds made available under this heading shall be used for
 26 studies and evaluations: *Provided further*, That up to

1 \$4,031,000 shall be available for independent verification
2 of school food service claims.

3 SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR
4 WOMEN, INFANTS, AND CHILDREN (WIC)

5 For necessary expenses to carry out the special sup-
6 plemental nutrition program as authorized by section 17
7 of the Child Nutrition Act of 1966 (42 U.S.C. 1786),
8 \$3,729,807,000, to remain available through September
9 30, 1998: *Provided*, That none of the funds made available
10 under this heading may be used to begin more than two
11 studies and evaluations: *Provided further*, That up to
12 \$6,750,000 may be used to carry out the farmers' market
13 nutrition program from any funds not needed to maintain
14 current caseload levels: ~~*Provided further*, That, of the~~
15 ~~total amount of fiscal year 1996 carryover funds that can-~~
16 ~~not be spent in fiscal year 1997, any funds in excess of~~
17 ~~\$100,000,000 may be transferred by the Secretary to~~
18 ~~other programs in the Department of Agriculture, exclud-~~
19 ~~ing the Forest Service, with prior notification to the House~~
20 ~~and Senate Appropriations Committees: *Provided further*,~~
21 ~~That once the amount for fiscal year 1996 carryover funds~~
22 ~~has been determined by the Secretary, any funds in excess~~
23 ~~of \$100,000,000 may be transferred by the Secretary of Ag-~~
24 ~~riculture to any loan program of the Department and/or~~
25 ~~to make available up to \$10,000,000 for the WIC farmers'~~
26 ~~market nutrition program: *Provided further*, That none of~~

1 the funds in this Act shall be available to pay administra-
 2 tive expenses of WIC clinics except those that have an an-
 3 nounced policy of prohibiting smoking within the space
 4 used to carry out the program: *Provided further, That*
 5 none of the funds provided in this account shall be avail-
 6 able for the purchase of infant formula except in accord-
 7 ance with the cost containment and competitive bidding
 8 requirements specified in section 17 of the Child Nutrition
 9 Act of 1966 (42 U.S.C. 1786): *Provided further, That*
 10 *State agencies required to procure infant formula using a*
 11 *competitive bidding system may use funds appropriated by*
 12 *this Act to purchase infant formula under a cost contain-*
 13 *ment contract entered into after September 30, 1996 only*
 14 *if the contract was awarded to the bidder offering the lowest*
 15 *net price, as defined by section 17(b)(20) of the Child Nutri-*
 16 *tion Act of 1966, unless the State agency demonstrates to*
 17 *the satisfaction of the Secretary that the weighted average*
 18 *retail price for different brands of infant formula in the*
 19 *State does not vary by more than five percent.*

20 FOOD STAMP PROGRAM

21 For necessary expenses to carry out the Food Stamp
 22 Act (7 U.S.C. ~~2011-2029~~ *2011 et seq.*), ~~\$27,615,029,000~~
 23 *\$28,521,029,000: Provided, That funds provided herein*
 24 *shall remain available through September 30, 1997, in ac-*
 25 *cordance with section 18(a) of the Food Stamp Act: Pro-*

1 *vided further, That \$100,000,000 \$1,000,000,000 of the*
2 *foregoing amount shall be placed in reserve for use only*
3 *in such amounts and at such times as may become nec-*
4 *essary to carry out program operations:—Provided further,*
5 *That none of the funds made available under this heading*
6 *shall be used for new studies and evaluations: Provided*
7 *further, That not to exceed \$6,000,000 of the funds made*
8 *available under this heading shall be used for studies and*
9 *evaluations: Provided further, That funds provided herein*
10 *shall be expended in accordance with section 16 of the*
11 *Food Stamp Act: Provided further, That this appropria-*
12 *tion shall be subject to any work registration or workfare*
13 *requirements as may be required by law: Provided further,*
14 *That \$1,174,000,000 of the foregoing amount shall be*
15 *available for nutrition assistance for Puerto Rico as au-*
16 *thorized by 7 U.S.C. 2028.*

17 COMMODITY ASSISTANCE PROGRAM

18 For necessary expenses to carry out the commodity
19 supplemental food program as authorized by section 4(a)
20 of the Agriculture and Consumer Protection Act of 1973
21 (7 U.S.C. 612c (note)), the Emergency Food Assistance
22 Act of 1983, as amended, and section 110 of the Hunger
23 Prevention Act of 1988, \$166,000,000, to remain avail-
24 able through September 30, 1998: *Provided, That none*
25 *of these funds shall be available to reimburse the Com-*

1 modify Credit Corporation for commodities donated to the
2 program.

3 FOOD DONATIONS PROGRAMS FOR SELECTED GROUPS

4 For necessary expenses to carry out section 4(a) of
5 the Agriculture and Consumer Protection Act of 1973 (7
6 U.S.C. 612c (note)), ~~section 4(b) of the Food Stamp Act~~
7 ~~(7 U.S.C. 2013(b))~~, and section 311 of the Older Ameri-
8 cans Act of 1965, as amended (42 U.S.C. 3030a),
9 ~~\$205,000,000~~ \$141,250,000, to remain available through
10 September 30, 1998.

