

104TH CONGRESS
2^D SESSION

H. R. 3603

IN THE HOUSE OF REPRESENTATIVES

JULY 25, 1996

Ordered to be printed with the amendments of the Senate numbered

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
7 ending September 30, 1997, and for other purposes,
8 namely:

1 TITLE I
2 AGRICULTURAL PROGRAMS
3 PRODUCTION, PROCESSING, AND MARKETING
4 OFFICE OF THE SECRETARY
5 (INCLUDING TRANSFERS OF FUNDS)

6 For necessary expenses of the Office of the Secretary
7 of Agriculture, and not to exceed \$75,000 for employment
8 under 5 U.S.C. 3109, \$2,836,000: *Provided*, That not to
9 exceed \$11,000 of this amount, along with any unobli-
10 gated balances of representation funds in the Foreign Ag-
11 ricultural Service shall be available for official reception
12 and representation expenses, not otherwise provided for,
13 as determined by the Secretary~~(1)~~:~~*Provided further*,~~
14 ~~That none of the funds appropriated or otherwise made~~
15 ~~available by this Act may be used to detail an individual~~
16 ~~from an agency funded in this Act to any Under Secretary~~
17 ~~office or Assistant Secretary office for more than 30 days:~~
18 *Provided further*, That none of the funds made available
19 by this Act may be used to enforce section 793(d) of Pub-
20 lic Law 104–127.

21 EXECUTIVE OPERATIONS

22 CHIEF ECONOMIST

23 For necessary expenses of the Chief Economist, in-
24 cluding economic analysis, risk assessment, cost-benefit
25 analysis, and the functions of the World Agricultural Out-

1 look Board, as authorized by the Agricultural Marketing
2 Act of 1946 (7 U.S.C. 1622g), and including employment
3 pursuant to the second sentence of section 706(a) of the
4 Organic Act of 1944 (7 U.S.C. 2225), of which not to
5 exceed \$5,000 is for employment under 5 U.S.C. 3109,
6 \$4,231,000.

7 NATIONAL APPEALS DIVISION

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

13 OFFICE OF BUDGET AND PROGRAM ANALYSIS

14 For necessary expenses of the Office of Budget and
15 Program Analysis, including employment pursuant to the
16 second sentence of section 706(a) of the Organic Act of
17 1944 (7 U.S.C. 2225), of which not to exceed \$5,000 is
18 for employment under 5 U.S.C. 3109, \$5,986,000.

19 CHIEF FINANCIAL OFFICER

20 For necessary expenses of the Office of the Chief Fi-
21 nancial Officer, including employment pursuant to the sec-
22 ond sentence of section 706(a) of the Organic Act of 1944
23 (7 U.S.C. 2225), of which not to exceed \$10,000 is for
24 employment under 5 U.S.C. 3109, \$4,283,000: *Provided,*
25 That the Chief Financial Officer shall actively market
26 cross-servicing activities of the National Finance Center.

1 equipment or facilities as necessary to carry out the pro-
2 grams of the Department, where not otherwise provided,
3 ~~(2)\$5,000,000~~, \$23,505,400 to remain available until ex-
4 pended; making a total appropriation of ~~(3)\$125,548,000~~
5 \$144,053,400.

6 HAZARDOUS WASTE MANAGEMENT

7 (INCLUDING TRANSFERS OF FUNDS)

8 For necessary expenses of the Department of Agri-
9 culture, to comply with the requirement of section 107(g)
10 of the Comprehensive Environmental Response, Com-
11 pensation, and Liability Act, as amended, 42 U.S.C.
12 9607(g), and section 6001 of the Resource Conservation
13 and Recovery Act, as amended, 42 U.S.C. 6961,
14 \$15,700,000, to remain available until expended: *Pro-*
15 *vided*, That appropriations and funds available herein to
16 the Department for Hazardous Waste Management may
17 be transferred to any agency of the Department for its
18 use in meeting all requirements pursuant to the above
19 Acts on Federal and non-Federal lands.

20 DEPARTMENTAL ADMINISTRATION

21 (INCLUDING TRANSFERS OF FUNDS)

22 For Departmental Administration, ~~(4)\$28,304,000~~
23 \$30,529,000, to provide for necessary expenses for man-
24 agement support services to offices of the Department and
25 for general administration and disaster management of

1 the Department, repairs and alterations, and other mis-
 2 cellaneous supplies and expenses not otherwise provided
 3 for and necessary for the practical and efficient work of
 4 the Department, including employment pursuant to the
 5 second sentence of section 706(a) of the Organic Act of
 6 1944 (7 U.S.C. 2225), of which not to exceed \$10,000
 7 is for employment under 5 U.S.C. 3109: *Provided*, That
 8 this appropriation shall be reimbursed from applicable ap-
 9 propriations in this Act for travel expenses incident to the
 10 holding of hearings as required by 5 U.S.C. 551–558(5):
 11 *Provided further, That of the total amount appropriated,*
 12 *not less than \$11,774,000 shall be made available for civil*
 13 *rights enforcement.*

14 OFFICE OF THE ASSISTANT SECRETARY FOR
 15 CONGRESSIONAL RELATIONS
 16 (INCLUDING TRANSFERS OF FUNDS)

17 For necessary salaries and expenses of the Office of
 18 the Assistant Secretary for Congressional Relations to
 19 carry out the programs funded in this Act, including pro-
 20 grams involving intergovernmental affairs and liaison
 21 within the executive branch, ~~(6)\$3,728,000~~ \$3,668,000:
 22 *Provided*, That no other funds appropriated to the Depart-
 23 ment in this Act shall be available to the Department for
 24 support of activities of congressional relations: *Provided*
 25 *further*, That not less than \$2,241,000 shall be transferred

1 to agencies funded in this Act to maintain personnel at
2 the agency level.

3 OFFICE OF COMMUNICATIONS

4 For necessary expenses to carry on services relating
5 to the coordination of programs involving public affairs,
6 for the dissemination of agricultural information, and the
7 coordination of information, work, and programs author-
8 ized by Congress in the Department, \$8,138,000, includ-
9 ing employment pursuant to the second sentence of section
10 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of
11 which not to exceed \$10,000 shall be available for employ-
12 ment under 5 U.S.C. 3109, and not to exceed \$2,000,000
13 may be used for farmers' bulletins.

14 OFFICE OF THE INSPECTOR GENERAL

15 (INCLUDING TRANSFERS OF FUNDS)

16 For necessary expenses of the Office of the Inspector
17 General, including employment pursuant to the second
18 sentence of section 706(a) of the Organic Act of 1944 (7
19 U.S.C. 2225), and the Inspector General Act of 1978, as
20 amended, \$63,028,000, including such sums as may be
21 necessary for contracting and other arrangements with
22 public agencies and private persons pursuant to section
23 6(a)(9) of the Inspector General Act of 1978, as amended,
24 including a sum not to exceed \$50,000 for employment
25 under 5 U.S.C. 3109; and including a sum not to exceed

1 \$95,000 for certain confidential operational expenses in-
2 cluding the payment of informants, to be expended under
3 the direction of the Inspector General pursuant to Public
4 Law 95–452 and section 1337 of Public Law 97–98: *Pro-*
5 *vided*, That funds transferred to the Office of the Inspec-
6 tor General through forfeiture proceedings or from the De-
7 partment of Justice Assets Forfeiture Fund or the De-
8 partment of the Treasury Forfeiture Fund, as a partici-
9 pating agency, as an equitable share from the forfeiture
10 of property in investigations in which the Office of the In-
11 spector General participates, or through the granting of
12 a Petition for Remission or Mitigation, shall be deposited
13 to the credit of this account for law enforcement activities
14 authorized under the Inspector General Act of 1978, as
15 amended, to remain available until expended.