11 FOOD PROGRAM ADMINISTRATION

12 For necessary administrative expenses of the domes-
13 tic food programs funded under this Act, ~~\$104,487,000~~
14 \$107,769,000, of which \$5,000,000 shall be available only
15 for simplifying procedures, reducing overhead costs, tight-
16 ening regulations, improving food stamp coupon handling,
17 and assistance in the prevention, identification, and pros-
18 ection of fraud and other violations of law: *Provided,*
19 That this appropriation shall be available for employment
20 pursuant to the second sentence of section 706(a) of the
21 Organic Act of 1944 (7 U.S.C. 2225), and not to exceed
22 \$150,000 shall be available for employment under 5
23 U.S.C. 3109.

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

7 For necessary expenses of the Foreign Agricultural
8 Service, including carrying out title VI of the Agricultural
9 Act of 1954, as amended (7 U.S.C. 1761–1768), market
10 development activities abroad, and for enabling the Sec-
11 retary to coordinate and integrate activities of the Depart-
12 ment in connection with foreign agricultural work, includ-
13 ing not to exceed \$128,000 for representation allowances
14 and for expenses pursuant to section 8 of the Act approved
15 August 3, 1956 (7 U.S.C. 1766), ~~\$128,005,000~~
16 *\$138,561,000*, of which ~~\$2,792,000~~ *\$3,231,000* may be
17 transferred from the Export Loan Program account in
18 this Act, and ~~\$1,005,000~~ *\$1,035,000* may be transferred
19 from the Public Law 480 program account in this Act:
20 *Provided*, That the Service may utilize advances of funds,
21 or reimburse this appropriation for expenditures made on
22 behalf of Federal agencies, public and private organiza-
23 tions and institutions under agreements executed pursu-
24 ant to the agricultural food production assistance pro-
25 grams (7 U.S.C. 1736) and the foreign assistance pro-

1 grams of the International Development Cooperation Ad-
2 ministration (22 U.S.C. 2392):—*Provided further, That*
3 ~~funds provided for foreign market development to trade~~
4 ~~associations, cooperatives and small businesses shall be al-~~
5 ~~located only after a competitive bidding process to target~~
6 ~~funds to those entities most likely to generate additional~~
7 ~~U.S. exports as a result of the expenditure.~~

8 None of the funds in the foregoing paragraph shall
9 be available to promote the sale or export of tobacco or
10 tobacco products.

11 PUBLIC LAW 480 PROGRAM AND GRANT ACCOUNTS

12 (INCLUDING TRANSFERS OF FUNDS)

13 For expenses during the current fiscal year, not oth-
14 erwise recoverable, and unrecovered prior years' costs, in-
15 cluding interest thereon, under the Agricultural Trade De-
16 velopment and Assistance Act of 1954, as amended (7
17 U.S.C. 1691, 1701–1715, 1721–1726, 1727–1727f,
18 1731–1736g), as follows: (1) ~~\$216,400,000~~ \$218,944,000
19 for Public Law 480 title I credit, including Food for
20 Progress programs; (2) \$13,905,000 is hereby appro-
21 priated for ocean freight differential costs for the ship-
22 ment of agricultural commodities pursuant to title I of
23 said Act and the Food for Progress Act of 1985, as
24 amended; (3) \$837,000,000 is hereby appropriated for
25 commodities supplied in connection with dispositions

1 abroad pursuant to title II of said Act; and (4)
 2 ~~\$29,500,000~~ \$40,000,000 is hereby appropriated for com-
 3 modities supplied in connection with dispositions abroad
 4 pursuant to title III of said Act: *Provided*, That not to
 5 exceed 15 percent of the funds made available to carry
 6 out any title of said Act may be used to carry out any
 7 other title of said Act: *Provided further*, That such sums
 8 shall remain available until expended (7 U.S.C. 2209b).

9 For the cost, as defined in section 502 of the Con-
 10 gressional Budget Act of 1974, of direct credit agreements
 11 as authorized by the Agricultural Trade Development and
 12 Assistance Act of 1954, as amended, and the Food for
 13 Progress Act of 1985, as amended, including the cost of
 14 modifying credit agreements under said Act,
 15 ~~\$177,000,000~~ \$179,082,000.

16 In addition, for administrative expenses to carry out
 17 the Public Law 480 title I credit program, and the Food
 18 for Progress Act of 1985, as amended, to the extent funds
 19 appropriated for Public Law 480 are utilized, ~~\$1,750,000~~
 20 \$1,818,000.

21 COMMODITY CREDIT CORPORATION EXPORT LOANS

22 PROGRAM ACCOUNT

23 (INCLUDING TRANSFERS OF FUNDS)

24 For administrative expenses to carry out the Com-
 25 modity Credit Corporation's export guarantee program,

1 GSM 102 and GSM 103, ~~\$3,381,000~~ *\$3,820,000*; to cover
2 common overhead expenses as permitted by section 11 of
3 the Commodity Credit Corporation Charter Act and in
4 conformity with the Federal Credit Reform Act of 1990,
5 of which not to exceed ~~\$2,792,000~~ *\$3,231,000* may be
6 transferred to and merged with the appropriation for the
7 salaries and expenses of the Foreign Agricultural Service,
8 and of which not to exceed \$589,000 may be transferred
9 to and merged with the appropriation for the salaries and
10 expenses of the Farm Service Agency.