16 OFFICE OF THE GENERAL COUNSEL

17 For necessary expenses of the Office of the General
18 Counsel, \$27,749,000.

19 OFFICE OF THE UNDER SECRETARY FOR RESEARCH,
20 EDUCATION AND ECONOMICS

21 For necessary salaries and expenses of the Office of
22 the Under Secretary for Research, Education and Eco-
23 nomics to administer the laws enacted by the Congress
24 for the Economic Research Service, the National Agricul-
25 tural Statistics Service, the Agricultural Research Service,

1 and the Cooperative State Research, Education, and Ex-
 2 tension Service, \$540,000.

3 ECONOMIC RESEARCH SERVICE

4 For necessary expenses of the Economic Research
 5 Service in conducting economic research and analysis, as
 6 authorized by the Agricultural Marketing Act of 1946 (7
 7 U.S.C. 1621–1627) and other laws, ~~(7)\$54,176,000~~
 8 \$53,109,000: *Provided*, That this appropriation shall be
 9 available for employment pursuant to the second sentence
 10 of section 706(a) of the Organic Act of 1944 (7 U.S.C.
 11 2225).

12 NATIONAL AGRICULTURAL STATISTICS SERVICE

13 For necessary expenses of the National Agricultural
 14 Statistics Service in conducting statistical reporting and
 15 service work, including crop and livestock estimates, sta-
 16 tistical coordination and improvements, marketing sur-
 17 veys, and the Census of Agriculture notwithstanding 13
 18 U.S.C. 142(a–b), as authorized by the Agricultural Mar-
 19 keting Act of 1946 (7 U.S.C. 1621–1627) and other laws,
 20 ~~(8)\$100,221,000~~ \$98,121,000, of which up to
 21 \$17,500,000 shall be available until expended for the Cen-
 22 sus of Agriculture: *Provided*, That this appropriation shall
 23 be available for employment pursuant to the second sen-
 24 tence of section 706(a) of the Organic Act of 1944 (7

1 U.S.C. 2225), and not to exceed \$40,000 shall be available
2 for employment under 5 U.S.C. 3109.

3 AGRICULTURAL RESEARCH SERVICE

4 For necessary expenses to enable the Agricultural Re-
5 search Service to perform agricultural research and dem-
6 onstration relating to production, utilization, marketing,
7 and distribution (not otherwise provided for); home eco-
8 nomics or nutrition and consumer use including the acqui-
9 sition, preservation, and dissemination of agricultural in-
10 formation; and for acquisition of lands by donation, ex-
11 change, or purchase at a nominal cost not to exceed \$100,
12 ~~(9)\$702,831,000~~ \$722,839,600: *Provided*, That appro-
13 priations hereunder shall be available for temporary em-
14 ployment pursuant to the second sentence of section
15 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and
16 not to exceed \$115,000 shall be available for employment
17 under 5 U.S.C. 3109: *Provided further*, That appropria-
18 tions hereunder shall be available for the operation and
19 maintenance of aircraft and the purchase of not to exceed
20 one for replacement only: *Provided further*, That appro-
21 priations hereunder shall be available pursuant to 7
22 U.S.C. 2250 for the construction, alteration, and repair
23 of buildings and improvements, but unless otherwise pro-
24 vided the cost of constructing any one building shall not
25 exceed \$250,000, except for headhouses or greenhouses

1 which shall each be limited to \$1,000,000, and except for
2 ten buildings to be constructed or improved at a cost not
3 to exceed \$500,000 each, and the cost of altering any one
4 building during the fiscal year shall not exceed 10 percent
5 of the current replacement value of the building or
6 \$250,000, whichever is greater: *Provided further*, That the
7 limitations on alterations contained in this Act shall not
8 apply to modernization or replacement of existing facilities
9 at Beltsville, Maryland: *Provided further*, That the fore-
10 going limitations shall not apply to replacement of build-
11 ings needed to carry out the Act of April 24, 1948 (21
12 U.S.C. 113a): *Provided further*, That funds may be re-
13 ceived from any State, other political subdivision, organi-
14 zation, or individual for the purpose of establishing or op-
15 erating any research facility or research project of the Ag-
16 ricultural Research Service, as authorized by law **(10)**:
17 *Provided further*, *That all rights and title of the United*
18 *States in the property known as the National Agricultural*
19 *Water Quality Laboratory of the United States Department*
20 *of Agriculture, consisting of approximately 9.161 acres in*
21 *the city of Durant, Oklahoma, including facilities and fixed*
22 *equipment, shall be conveyed to Southeastern Oklahoma*
23 *State University.*

24 None of the funds in the foregoing paragraph shall
25 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, ~~(11)\$59,600,000~~
9 ~~\$59,200,000~~, to remain available until expended (7 U.S.C.
10 2209b): *Provided*, That funds may be received from any
11 State, other political subdivision, organization, or individ-
12 ual for the purpose of establishing any research facility
13 of the Agricultural 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 ~~(12)\$163,671,000~~
20 ~~\$168,734,000~~ to carry into effect the provisions of the
21 Hatch Act (7 U.S.C. 361a–361i); ~~(13)\$19,882,000~~
22 ~~\$20,497,000~~ for grants for cooperative forestry research
23 (16 U.S.C. 582a–582–a7); ~~(14)\$26,902,000~~ ~~\$27,735,000~~
24 for payments to the 1890 land-grant colleges, including
25 Tuskegee University (7 U.S.C. 3222); ~~(15)\$44,235,000~~

1 \$47,080,000 for special grants for agricultural research (7
 2 U.S.C. 450i(c)); \$11,769,000 for special grants for agri-
 3 cultural research on improved pest control (7 U.S.C.
 4 450i(c)); ~~(16)\$96,735,000~~ \$93,935,000 for competitive re-
 5 search grants (7 U.S.C. 450i(b)); ~~(17)\$4,775,000~~
 6 \$5,051,000 for the support of animal health and disease
 7 programs (7 U.S.C. 3195); ~~(18)\$650,000~~ \$500,000 for
 8 supplemental and alternative crops and products (7
 9 U.S.C. 3319d); ~~(19)\$500,000~~ \$700,000 for grants for re-
 10 search pursuant to the Critical Agricultural Materials Act
 11 of 1984 (7 U.S.C. 178) and section 1472 of the Food and
 12 Agriculture Act of 1977, as amended (7 U.S.C. 3318), to
 13 remain available until expended; \$475,000 for rangeland
 14 research grants (7 U.S.C. 3331–3336); \$3,000,000 for
 15 higher education graduate fellowships grants (7 U.S.C.
 16 3152(b)(6)), to remain available until expended (7 U.S.C.
 17 2209b); \$4,000,000 for higher education challenge grants
 18 (7 U.S.C. 3152(b)(1)); \$1,000,000 for a higher education
 19 minority scholars program (7 U.S.C. 3152(b)(5)), to re-
 20 main available until expended (7 U.S.C. 2209b);
 21 ~~(20)\$2,000,000~~ \$1,500,000 for an education grants pro-
 22 gram for Hispanic-serving Institutions (7 U.S.C. 3241);
 23 \$4,000,000 for aquaculture grants (7 U.S.C. 3322);
 24 ~~(21)\$8,000,000~~ \$8,100,000 for sustainable agriculture re-
 25 search and education (7 U.S.C. 5811); \$9,200,000 for a

1 program of capacity building grants ~~(22)~~(7 U.S.C.
 2 3152(b)(4)) to colleges eligible to receive funds under the
 3 Act of August 30, 1890 (7 U.S.C. 321–326 and 328), in-
 4 cluding Tuskegee University ~~(23)~~7 U.S.C. 3152(b)(4), to
 5 remain available until expended (7 U.S.C. 2209b);
 6 \$1,450,000 for payments to the 1994 Institutions pursu-
 7 ant to section 534(a)(1) of Public Law 103–382; and
 8 ~~(24)~~~~\$9,605,000~~ \$10,644,000 for necessary expenses of
 9 Research and Education Activities, of which not to exceed
 10 \$100,000 shall be for employment under 5 U.S.C. 3109;
 11 in all, ~~(25)~~~~\$411,849,000~~ \$419,370,000.

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

16 NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

17 For establishment of a Native American institutions
 18 endowment fund, as authorized by Public Law 130–382
 19 (7 U.S.C. 301 note), \$4,600,000.

20 BUILDINGS AND FACILITIES

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

1 wise provided, ~~(26)\$30,449,000~~ \$55,668,000 (7 U.S.C.
 2 390 et seq.), to remain available until expended (7 U.S.C.
 3 2209b).

4 EXTENSION ACTIVITIES

5 Payments to States, the District of Columbia, Puerto
 6 Rico, Guam, the Virgin Islands, Micronesia, Northern
 7 Marianas, and American Samoa: For payments for coop-
 8 erative extension work under the Smith-Lever Act, as
 9 amended, to be distributed under sections 3(b) and 3(c)
 10 of said Act, and under section 208(c) of Public Law 93-
 11 471, for retirement and employees' compensation costs for
 12 extension agents and for costs of penalty mail for coopera-
 13 tive extension agents and State extension directors,
 14 ~~(27)\$260,438,000~~ \$268,493,000; ~~(28)\$2,500,000~~ for ex-
 15 tension work at the 1994 Institutions under the Smith-
 16 Lever Act (7 U.S.C. 343(b)(3)); payments for the nutrition
 17 and family education program for low-income areas under
 18 section 3(d) of the Act, ~~(29)\$58,695,000~~ \$60,510,000;
 19 payments for the pest management program under section
 20 3(d) of the Act, \$10,783,000; payments for the farm safe-
 21 ty program under section 3(d) of the Act, ~~(30)\$2,855,000~~
 22 \$2,943,000; payments for the pesticide impact assessment
 23 program under section 3(d) of the Act, ~~(31)\$3,214,000~~
 24 \$3,313,000; payments to upgrade 1890 land-grant college
 25 research, extension, and teaching facilities as authorized

1 by section 1447 of Public Law 95–113, as amended (7
2 U.S.C. 3222b), ~~(32)\$7,549,000~~ \$7,782,000, to remain
3 available until expended; ~~(33)\$1,700,000~~ for *institutional*
4 *capacity building grants at the 1994 Institutions* (7 U.S.C.
5 *301 note*), to remain available until expended (7 U.S.C.
6 *2209b*); payments for the rural development centers under
7 section 3(d) of the Act, ~~(34)\$908,000~~ \$936,000; pay-
8 ments for a groundwater quality program under section
9 3(d) of the Act, ~~(35)\$10,733,000~~ \$11,065,000; payments
10 for the agricultural telecommunications program, as au-
11 thorized by Public Law 101–624 (7 U.S.C. 5926),
12 ~~(36)\$1,167,000~~ \$1,203,000; payments for youth-at-risk
13 programs under section 3(d) of the Act, ~~(37)\$9,554,000~~
14 \$9,850,000; payments for a food safety program under sec-
15 tion 3(d) of the Act, ~~(38)\$2,365,000~~ \$2,438,000; pay-
16 ments for carrying out the provisions of the Renewable
17 Resources Extension Act of 1978, ~~(39)\$3,192,000~~
18 \$3,291,000; payments for Indian reservation agents under
19 section 3(d) of the Act, ~~(40)\$1,672,000~~ \$1,724,000; pay-
20 ments for sustainable agriculture programs under section
21 3(d) of the Act, ~~(41)\$3,309,000~~ \$3,411,000; payments for
22 rural health and safety education as authorized by section
23 2390 of Public Law 101–624 (7 U.S.C. 2661 note, 2662),
24 ~~(42)\$2,628,000~~ \$2,709,000; payments for cooperative ex-
25 tension work by the colleges receiving the benefits of the

1 second Morrill Act (7 U.S.C. 321–326, 328) and Tuskegee
 2 University, ~~(43)\$24,337,000~~ \$25,090,000; and for Fed-
 3 eral administration and coordination including administra-
 4 tion of the Smith-Lever Act, as amended, and the Act of
 5 September 29, 1977 (7 U.S.C. 341–349), as amended,
 6 and section 1361(c) of the Act of October 3, 1980 (7
 7 U.S.C. 301 note), and to coordinate and provide program
 8 leadership for the extension work of the Department and
 9 the several States and insular possessions,
 10 ~~(44)\$6,271,000~~ \$11,331,000; in all, ~~(45)\$409,670,000~~
 11 \$431,072,000: *Provided*, That funds hereby appropriated
 12 pursuant to section 3(c) of the Act of June 26, 1953, and
 13 section 506 of the Act of June 23, 1972, as amended, shall
 14 not be paid to any State, the District of Columbia, Puerto
 15 Rico, Guam, or the Virgin Islands, Micronesia, Northern
 16 Marianas, and American Samoa prior to availability of an
 17 equal sum from non-Federal sources for expenditure dur-
 18 ing the current fiscal year.