11 EXPORT CREDIT

12 The Commodity Credit Corporation shall make avail-
13 able not less than \$5,500,000,000 in credit guarantees
14 under its export credit guarantee program extended to fi-
15 nance the export sales of United States agricultural com-
16 modities and the products thereof, as authorized by sec-
17 tion 202 (a) and (b) of the Agricultural Trade Act of 1978
18 (7 U.S.C. 5641).

1 TITLE VI
2 RELATED AGENCIES AND FOOD AND DRUG
3 ADMINISTRATION
4 DEPARTMENT OF HEALTH AND HUMAN
5 SERVICES
6 FOOD AND DRUG ADMINISTRATION
7 SALARIES AND EXPENSES
8 For necessary expenses of the Food and Drug Ad-
9 ministration, including hire and purchase of passenger
10 motor vehicles; for rental of special purpose space in the
11 District of Columbia or elsewhere; and for miscellaneous
12 and emergency expenses of enforcement activities, author-
13 ized and approved by the Secretary and to be accounted
14 for solely on the Secretary's certificate, not to exceed
15 \$25,000; \$907,499,000, of which not to exceed
16 \$87,528,000 in fees pursuant to section 736 of the Fed-
17 eral Food, Drug, and Cosmetic Act may be credited to
18 this appropriation and remain available until expended:
19 *Provided*, That fees derived from applications received
20 during fiscal year 1997 shall be subject to the fiscal year
21 1997 limitation: *Provided further*, That none of these
22 funds shall be used to develop, establish, or operate any
23 program of user fees authorized by 31 U.S.C. 9701.

1 In addition, fees pursuant to section 354 of the Pub-
2 lic Health Service Act may be credited to this account,
3 to remain available until expended.

4 In addition, fees pursuant to section 801 of the Fed-
5 eral Food, Drug, and Cosmetic Act may be credited to
6 this account, to remain available until expended.

7 ~~None of the funds appropriated or made available to~~
8 ~~the Federal Food and Drug Administration shall be used~~
9 ~~to implement any rule finalizing the August 25, 1995 pro-~~
10 ~~posed rule entitled “The Prescription Drug Product La-~~
11 ~~beling, Medication Guide Requirements,” except as to any~~
12 ~~specific drug or biological product where the FDA deter-~~
13 ~~mines that without approved patient information there~~
14 ~~would be a serious and significant public health risk.~~

15 *GENERAL PROVISIONS*

16 *SECTION 601. EFFECTIVE MEDICATION GUIDES.—*

17 *(a) IN GENERAL.—Not later than 30 days after*
18 *the date of enactment of this Act, the Secretary of the*
19 *Department of Health and Human Services shall re-*
20 *quest that national organizations representing health*
21 *care professionals, consumer organizations, voluntary*
22 *health agencies, the pharmaceutical industry, drug*
23 *wholesalers, patient drug information database com-*
24 *panies, and other relevant parties collaborate to de-*
25 *velop a long-range comprehensive action plan to*

1 *achieve goals consistent with the goals of the proposed*
2 *rule of the Food and Drug Administration on “Pre-*
3 *scription Drug Product Labeling: Medication Guide*
4 *Requirements” (60 Fed. Reg. 44182; relating to the*
5 *provision of oral and written prescription informa-*
6 *tion to consumers).*

7 *(b) PLAN.—The plan described in subsection (a)*
8 *shall—*

9 *(1) identify the plan goals;*

10 *(2) assess the effectiveness of the current pri-*
11 *vate-sector approaches used to provide oral and*
12 *written prescription information to consumers;*

13 *(3) develop guidelines for providing effective*
14 *oral and written prescription information con-*
15 *sistent with the findings of any such assessment;*

16 *(4) develop a mechanism to assess periodi-*
17 *cally the quality of the oral and written pre-*
18 *scription information and the frequency with*
19 *which the information is provided to consumers;*
20 *and*

21 *(5) provide for compliance with relevant*
22 *State board regulations.*

23 *(c) LIMITATION ON THE AUTHORITY OF THE SEC-*
24 *RETARY.—The Secretary of the Department of Health*
25 *and Human Services shall have no authority to im-*

1 *plement the proposed rule described in subsection (a),*
2 *or to develop any similar regulation, policy state-*
3 *ment, or other guideline specifying a uniform content*
4 *or format for written information voluntarily pro-*
5 *vided to consumers about prescription drugs if, not*
6 *later than 120 days after the date of enactment of this*
7 *Act, the national organizations described in sub-*
8 *section (a) develop and begin to implement a com-*
9 *prehensive, long-range action plan (as described in*
10 *subsection (a)) regarding the provision of oral and*
11 *written prescription information.*