19 OFFICE OF THE ASSISTANT SECRETARY FOR
 20 MARKETING AND REGULATORY PROGRAMS

21 For necessary salaries and expenses of the Office of
 22 the Assistant Secretary for Marketing and Regulatory
 23 Programs to administer programs under the laws enacted
 24 by the Congress for the Animal and Plant Health Inspec-
 25 tion Service, Agricultural Marketing Service, and the

1 Grain Inspection, Packers and Stockyards Administration,
2 \$618,000.

3 ANIMAL AND PLANT HEALTH INSPECTION SERVICE

4 SALARIES AND EXPENSES

5 (INCLUDING TRANSFERS OF FUNDS)

6 For expenses, not otherwise provided for, including
7 those pursuant to the Act of February 28, 1947, as
8 amended (21 U.S.C. 114b–c), necessary to prevent, con-
9 trol, and eradicate pests and plant and animal diseases;
10 to carry out inspection, quarantine, and regulatory activi-
11 ties; to discharge the authorities of the Secretary of Agri-
12 culture under the Act of March 2, 1931 (46 Stat. 1468;
13 7 U.S.C. 426–426b); and to protect the environment, as
14 authorized by law, ~~(46)\$435,428,000~~ \$432,103,000, of
15 which ~~(47)\$4,500,000~~ \$5,000,000 shall be available for
16 the control of outbreaks of insects, plant diseases, animal
17 diseases and for control of pest animals and birds to the
18 extent necessary to meet emergency conditions: *Provided*,
19 That no funds shall be used to formulate or administer
20 a brucellosis eradication program for the current fiscal
21 year that does not require minimum matching by the
22 States of at least 40 percent: *Provided further*, That this
23 appropriation shall be available for field employment pur-
24 suant to the second sentence of section 706(a) of the Or-
25 ganic Act of 1944 (7 U.S.C. 2225), and not to exceed

1 \$40,000 shall be available for employment under 5 U.S.C.
2 3109: *Provided further*, That this appropriation shall be
3 available for the operation and maintenance of aircraft
4 and the purchase of not to exceed four, of which two shall
5 be for replacement only: *Provided further*, That, in addi-
6 tion, in emergencies which threaten any segment of the
7 agricultural production industry of this country, the Sec-
8 retary may transfer from other appropriations or funds
9 available to the agencies or corporations of the Depart-
10 ment such sums as he may deem necessary, to be available
11 only in such emergencies for the arrest and eradication
12 of contagious or infectious disease or pests of animals,
13 poultry, or plants, and for expenses in accordance with
14 the Act of February 28, 1947, as amended, and section
15 102 of the Act of September 21, 1944, as amended, and
16 any unexpended balances of funds transferred for such
17 emergency purposes in the next preceding fiscal year shall
18 be merged with such transferred amounts: *Provided fur-*
19 *ther*, That appropriations hereunder shall be available pur-
20 suant to law (7 U.S.C. 2250) for the repair and alteration
21 of leased buildings and improvements, but unless other-
22 wise provided the cost of altering any one building during
23 the fiscal year shall not exceed 10 percent of the current
24 replacement value of the building.

1 AGRICULTURAL MARKETING SERVICE

2 MARKETING SERVICES

3 For necessary expenses to carry on services related
4 to consumer protection, agricultural marketing and dis-
5 tribution, transportation, and regulatory programs, as au-
6 thorized by law, and for administration and coordination
7 of payments to States; including field employment pursu-
8 ant to section 706(a) of the Organic Act of 1944 (7 U.S.C.
9 2225), and not to exceed \$90,000 for employment under
10 5 U.S.C. 3109, ~~(48)\$37,592,000~~ \$46,767,000, including
11 funds for the wholesale market development program for
12 the design and development of wholesale and farmer mar-
13 ket facilities for the major metropolitan areas of the coun-
14 try: *Provided*, That this appropriation shall be available
15 pursuant to law (7 U.S.C. 2250) for the alteration and
16 repair of buildings and improvements, but the cost of al-
17 tering any one building during the fiscal year shall not
18 exceed 10 percent of the current replacement value of the
19 building.

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

23 LIMITATION ON ADMINISTRATIVE EXPENSES

24 Not to exceed \$59,012,000 (from fees collected) shall
25 be obligated during the current fiscal year for administra-
26 tive expenses: *Provided*, That if crop size is understated

1 and/or other uncontrollable events occur, the agency may
2 exceed this limitation by up to 10 percent with notification
3 to the Appropriations Committees.

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

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

18 PAYMENTS TO STATES AND POSSESSIONS

19 For payments to departments of agriculture, bureaus
20 and departments of markets, and similar agencies for
21 marketing activities under section 204(b) of the Agricul-
22 tural Marketing Act of 1946 (7 U.S.C. 1623(b)),
23 \$1,200,000.

1 GRAIN INSPECTION, PACKERS AND STOCKYARDS

2 ADMINISTRATION

3 SALARIES AND EXPENSES

4 For necessary expenses to carry out the provisions
5 of the United States Grain Standards Act, as amended,
6 for the administration of the Packers and Stockyards Act,
7 for certifying procedures used to protect purchasers of
8 farm products, and the standardization activities related
9 to grain under the Agricultural Marketing Act of 1946,
10 as amended, including field employment pursuant to sec-
11 tion 706(a) of the Organic Act of 1944 (7 U.S.C. 2225),
12 and not to exceed \$25,000 for employment under 5 U.S.C.
13 3109, ~~(49)\$22,728,000~~ \$23,928,000: *Provided*, That this
14 appropriation shall be available pursuant to law (7 U.S.C.
15 2250) for the alteration and repair of buildings and im-
16 provements, but the cost of altering any one building dur-
17 ing the fiscal year shall not exceed 10 percent of the cur-
18 rent replacement value of the building.

19 INSPECTION AND WEIGHING SERVICES

20 LIMITATION ON INSPECTION AND WEIGHING SERVICE

21 EXPENSES

22 Not to exceed \$43,207,000 (from fees collected) shall
23 be obligated during the current fiscal year for inspection
24 and weighing services: *Provided*, That if grain export ac-
25 tivities require additional supervision and oversight, or

1 other uncontrollable factors occur, this limitation may be
2 exceeded by up to 10 percent with notification to the Ap-
3 propriations Committees.

4 OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

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

9 FOOD SAFETY AND INSPECTION SERVICE

10 For necessary expenses to carry on services author-
11 ized by the Federal Meat Inspection Act, as amended, the
12 Poultry Products Inspection Act, as amended, and the
13 Egg Products Inspection Act, as amended,
14 ~~(50)\$574,000,000~~ \$557,697,000, and in addition,
15 \$1,000,000 may be credited to this account from fees col-
16 lected for the cost of laboratory accreditation as author-
17 ized by section 1017 of Public Law 102-237: *Provided*,
18 That this appropriation shall not be available for shell egg
19 surveillance under section 5(d) of the Egg Products In-
20 spection Act (21 U.S.C. 1034(d))~~(51)~~: *Provided further*,
21 *That not to exceed \$1,500,000 of this appropriation shall*
22 *be made available to establish a joint FSIS/APHIS Na-*
23 *tional Farm Animal Identification Pilot Program for dairy*
24 *cows: Provided further*, That this appropriation shall be
25 available for field employment pursuant to section 706(a)

1 of the Organic Act of 1944 (7 U.S.C. 2225), and not to
 2 exceed \$75,000 shall be available for employment under
 3 5 U.S.C. 3109: *Provided further*, That this appropriation
 4 shall be available pursuant to law (7 U.S.C. 2250) for the
 5 alteration and repair of buildings and improvements, but
 6 the cost of altering any one building during the fiscal year
 7 shall not exceed 10 percent of the current replacement
 8 value of the building.

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

11 For necessary salaries and expenses of the Office of
 12 the Under Secretary for Farm and Foreign Agricultural
 13 Services to administer the laws enacted by Congress for
 14 the ~~(52)Consolidated~~ Farm Service Agency, Foreign Ag-
 15 ricultural Service, and the Commodity Credit Corporation,
 16 \$572,000.