12 *(d) SECRETARY REVIEW.—Not later than Janu-*
13 *ary 1, 2001, the Secretary of the Department of*
14 *Health and Human Services shall review the status*
15 *of private-sector initiatives designed to achieve the*
16 *goals of the plan described in subsection (a), and if*
17 *such goals are not achieved, the limitation in sub-*
18 *section (c) shall not apply, and the Secretary shall*
19 *seek public comment on other initiatives that may be*
20 *carried out to meet such goals. The Secretary shall*
21 *not delegate such review authority to the Commis-*
22 *sioner of the Food and Drug Administration.*

23 *SEC. 602. Section 3 of the Saccharin Study and La-*
24 *beling Act (21 U.S.C 348 nt.) is amended by striking out*

1 “May 1, 1997” and inserting in lieu thereof “May 1, ~~2002~~
2 1998”.

3 *SEC. 603. AMENDMENTS TO THE FEDERAL FOOD,*
4 *DRUG, AND COSMETIC ACT.—*

5 *(a) IMPORTS FOR EXPORT.—Section 801(d)(3) of*
6 *the Federal Food, Drug, and Cosmetic Act is amend-*
7 *ed—*

8 *(1) by striking “accessory of a device which*
9 *is ready” and inserting “accessory of a device, or*
10 *other article of device requiring further process-*
11 *ing, which is ready”;*

12 *(2) in subparagraph (A), by striking “is in-*
13 *tended to be” and inserting “is intended to be*
14 *further processed by the initial owner or con-*
15 *signee, or”;* and

16 *(3) in subparagraph (C)—*

17 *(A) by striking “part,” and inserting*
18 *“part, article,”;* and

19 *(B) by striking “incorporated” and in-*
20 *serting “incorporated or further processed”.*

21 *(b) LABELING OF EXPORTED DRUGS.—Section*
22 *801(f) of the Federal Food, Drug, and Cosmetic Act*
23 *is amended—*

24 *(1) in paragraph (1), by striking “If a*
25 *drug” and inserting “If a drug (other than insu-*

1 a share of this appropriation may be transferred to the
2 salaries and expenses appropriation, but such transfers
3 shall not exceed 5 percent of the funds made available for
4 rental payments (FDA) to or from this account.

5 DEPARTMENT OF THE TREASURY

6 FINANCIAL MANAGEMENT SERVICE

7 PAYMENTS TO THE FARM CREDIT SYSTEM FINANCIAL

8 ASSISTANCE CORPORATION

9 For necessary payments to the Farm Credit System
10 Financial Assistance Corporation by the Secretary of the
11 Treasury, as authorized by section 6.28(c) of the Farm
12 Credit Act of 1971, as amended, for reimbursement of in-
13 terest expenses incurred by the Financial Assistance Cor-
14 poration on obligations issued through 1994, as author-
15 ized \$10,290,000.

16 INDEPENDENT AGENCIES

17 COMMODITY FUTURES TRADING COMMISSION

18 For necessary expenses to carry out the provisions
19 of the Commodity Exchange Act, as amended (7 U.S.C.
20 1 et seq.), including the purchase and hire of passenger
21 motor vehicles; the rental of space (to include multiple
22 year leases) in the District of Columbia and elsewhere; and
23 not to exceed \$25,000 for employment under 5 U.S.C.
24 3109; ~~\$55,101,000~~ \$56,601,000, including not to exceed
25 \$1,000 for official reception and representation expenses:

1 *Provided*, That the Commission is authorized to charge
 2 reasonable fees to attendees of Commission sponsored edu-
 3 cational events and symposia to cover the Commission's
 4 costs of providing those events and symposia, and notwith-
 5 standing 31 U.S.C. 3302, said fees shall be credited to
 6 this account, to be available without further appropriation.

7 ~~FARM CREDIT ADMINISTRATION~~

8 ~~LIMITATION ON ADMINISTRATIVE EXPENSES~~

9 ~~Not to exceed \$37,478,000 (from assessments col-~~
 10 ~~lected from farm credit institutions and from the Federal~~
 11 ~~Agricultural Mortgage Corporation) shall be obligated~~
 12 ~~during the current fiscal year for administrative expenses~~
 13 ~~as authorized under 12 U.S.C. 2249.~~

14 ~~TITLE VII—GENERAL PROVISIONS~~

15 ~~SEC. 701. Within the unit limit of cost fixed by law,~~
 16 ~~appropriations and authorizations made for the Depart-~~
 17 ~~ment of Agriculture for the fiscal year 1997 under this~~
 18 ~~Act shall be available for the purchase, in addition to those~~
 19 ~~specifically provided for, of not to exceed 667 passenger~~
 20 ~~motor vehicles, of which 643 shall be for replacement only,~~
 21 ~~and for the hire of such vehicles.~~

22 ~~SEC. 702. Funds in this Act available to the Depart-~~
 23 ~~ment of Agriculture shall be available for uniforms or al-~~
 24 ~~lowances therefor as authorized by law (5 U.S.C. 5901–~~
 25 ~~5902).~~

1 SEC. 703. Not less than \$1,500,000 of the appropria-
2 tions of the Department of Agriculture in this Act for re-
3 search and service work authorized by the Acts of August
4 14, 1946, and July 28, 1954 (7 U.S.C. 427, 1621–1629),
5 and by chapter 63 of title 31, United States Code, shall
6 be available for contracting in accordance with said Acts
7 and chapter.