17 FARM SERVICE AGENCY
 18 SALARIES AND EXPENSES
 19 (INCLUDING TRANSFERS OF FUNDS)

20 For necessary expenses for carrying out the adminis-
 21 tration and implementation of programs administered by
 22 the Farm Service Agency, ~~(53)\$746,440,000~~
 23 \$725,000,000: *Provided*, That the Secretary is authorized
 24 to use the services, facilities, and authorities (but not the
 25 funds) of the Commodity Credit Corporation to make pro-

1 gram payments for all programs administered by the
2 Agency: *Provided further*, That other funds made available
3 to the Agency for authorized activities may be advanced
4 to and merged with this account: *Provided further*, That
5 these funds shall be available for employment pursuant to
6 the second sentence of section 706(a) of the Organic Act
7 of 1944 (7 U.S.C. 2225), and not to exceed \$1,000,000
8 shall be available for employment under 5 U.S.C. 3109.

9 **(54) STATE MEDIATION GRANTS**

10 *For grants pursuant to section 502(b) of the Agricul-*
11 *tural Credit Act of 1987, as amended (7 U.S.C. 5101–5106),*
12 *\$2,000,000.*

13 **DAIRY INDEMNITY PROGRAM**

14 **(INCLUDING TRANSFERS OF FUNDS)**

15 For necessary expenses involved in making indemnity
16 payments to dairy farmers for milk or cows producing
17 such milk and manufacturers of dairy products who have
18 been directed to remove their milk or dairy products from
19 commercial markets because it contained residues of
20 chemicals registered and approved for use by the Federal
21 Government, and in making indemnity payments for milk,
22 or cows producing such milk, at a fair market value to
23 any dairy farmer who is directed to remove his milk from
24 commercial markets because of (1) the presence of prod-
25 ucts of nuclear radiation or fallout if such contamination
26 is not due to the fault of the farmer, or (2) residues of

1 chemicals or toxic substances not included under the first
2 sentence of the Act of August 13, 1968, as amended (7
3 U.S.C. 450j), if such chemicals or toxic substances were
4 not used in a manner contrary to applicable regulations
5 or labeling instructions provided at the time of use and
6 the contamination is not due to the fault of the farmer,
7 \$100,000, to remain available until expended (7 U.S.C.
8 2209b): *Provided*, That none of the funds contained in this
9 Act shall be used to make indemnity payments to any
10 farmer whose milk was removed from commercial markets
11 as a result of his willful failure to follow procedures pre-
12 scribed by the Federal Government: *Provided further*, That
13 this amount shall be transferred to the Commodity Credit
14 Corporation: *Provided further*, That the Secretary is au-
15 thorized to utilize the services, facilities, and authorities
16 of the Commodity Credit Corporation for the purpose of
17 making dairy indemnity disbursements.

18 OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS

19 For grants and contracts pursuant to section 2501
20 of the Food, Agriculture, Conservation, and Trade Act of
21 1990 (7 U.S.C. 2279), \$1,000,000, to remain available
22 until expended.

1 25 U.S.C. 488, \$54,000; for emergency insured loans,
 2 ~~(57)\$6,365,000~~ \$19,095,000 to meet the needs resulting
 3 from natural disasters; ~~(58)~~for boll weevil eradication
 4 program loans as authorized by 7 U.S.C. 1989, \$2,000,000;
 5 and for credit sales of acquired property, \$2,530,000.

6 In addition, for administrative expenses necessary to
 7 carry out the direct and guaranteed loan programs,
 8 \$221,046,000, of which \$208,446,000 shall be transferred
 9 to and merged with the “Farm Service Agency, Salaries
 10 and Expenses” account.

11 ~~(59)OFFICE OF RISK MANAGEMENT~~

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

18 *RISK MANAGEMENT*

19 *For administrative and operating expenses, as author-*
 20 *ized by section 226A of the Department of Agriculture Reor-*
 21 *ganization Act of 1994 (7 U.S.C. 6933), \$70,000,000, of*
 22 *which not to exceed \$700 shall be available for official recep-*
 23 *tion and representation expenses, as authorized by section*
 24 *506(i) of the Federal Crop Insurance Act (7 U.S.C.*
 25 *1506(i)): *Provided, That this appropriation shall be avail-**

1 *able only to the extent that an official budget request for*
2 *a specific dollar amount is submitted by the President to*
3 *Congress.*

4 CORPORATIONS

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

15 FEDERAL CROP INSURANCE CORPORATION FUND

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

20 COMMODITY CREDIT CORPORATION FUND

21 REIMBURSEMENT FOR NET REALIZED LOSSES

22 For fiscal year 1997, such sums as may be necessary
23 to reimburse the Commodity Credit Corporation for net
24 realized losses sustained, but not previously reimbursed
25 (estimated to be \$1,500,000,000 in the President's fiscal

1 year 1997 Budget Request (H. Doc. 104–162)), but not
2 to exceed \$1,500,000,000, pursuant to section 2 of the
3 Act of August 17, 1961, as amended (15 U.S.C. 713a–
4 11).

5 OPERATIONS AND MAINTENANCE FOR HAZARDOUS WASTE
6 MANAGEMENT

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

18 TITLE II
19 CONSERVATION PROGRAMS
20 OFFICE OF THE UNDER SECRETARY FOR NATURAL
21 RESOURCES AND ENVIRONMENT

22 For necessary salaries and expenses of the Office of
23 the Under Secretary for Natural Resources and Environ-
24 ment to administer the laws enacted by the Congress for
25 the Forest Service and the Natural Resources Conserva-
26 tion Service, \$693,000.

1 ings and public improvements at plant materials centers,
2 except that the cost of alterations and improvements to
3 other buildings and other public improvements shall not
4 exceed \$250,000: *Provided further*, That when buildings
5 or other structures are erected on non-Federal land, that
6 the right to use such land is obtained as provided in 7
7 U.S.C. 2250a: *Provided further*, That this appropriation
8 shall be available for technical assistance and related ex-
9 penses to carry out programs authorized by section 202(c)
10 of title II of the Colorado River Basin Salinity Control
11 Act of 1974, as amended (43 U.S.C. 1592(c)): *Provided*
12 *further*, That no part of this appropriation may be ex-
13 pended for soil and water conservation operations under
14 the Act of April 27, 1935 (16 U.S.C. 590a–590f) in dem-
15 onstration projects: *Provided further*, That this appropria-
16 tion shall be available for employment pursuant to the sec-
17 ond sentence of section 706(a) of the Organic Act of 1944
18 (7 U.S.C. 2225) and not to exceed \$25,000 shall be avail-
19 able for employment under 5 U.S.C. 3109: *Provided fur-*
20 *ther*, That qualified local engineers may be temporarily
21 employed at per diem rates to perform the technical plan-
22 ning work of the Service (16 U.S.C. 590e–2)(61): *Pro-*
23 *vided further*, *That of the total amount appropriated, no*
24 *more than \$250,000 may be available for purposes author-*
25 *ized under sections 351–360 of Public Law 104–127.*

1 WATERSHED SURVEYS AND PLANNING

2 For necessary expenses to conduct research, inves-
3 tigation, and surveys of watersheds of rivers and other wa-
4 terways, and for small watershed investigations and plan-
5 ning, in accordance with the Watershed Protection and
6 Flood Prevention Act approved August 4, 1954, as
7 amended (16 U.S.C. 1001–1009), ~~(62)~~\$10,762,000
8 \$14,000,000: *Provided*, That this appropriation shall be
9 available for employment pursuant to the second sentence
10 of section 706(a) of the Organic Act of 1944 (7 U.S.C.
11 2225), and not to exceed \$110,000 shall be available for
12 employment under 5 U.S.C. 3109.

13 WATERSHED AND FLOOD PREVENTION OPERATIONS

14 For necessary expenses to carry out preventive meas-
15 ures, including but not limited to research, engineering op-
16 erations, methods of cultivation, the growing of vegetation,
17 rehabilitation of existing works and changes in use of land,
18 in accordance with the Watershed Protection and Flood
19 Prevention Act approved August 4, 1954, as amended (16
20 U.S.C. 1001–1005, 1007–1009), the provisions of the Act
21 of April 27, 1935 (16 U.S.C. 590a–f), and in accordance
22 with the provisions of laws relating to the activities of the
23 Department, \$101,036,000, to remain available until ex-
24 pended (7 U.S.C. 2209b) (of which up to \$15,000,000
25 may be available for the watersheds authorized under the

1 Flood Control Act approved June 22, 1936 (33 U.S.C.
2 701, 16 U.S.C. 1006a), as amended and supplemented:
3 *Provided*, That this appropriation shall be available for
4 employment pursuant to the second sentence of section
5 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and
6 not to exceed \$200,000 shall be available for employment
7 under 5 U.S.C. 3109: *Provided further*, That not to exceed
8 \$1,000,000 of this appropriation is available to carry out
9 the purposes of the Endangered Species Act of 1973 (Pub-
10 lic Law 93–205), as amended, including cooperative ef-
11 forts as contemplated by that Act to relocate endangered
12 or threatened species to other suitable habitats as may be
13 necessary to expedite project construction.

14 RESOURCE CONSERVATION AND DEVELOPMENT

15 For necessary expenses in planning and carrying out
16 projects for resource conservation and development and
17 for sound land use pursuant to the provisions of section
18 32(e) of title III of the Bankhead-Jones Farm Tenant
19 Act, as amended (7 U.S.C. 1010–1011; 76 Stat. 607), the
20 Act of April 27, 1935 (16 U.S.C. 590a–f), and the Agri-
21 culture and Food Act of 1981 (16 U.S.C. 3451–3461),
22 \$29,377,000, to remain available until expended (7 U.S.C.
23 2209b): *Provided*, That this appropriation shall be avail-
24 able for employment pursuant to the second sentence of
25 section 706(a) of the Organic Act of 1944 (7 U.S.C.

1 2225), and not to exceed \$50,000 shall be available for
 2 employment under 5 U.S.C. 3109.

3 FORESTRY INCENTIVES PROGRAM

4 For necessary expenses, not otherwise provided for,
 5 to carry out the program of forestry incentives, as author-
 6 ized in the Cooperative Forestry Assistance Act of 1978
 7 (16 U.S.C. 2101), including technical assistance and relat-
 8 ed expenses, \$6,325,000, to remain available until ex-
 9 pended, as authorized by that Act.

10 TITLE III

11 RURAL ECONOMIC AND COMMUNITY

12 DEVELOPMENT PROGRAMS

13 OFFICE OF THE UNDER SECRETARY FOR RURAL

14 DEVELOPMENT

15 For necessary salaries and expenses of the Office of
 16 the Under Secretary for Rural Development to administer
 17 programs under the laws enacted by the Congress for the
 18 Rural Housing Service, Rural Business-Cooperative Serv-
 19 ice, and the Rural Utilities Service of the Department of
 20 Agriculture, \$588,000.

21 RURAL HOUSING SERVICE

22 RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

23 (INCLUDING TRANSFERS OF FUNDS)

24 For gross obligations for the principal amount of di-
 25 rect and guaranteed loans as authorized by title V of the
 26 Housing Act of 1949, as amended, to be available from

1 funds in the rural housing insurance fund, as follows:
2 \$3,300,000,000 for loans to section 502 borrowers, as de-
3 termined by the Secretary, of which \$2,300,000,000 shall
4 be for unsubsidized guaranteed loans; \$35,000,000 for
5 section 504 housing repair loans; \$15,000,000 for section
6 514 farm labor housing; \$58,654,000 for section 515 rent-
7 al housing; \$600,000 for section 524 site loans;
8 \$50,000,000 for credit sales of acquired property; and
9 \$600,000 for section 523 self-help housing land develop-
10 ment loans.

11 For the cost of direct and guaranteed loans, including
12 the cost of modifying loans, as defined in section 502 of
13 the Congressional Budget Act of 1974, as follows: section
14 502 loans, \$89,210,000, of which \$6,210,000 shall be for
15 unsubsidized guaranteed loans; section 504 housing repair
16 loans, \$11,081,000; section 514 farm labor housing,
17 \$6,885,000; section 515 rental housing, \$28,987,000
18 ~~(63):—Provided, That no funds for new construction for~~
19 ~~section 515 rental housing may be available for fiscal year~~
20 ~~1997;~~ credit sales of acquired property, \$4,050,000; and
21 section 523 self-help housing land development loans,
22 \$17,000.

23 In addition, for administrative expenses necessary to
24 carry out the direct and guaranteed loan programs,
25 \$366,205,000, which shall be transferred to and merged

1 with the appropriation for “Rural Housing Service, Sala-
2 ries and Expenses”.

3 RENTAL ASSISTANCE PROGRAM

4 For rental assistance agreements entered into or re-
5 newed pursuant to the authority under section 521(a)(2)
6 or agreements entered into in lieu of debt forgiveness or
7 payments for eligible households as authorized by section
8 502(c)(5)(D) of the Housing Act of 1949, as amended,
9 \$493,870,000; and in addition such sums as may be nec-
10 essary, as authorized by section 521(c) of the Act, to liq-
11 uidate debt incurred prior to fiscal year 1992 to carry out
12 the rental assistance program under section 521(a)(2) of
13 the Act: *Provided*, That of this amount not more than
14 \$5,900,000 shall be available for debt forgiveness or pay-
15 ments for eligible households as authorized by section
16 502(c)(5)(D) of the Act, and not to exceed \$10,000 per
17 project for advances to nonprofit organizations or public
18 agencies to cover direct costs (other than purchase price)
19 incurred in purchasing projects pursuant to section
20 502(c)(5)(C) of the Act: *Provided further*, That agree-
21 ments entered into or renewed during fiscal year 1997
22 shall be funded for a five-year period, although the life
23 of any such agreement may be extended to fully utilize
24 amounts obligated.

1 MUTUAL AND SELF-HELP HOUSING GRANTS

2 For grants and contracts pursuant to section
3 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C.
4 1490c), \$26,000,000, to remain available until expended
5 (7 U.S.C. 2209b).