8 SEC. 704. The cumulative total of transfers to the
9 Working Capital Fund for the purpose of accumulating
10 growth capital for data services and National Finance
11 Center operations shall not exceed \$2,000,000: *Provided,*
12 That no funds in this Act appropriated to an agency of
13 the Department shall be transferred to the Working Cap-
14 ital Fund without the approval of the agency adminis-
15 trator.

16 SEC. 705. New obligational authority provided for the
17 following appropriation items in this Act shall remain
18 available until expended (7 U.S.C. 2209b): Animal and
19 Plant Health Inspection Service, the contingency fund to
20 meet emergency conditions, fruit fly program, and inte-
21 grated systems acquisition project; Farm Service Agency,
22 salaries and expenses funds made available to county com-
23 mittees; and Foreign Agricultural Service, middle-income
24 country training program.

1 New obligational authority for the boll weevil pro-
2 gram; up to 10 percent of the screwworm program of the
3 Animal and Plant Health Inspection Service; ~~Food Safety~~
4 ~~and Inspection Service~~; ~~field automation and information~~
5 ~~management project~~; funds appropriated for rental pay-
6 ments; funds for the Native American institutions endow-
7 ment fund in the Cooperative State Research, Education,
8 and Extension Service, and funds for the competitive re-
9 search grants (7 U.S.C. 450i(b)), shall remain available
10 until expended.

11 SEC. 706. No part of any appropriation contained in
12 this Act shall remain available for obligation beyond the
13 current fiscal year unless expressly so provided herein.

14 SEC. 707. Not to exceed \$50,000 of the appropria-
15 tions available to the Department of Agriculture in this
16 Act shall be available to provide appropriate orientation
17 and language training pursuant to Public Law 94-449.

18 SEC. 708. No funds appropriated by this Act may be
19 used to pay negotiated indirect cost rates on cooperative
20 agreements or similar arrangements between the United
21 States Department of Agriculture and nonprofit institu-
22 tions in excess of 10 percent of the total direct cost of
23 the agreement when the purpose of such cooperative ar-
24 rangements is to carry out programs of mutual interest
25 between the two parties. This does not preclude appro-

1 priate payment of indirect costs on grants and contracts
2 with such institutions when such indirect costs are com-
3 puted on a similar basis for all agencies for which appro-
4 priations are provided in this Act.

5 SEC. 709. Notwithstanding any other provision of
6 this Act, commodities acquired by the Department in con-
7 nection with Commodity Credit Corporation and section
8 32 price support operations may be used, as authorized
9 by law (15 U.S.C. 714c and 7 U.S.C. 612c), to provide
10 commodities to individuals in cases of hardship as deter-
11 mined by the Secretary of Agriculture.

12 SEC. 710. None of the funds in this Act shall be avail-
13 able to reimburse the General Services Administration for
14 payment of space rental and related costs in excess of the
15 amounts specified in this Act; nor shall this or any other
16 provision of law require a reduction in the level of rental
17 space or services below that of fiscal year 1996 or prohibit
18 an expansion of rental space or services with the use of
19 funds otherwise appropriated in this Act. Further, no
20 agency of the Department of Agriculture, from funds oth-
21 erwise available, shall reimburse the General Services Ad-
22 ministration for payment of space rental and related costs
23 provided to such agency at a percentage rate which is
24 greater than is available in the case of funds appropriated
25 in this Act.

1 SEC. 711. None of the funds in this Act shall be avail-
2 able to restrict the authority of the Commodity Credit
3 Corporation to lease space for its own use or to lease space
4 on behalf of other agencies of the Department of Agri-
5 culture when such space will be jointly occupied.

6 SEC. 712. With the exception of grants awarded
7 under the Small Business Innovation Development Act of
8 1982, Public Law 97–219, as amended (15 U.S.C. 638),
9 none of the funds in this Act shall be available to pay
10 indirect costs on research grants awarded competitively by
11 the Cooperative State Research, Education, and Extension
12 Service that exceed 14 percent of total Federal funds pro-
13 vided under each award.

14 SEC. 713. Notwithstanding any other provisions of
15 this Act, all loan levels provided in this Act shall be consid-
16 ered estimates, not limitations.

17 SEC. 714. Appropriations to the Department of Agri-
18 culture for the cost of direct and guaranteed loans made
19 available in fiscal year 1997 shall remain available until
20 expended to cover obligations made in fiscal year 1997 for
21 the following accounts: the rural development loan fund
22 program account; the Rural Telephone Bank program ac-
23 count; the rural electrification and telecommunications
24 loans program account; and the rural economic develop-
25 ment loans program account.

1 SEC. 715. Such sums as may be necessary for fiscal
2 year 1997 pay raises for programs funded by this Act shall
3 be absorbed within the levels appropriated in this Act.

4 SEC. 716. (a) COMPLIANCE WITH BUY AMERICAN
5 ACT.—None of the funds made available in this Act may
6 be expended by an entity unless the entity agrees that in
7 expending the funds the entity will comply with sections
8 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–
9 10c; popularly known as the “Buy American Act”).

10 (b) SENSE OF CONGRESS; REQUIREMENT REGARD-
11 ING NOTICE.—

12 (1) PURCHASE OF AMERICAN-MADE EQUIPMENT
13 AND PRODUCTS.—In the case of any equipment or
14 product that may be authorized to be purchased
15 with financial assistance provided using funds made
16 available in this Act, it is the sense of the Congress
17 that entities receiving the assistance should, in ex-
18 pending the assistance, purchase only American-
19 made equipment and products.

20 (2) NOTICE TO RECIPIENTS OF ASSISTANCE.—
21 In providing financial assistance using funds made
22 available in this Act, the head of each Federal agen-
23 cy shall provide to each recipient of the assistance
24 a notice describing the statement made in paragraph
25 (1) by the Congress.

1 (c) PROHIBITION OF CONTRACTS WITH PERSONS
2 FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—

3 If it has been finally determined by a court or Federal
4 agency that any person intentionally affixed a label bear-
5 ing a “Made in America” inscription, or any inscription
6 with the same meaning, to any product sold in or shipped
7 to the United States that is not made in the United
8 States, the person shall be ineligible to receive any con-
9 tract or subcontract made with funds made available in
10 this Act, pursuant to the debarment, suspension, and ineli-
11 gibility procedures described in sections 9.400 through
12 9.409 of title 48, Code of Federal Regulations.

13 SEC. 717. Notwithstanding the Federal Grant and
14 Cooperative Agreement Act, marketing services of the Ag-
15 ricultural Marketing Service and the Animal and Plant
16 Health Inspection Service may use cooperative agreements
17 to reflect a relationship between Agricultural Marketing
18 Service or the Animal and Plant Health Inspection Service
19 and a State or Cooperator to carry out agricultural mar-
20 keting programs or to carry out programs to protect the
21 Nation’s animal and plant resources.

22 SEC. 718. None of the funds in this Act may be used
23 to retire more than 5% of the Class A stock of the Rural
24 Telephone Bank or to maintain any account or subaccount
25 within the accounting records of the Rural Telephone

1 Bank the creation of which has not specifically been au-
2 thorized by statute: *Provided, That notwithstanding any*
3 *other provision of law, none of the funds appropriated or*
4 *otherwise made available in this Act may be used to trans-*
5 *fer to the Treasury or to the Federal Financing Bank any*
6 *unobligated balance of the Rural Telephone Bank telephone*
7 *liquidating account which is in excess of current require-*
8 *ments and such balance shall receive interest as set forth*
9 *for financial accounts in section 505(c) of the Federal Cred-*
10 *it Reform Act of 1990.*

11 SEC. 719. None of the funds appropriated or other-
12 wise made available by this Act may be used to provide
13 food stamp benefits to households whose benefits are cal-
14 culated using a standard deduction greater than the
15 standard deduction in effect for fiscal year 1995.

16 SEC. 720. None of the funds made available in this
17 Act may be used to provide assistance to, or to pay the
18 salaries of personnel who carry out a market promotion/
19 market access program pursuant to section 203 of the Ag-
20 ricultural Trade Act of 1978 (7 U.S.C. 5623) that pro-
21 vides assistance to the U.S. Mink Export Development
22 Council or any mink industry trade association.

23 SEC. 721. None of the funds appropriated or other-
24 wise made available by this Act shall be used to enroll

1 in excess of 130,000 acres in the fiscal year 1997 wetlands
2 reserve program, as authorized by 16 U.S.C. 3837.

3 SEC. 722. Of the funds made available by this Act,
4 not more than \$1,000,000 shall be used to cover necessary
5 expenses of activities related to all advisory committees,
6 panels, commissions, and task forces of the Department
7 of Agriculture except for panels used to comply with nego-
8 tiated rule makings *and panels used to evaluate competi-*
9 *tively awarded grants.*

10 SEC. 723. None of the funds appropriated or other-
11 wise made available by this Act shall be used to pay the
12 salaries and expenses of personnel who carry out an export
13 enhancement program if the aggregate amount of funds
14 and/or commodities under such program exceeds
15 \$100,000,000.

16 ~~SEC. 724. None of the funds appropriated or other-~~
17 ~~wise made available by this Act shall be used to pay the~~
18 ~~salaries and expenses of personnel who carry out a farm-~~
19 ~~land protection program in excess of \$2,000,000 author-~~
20 ~~ized by section 388 of Public Law 104-127.~~

21 ~~SEC. 725. None of the funds appropriated or other-~~
22 ~~wise made available by this Act shall be used to pay the~~
23 ~~salaries and expenses of personnel who carry out a wildlife~~
24 ~~habitat incentives program authorized by section 387 of~~
25 ~~Public Law 104-127.~~