6 RURAL HOUSING ASSISTANCE PROGRAM

7 (INCLUDING TRANSFERS OF FUNDS)

8 For the cost of direct loans, loan guarantees, agree-
9 ments, and grants, as authorized by 7 U.S.C. 1926, 42
10 U.S.C. 1472, 1474, 1479, 1485, 1486, and 1490(a), ex-
11 cept for sections 381E, 381H, 381N of the Consolidated
12 Farm and Rural Development Act, ~~(64)~~\$73,190,000
13 \$136,435,000, to remain available until expended, for di-
14 rect loans and loan guarantees for community facilities,
15 community facilities grant program, ~~(65)~~rental assistance
16 associated with and direct loans for new construction of sec-
17 tion 515 rental housing, rural housing for domestic farm
18 labor grants, supervisory and technical assistance grants,
19 very low-income housing repair grants, rural community
20 fire protection grants, rural housing preservation grants,
21 and compensation for construction defects of the Rural
22 Housing Service: *Provided*, That the cost of direct loans
23 and loan guarantees shall be as defined in section 502 of
24 the Congressional Budget Act of 1974, as amended: *Pro-*
25 *vided further*, That the amounts appropriated shall be
26 transferred to loan program and grant accounts as deter-

1 mined by the Secretary ~~(66)~~: *Provided further*, That no
 2 funds for new construction relating to ~~515~~ rental housing
 3 may be available for fiscal year 1997: *Provided further*,
 4 That of the funds made available in this paragraph not
 5 more than \$1,200,000 shall be available for the multi-fam-
 6 ily rural housing loan guarantee program as authorized
 7 by section 5 of Public Law 104-120: *Provided further*,
 8 That if such funds are not obligated for multi-family rural
 9 housing loan guarantees by June 30, 1997, they remain
 10 available for other authorized purposes under this head:
 11 *Provided further*, That of the total amount appropriated,
 12 not to exceed \$1,200,000 shall be available for the cost
 13 of direct loans, loan guarantees, and grants to be made
 14 available for empowerment zones and enterprise commu-
 15 nities as authorized by Public Law 103-66: *Provided fur-*
 16 *ther*, That if such funds are not obligated for
 17 empowerment zones and enterprise communities by June
 18 30, 1997, they remain available for other authorized pur-
 19 poses under this head.

20 SALARIES AND EXPENSES

21 For necessary expenses of the Rural Housing Service,
 22 including administering the programs authorized by the
 23 Consolidated Farm and Rural Development Act, as
 24 amended, title V of the Housing Act of 1949, as amended,
 25 and cooperative agreements, ~~(67)~~\$53,889,000

1 \$66,354,000: *Provided*, That this appropriation shall be
2 available for employment pursuant to the second sentence
3 of 706(a) of the Organic Act of 1944, and not to exceed
4 \$520,000 may be used for employment under 5 U.S.C.
5 3109.

6 RURAL BUSINESS-COOPERATIVE SERVICE

7 RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

8 (INCLUDING TRANSFERS OF FUNDS)

9 For the cost of direct loans, ~~(68)\$18,400,000~~
10 ~~\$17,270,000~~, as authorized by the Rural Development
11 Loan Fund (42 U.S.C. 9812(a)): *Provided*, That such
12 costs, including the cost of modifying such loans, shall be
13 as defined in section 502 of the Congressional Budget Act
14 of 1974: *Provided further*, That these funds are available
15 to subsidize gross obligations for the principal amount of
16 direct loans of ~~(69)\$40,000,000~~ \$37,544,000: *Provided*
17 *further*, That through June 30, 1997, of the total amount
18 appropriated \$3,345,000 shall be available for the cost of
19 direct loans, for empowerment zones and enterprise com-
20 munities, as authorized by title XIII of the Omnibus
21 Budget Reconciliation Act of 1993, to subsidize gross obli-
22 gations for the principal amount of direct loans,
23 \$7,246,000.

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

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

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

15 ALTERNATIVE AGRICULTURAL RESEARCH AND
16 COMMERCIALIZATION REVOLVING FUND

17 For necessary expenses to carry out the Alternative
18 Agricultural Research and Commercialization Act of 1990
19 (7 U.S.C. 5901–5908), ~~(70)~~~~\$6,000,000~~ *\$10,000,000* is
20 appropriated to the alternative agricultural research and
21 commercialization revolving fund.

22 RURAL BUSINESS—COOPERATIVE ASSISTANCE PROGRAM
23 (INCLUDING TRANSFERS OF FUNDS)

24 For the cost of direct loans, loan guarantees, and
25 grants, as authorized by 7 U.S.C. 1926, 1928, and 1932,
26 except for 381E, 381H, 381N of the Consolidated Farm

1 and Rural Development Act, ~~(71)~~\$51,400,000
2 \$53,750,000, to remain available until expended, for direct
3 loans and loan guarantees for business and industry as-
4 sistance, rural business grants, rural cooperative develop-
5 ment grants, and rural business opportunity grants of the
6 Rural Business—Cooperative Service: *Provided*, That the
7 cost of direct loans and loan guarantees shall be as defined
8 in section 502 of the Congressional Budget Act of 1974,
9 as amended: *Provided further*, That \$500,000 shall be
10 available for grants to qualified nonprofit organizations as
11 authorized under section 310B(c)(2) of the Consolidated
12 Farm and Rural Development Act (7 U.S.C. 1932): *Pro-*
13 *vided further*, That the amounts appropriated shall be
14 transferred to loan program and grant accounts as deter-
15 mined by the Secretary: *Provided further*, That, of the
16 total amount appropriated, not to exceed \$3,000,000 shall
17 be available for cooperative development ~~(72)~~ *as provided*
18 *under section 747(e) of Public Law 104–127* ~~(73)~~: *Provided*
19 *further*, *That of the total amount appropriated, not to ex-*
20 *ceed \$1,300,000 may be available through a cooperative*
21 *agreement for the appropriate technology transfer for rural*
22 *areas program: Provided further*, *That of the total amount*
23 *appropriated, not less than \$2,000,000 shall be available*
24 *for grants in accordance with section 310B(f) of the Con-*
25 *solidated Farm and Rural Development Act (7 U.S.C.*

1 1932(f): That, of the total amount appropriated, not to
2 exceed \$148,000 shall be available for the cost of direct
3 loans, loan guarantees, and grants to be made available
4 for business and industry loans for empowerment zones
5 and enterprise communities as authorized by Public Law
6 103–66 and rural development loans for empowerment
7 zones and enterprise communities as authorized by title
8 XIII of the Omnibus Budget Reconciliation Act of 1993:
9 *Provided further*, That if such funds are not obligated for
10 empowerment zones and enterprise communities by June
11 30, 1997, they remain available for other authorized pur-
12 poses under this head.

13 SALARIES AND EXPENSES

14 For necessary expenses of the Rural Business-Coop-
15 erative Service, including administering the programs au-
16 thorized by the Consolidated Farm and Rural Develop-
17 ment Act, as amended; section 1323 of the Food Security
18 Act of 1985; the Cooperative Marketing Act of 1926; for
19 activities relating to the marketing aspects of cooperatives,
20 including economic research findings, as authorized by the
21 Agricultural Marketing Act of 1946; for activities with in-
22 stitutions concerning the development and operation of ag-
23 ricultural cooperatives; and cooperative agreements;
24 \$25,680,000: *Provided*, That this appropriation shall be
25 available for employment pursuant to the second sentence

1 of 706(a) of the Organic Act of 1944, and not to exceed
2 \$260,000 may be used for employment under 5 U.S.C.
3 3109.