1 ~~SEC. 726. None of the funds appropriated or other-~~
2 ~~wise made available by this Act shall be used to pay the~~
3 ~~salaries and expenses of personnel who carry out a con-~~
4 ~~servation farm option program in excess of \$2,000,000 au-~~
5 ~~thorized by section 335 of Public Law 104-127.~~

6 SEC. 727. None of the funds made available in this
7 Act may be used to pay the salaries of employees of the
8 Department of Agriculture who make payments pursuant
9 to a production flexibility contract entered into under sec-
10 tion 111 of the Federal Agriculture Improvement and Re-
11 form Act of 1996 (Public Law 104-127; 7 U.S.C. 7211)
12 when it is made known to the Federal official having au-
13 thority to obligate or expend such funds that the land cov-
14 ered by that production flexibility contract is not being
15 used for the production of an agricultural commodity or
16 is not devoted to a conserving use, unless it is also made
17 known to that Federal official that the lack of agricultural
18 production or the lack of a conserving use is a consequence
19 of drought, flood, or other natural disaster *used for an*
20 *agricultural or related activity, including conserving use,*
21 *as determined by the Secretary.*

22 SEC. 728. None of the funds appropriated or other-
23 wise made available by this Act shall be used to extend
24 any existing or expiring contract in the Conservation Re-
25 serve Program authorized by 16 U.S.C. 3831-3845.

1 SEC. 729. None of the funds made available in this
2 Act may be used to maintain the price of raw cane sugar
3 (as reported for an appropriate preceding month for appli-
4 cable sugar futures contracts of the Coffee, Sugar, and
5 Cocoa Exchange, New York) at more than 117½ percent
6 of the statutory loan rate under section 158 of the Federal
7 Agriculture Improvement and Reform Act (title 1 of Pub-
8 lic Law 104–127).

9 SEC. 730. None of the funds appropriated in this Act
10 may be used to carry out the provisions of section 918
11 of Public Law 104–127, the Federal Agriculture Improve-
12 ment and Reform Act.

13 SEC. 731. (a) IN GENERAL.—Any owner on the date
14 of enactment of this Act of the right to market a non-
15 steroidal anti-inflammatory drug that—

16 (1) contains a patented active agent;

17 (2) has been reviewed by the Federal Food and
18 Drug Administration for a period of more than 96
19 months as a new drug application; and

20 (3) was approved as safe and effective by the
21 Federal Food and Drug Administration on January
22 31, 1991, shall be entitled, for the 2-year period be-
23 ginning on February 28, 1997, to exclude others
24 from making, using, offering for sale, selling, or im-
25 porting into the United States such active agent, in

1 accordance with section 154(a)(1) of title 35, United
2 States Code.

3 (b) INFRINGEMENT.—Section 271 of title 35, United
4 States Code shall apply to the infringement of the entitle-
5 ment provide under subsection (a).

6 (c) NOTIFICATION.—Not later than 30 days after the
7 date of the enactment of this section, any owner granted
8 an entitlement under subsection (a) shall notify the Com-
9 missioner of Patents and Trademarks and the Secretary
10 for Health and Human Services of such entitlement. Not
11 later than 7 days after the receipt of such notice, the Com-
12 mission and the Secretary shall publish an appropriate no-
13 tice of the receipt of such notice.

14 SEC. 732. ~~Funds~~ *Hereafter, funds* appropriated to the
15 Department of Agriculture may be used for incidental ex-
16 penses such as transportation, uniforms, lodging, and sub-
17 sistence for volunteers serving under the authority of 7
18 U.S.C. 2272, when such volunteers are engaged in the
19 work of the U.S. Department of Agriculture; and for pro-
20 motional items of nominal value relating to the U.S. De-
21 partment of Agriculture Volunteer Programs.

22 ~~SEC. 733.~~ It is the sense of Congress that, not later
23 than the date of the enactment of this Act, the Secretary
24 of Agriculture should—

1 (1) release a detailed plan for compensating
2 wheat farmers and handlers adversely affected by
3 the karnal bunt quarantine in Riverside and Impe-
4 rial Counties of California, which should include—

5 (A) an explanation of the factors to be
6 used to determine the compensation amount for
7 wheat farmers and handlers, including how con-
8 tract and spot market prices will be handled;
9 and

10 (B) compensation for farmers who have
11 crops positive for karnal bunt and compensation
12 for farmers who have crops which are negative
13 for karnal bunt, but which cannot go to market
14 due to the lack of Department action on match-
15 ing restrictions on the negative wheat with the
16 latest risk assessments; and

17 (2) review the risk assessments developed by
18 the University of California at Riverside and submit
19 a report to Congress describing how these risk as-
20 sessments will impact the Department of Agriculture
21 policy on the quarantine area for the 1997 wheat
22 crop.

23 *SEC. 734. Not to exceed 10 percent of the amounts ap-*
24 *propriated or otherwise made available by this Act for the*
25 *Rural Housing Assistance Program, the Rural Business-Co-*

1 *operative Assistance Program, and the Rural Utilities As-*
2 *sistance Program may be transferred between these pro-*
3 *grams for authorized purposes.*

4 *SEC. 735. None of the funds appropriated or otherwise*
5 *made available to the Department of Agriculture by this*
6 *Act may be used to detail or assign an individual from*
7 *an agency or office funded in this Act to any other agency*
8 *or office for more than 60 days, unless the Secretary pro-*
9 *vides notification to the House and Senate Committees on*
10 *Appropriations that an employee detail or assignment in*
11 *excess of 60 days is required.*

12 *SEC. 736. Section 747(e) of the Federal Agriculture*
13 *Improvement and Reform Act of 1996 is amended by insert-*
14 *ing, “effective October 1, 1996” following “The Secretary*
15 *shall make grants” in Section 747(e)(2).*

16 *SEC. 737. LABELING OF RAW POULTRY PRODUCTS.—*

17 *(a) IN GENERAL.—Notwithstanding any other*
18 *provision of law, none of the funds appropriated or*
19 *otherwise made available by this Act may be used to*
20 *implement or enforce the final rule related to the la-*
21 *beling of raw poultry products promulgated by the*
22 *Food Safety and Inspection Service on August 25,*
23 *1995 (60 Fed. Reg. 44395), and the final rule shall*
24 *not be effective during fiscal year 1997.*

1 (b) *FINAL RULE.*—Not later than 90 days after
2 the date of enactment of this Act, the Secretary of Ag-
3 riculture shall issue a revised final rule related to the
4 labeling of raw poultry products that—

5 (1) maintains the standard that the term
6 “fresh” may be used only for raw poultry prod-
7 ucts the internal core temperature of which has
8 not fallen below 26° Fahrenheit;

9 (2) deletes the requirement that poultry
10 products the internal core temperature of which
11 has ever been less than 26° Fahrenheit, but more
12 than 0° Fahrenheit, be labeled as “hard chilled”
13 or “previously hard chilled”, except that—

14 (A) the products shall be prohibited
15 under the rule from being labeled as “fresh”
16 but shall not be required to bear any spe-
17 cific alternative labeling; and

18 (B) nothing in this section shall be in-
19 terpreted as modifying the requirements for
20 labeling of all poultry products the internal
21 core temperature of which has ever fallen to
22 0° Fahrenheit as “frozen”;

23 (3) provides for a tolerance from the 26°
24 Fahrenheit standard established by the rule of—

1 (A) 1° Fahrenheit for poultry products
2 within an official processing establishment;

3 (B) 2° Fahrenheit for poultry products
4 in commerce;

5 (4) exempts from temperature testing wings,
6 tenders, hearts, livers, gizzards, necks, and prod-
7 ucts that undergo special processing, such as
8 sliced poultry products; and

9 (5) in all other terms and conditions (in-
10 cluding the period of time permitted for imple-
11 mentation) is substantively identical to the rule
12 referred to in subsection (a).

13 (c) *REVISED LABELING STANDARDS.*—Not later
14 than 60 days after the issuance of a revised final rule
15 under subsection (b), the Secretary of Agriculture,
16 acting through the Administrator of the Food Safety
17 and Inspection Service, shall issue a compliance di-
18 rective for the enforcement of the revised labeling
19 standards established by the rule, including standards
20 for—

21 (1) temperature testing that are based on
22 measurements at the center of the deepest muscle;
23 and

24 (2) sampling methods that ensure that the
25 average of individual temperatures within poul-

1 *try product lots of each specific product type*
2 *(such as whole birds, whole muscle leg products,*
3 *and whole muscle breast products) meet the*
4 *standards.*

5 *(d) SEVERABILITY.—If any provision of this sec-*
6 *tion or the application thereof to any person or cir-*
7 *cumstance is held invalid, the validity of the remain-*
8 *der of this section and of the application of the provi-*
9 *sion to any other persons or circumstances shall not*
10 *be affected.*

11 *SEC. 738. Section 7 of the Food Stamp Act of 1977*
12 *(7 U.S.C. 2016) is amended by adding at the end the follow-*
13 *ing:*

14 *“(j) ELECTRONIC BENEFIT TRANSFERS.—*

15 *“(1) DEFINITION OF ELECTRONIC BENEFIT*
16 *TRANSFER SYSTEM.—In this subsection, the term*
17 *‘electronic benefit transfer system’ means a system*
18 *under which a governmental entity distributes bene-*
19 *fits pursuant to this Act by establishing an account*
20 *that may be accessed electronically by a recipient of*
21 *the benefits or payments.*

22 *“(2) APPLICABLE LAW.—Disclosures, protections,*
23 *responsibilities, and remedies established by the Fed-*
24 *eral Reserve Board under section 904 of the Elec-*
25 *tronic Fund Transfer Act (15 U.S.C. 1692b) shall not*

1 *apply to benefits under this Act delivered through any*
2 *electronic benefit transfer system.*

3 “(3) *REPLACEMENT OF BENEFITS.—Regulations*
4 *issued by the Secretary regarding the replacement of*
5 *benefits and liability for replacement of benefits under*
6 *an electronic benefit transfer system shall be similar*
7 *to the regulations in effect for a paper-based food*
8 *stamp issuance system.”.*

Passed the House of Representatives June 12, 1996.

Attest:

ROBIN H. CARLE,

Clerk.