4 RURAL UTILITIES SERVICE

5 RURAL ELECTRIFICATION AND TELECOMMUNICATIONS

6 LOANS PROGRAM ACCOUNT

7 (INCLUDING TRANSFERS OF FUNDS)

8 Insured loans pursuant to the authority of section
9 305 of the Rural Electrification Act of 1936, as amended
10 (7 U.S.C. 935), shall be made as follows: 5 percent rural
11 electrification loans, \$125,000,000, 5 percent rural tele-
12 communications loans, \$75,000,000; cost of money rural
13 telecommunications loans, \$300,000,000; municipal rate
14 rural electric loans, \$525,000,000; and loans made pursu-
15 ant to section 306 of that Act, rural electric,
16 \$300,000,000, and rural telecommunications,
17 \$120,000,000, to remain available until expended.

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

1 *vided*, That notwithstanding section 305(d)(2) of the
2 Rural Electrification Act of 1936, borrower interest rates
3 may exceed 7 percent per year.

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

8 RURAL TELEPHONE BANK PROGRAM ACCOUNT

9 The Rural Telephone Bank is hereby authorized to
10 make such expenditures, within the limits of funds avail-
11 able to such corporation in accord with law, and to make
12 such contracts and commitments without regard to fiscal
13 year limitations as provided by section 104 of the Govern-
14 ment Corporation Control Act, as amended, as may be
15 necessary in carrying out its authorized programs for the
16 current fiscal year. During fiscal year 1997 and within
17 the resources and authority available, gross obligations for
18 the principal amount of direct loans shall be
19 \$175,000,000.

20 For the cost, as defined in section 502 of the Con-
21 gressional Budget Act of 1974, including the cost of modi-
22 fying loans, of direct loans authorized by the Rural Elec-
23 trification Act of 1936, as amended (7 U.S.C. 935),
24 \$2,328,000.

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

3 DISTANCE LEARNING AND MEDICAL LINK PROGRAM

4 For the cost of direct loans and grants, as authorized
5 by 7 U.S.C. 950aaa et seq., as amended, ~~(74)~~\$7,500,000
6 \$10,000,000, to remain available until expended, to be
7 available for loans and grants for telemedicine and dis-
8 tance learning services in rural areas: *Provided*, That the
9 costs of direct loans shall be as defined in section 502 of
10 the Congressional Budget Act of 1974.

11 RURAL UTILITIES ASSISTANCE PROGRAM

12 (INCLUDING TRANSFERS OF FUNDS)

13 For the cost of direct loans, loan guarantees, and
14 grants, as authorized by 7 U.S.C. 1926, 1928, and 1932,
15 except for 381E, 381H, 381N of the Consolidated Farm
16 and Rural Development Act, ~~(75)~~\$496,868,000
17 \$656,742,000, to remain available until expended, for di-
18 rect loans and loan guarantees and grants for rural water
19 and waste disposal, and solid waste management grants
20 of the Rural Utilities Service: *Provided*, That the cost of
21 direct loans and loan guarantees shall be as defined in
22 section 502 of the Congressional Budget Act of 1974, as
23 amended: *Provided further*, That the amounts appro-
24 priated shall be transferred to loan program and grant ac-
25 counts as determined by the Secretary: *Provided further*,
26 That, through June 30, 1997, of the total amount appro-

1 priated, \$18,700,000 shall be available for the costs of di-
2 rect loans, loan guarantees, and grants to be made avail-
3 able for empowerment zones and enterprise communities,
4 as authorized by Public Law 103–66: *Provided further*,
5 That, of the total amount appropriated, not to exceed
6 \$18,700,000 shall be for water and waste disposal systems
7 to benefit the Colonias along the United States/Mexico
8 border, including grants pursuant to section 306C of the
9 Consolidated Farm and Rural Development Act, as
10 amended: *Provided further*, That, of the total amount ap-
11 propriated, not to exceed ~~(76)\$5,000,000~~ \$5,400,000 shall
12 be available for contracting with qualified national organi-
13 zations for a circuit rider program to provide technical as-
14 sistance for rural water systems: *Provided further*, That
15 an amount not less than that available in fiscal year 1996
16 be set aside and made available for ongoing technical as-
17 sistance under sections 306(a)(14) (7 U.S.C. 1926) and
18 310(B)(b) of the Consolidated Farm and Rural Develop-
19 ment Act (7 U.S.C. 1932)~~(77)~~: *Provided further*, That of
20 the total amount appropriated, not to exceed \$10,000,000
21 shall be for water and waste disposal systems pursuant to
22 section 757 of Public Law 104–127~~(78)~~: *Provided further*,
23 That notwithstanding section 306(a)(7) of the Consolidated
24 Farm and Rural Development Act (7 U.S.C. 1926(a)(7)),
25 the town of Berlin, New Hampshire, shall be eligible during

1 *fiscal year 1997 for a grant under the rural utilities assist-*
 2 *ance program.*

3 SALARIES AND EXPENSES

4 For necessary expenses of the Rural Utilities Service,
 5 including administering the programs authorized by the
 6 Rural Electrification Act of 1936, as amended, and the
 7 Consolidated Farm and Rural Development Act, as
 8 amended, and cooperative agreements, \$33,195,000: *Pro-*
 9 *vided*, That this appropriation shall be available for em-
 10 ployment pursuant to the second sentence of 706(a) of the
 11 Organic Act of 1944, and not to exceed \$105,000 may
 12 be used for employment under 5 U.S.C. 3109.

13 TITLE IV

14 DOMESTIC FOOD PROGRAMS

15 OFFICE OF THE UNDER SECRETARY FOR FOOD,

16 NUTRITION AND CONSUMER SERVICES

17 For necessary salaries and expenses of the Office of
 18 the Under Secretary for Food, Nutrition and Consumer
 19 Services to administer the laws enacted by the Congress
 20 for the Food and Consumer Service, ~~(79)~~\$454,000
 21 \$554,000.

22 CHILD NUTRITION PROGRAMS

23 (INCLUDING TRANSFERS OF FUNDS)

24 For necessary expenses to carry out the National
 25 School Lunch Act (42 U.S.C. 1751–1769b), except section
 26 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1772–

1 1785, and 1789); except sections 17 and 19;
 2 ~~(80)\$8,652,597,000~~ \$8,654,797,000, to remain available
 3 through September 30, 1998, of which
 4 ~~(81)\$3,218,844,000~~ \$3,221,044,000 is hereby appro-
 5 priated and \$5,433,753,000 shall be derived by transfer
 6 from funds available under section 32 of the Act of August
 7 24, 1935 (7 U.S.C. 612c) ~~(82):—Provided, That none of~~
 8 ~~the funds made available under this heading shall be used~~
 9 ~~for new studies and evaluations: Provided, That not to ex-~~
 10 ~~ceed \$2,000,000 of the funds made available under this~~
 11 ~~heading shall be used for studies and evaluations: Provided~~
 12 ~~further, That up to \$4,031,000 shall be available for inde-~~
 13 ~~pendent verification of school food service claims.~~

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

16 For necessary expenses to carry out the special sup-
 17 plemental nutrition program as authorized by section 17
 18 of the Child Nutrition Act of 1966 (42 U.S.C. 1786),
 19 \$3,729,807,000, to remain available through September
 20 30, 1998: *Provided*, That none of the funds made available
 21 under this heading may be used to begin more than two
 22 studies and evaluations: *Provided further*, That up to
 23 \$6,750,000 may be used to carry out the farmers' market
 24 nutrition program from any funds not needed to maintain
 25 current caseload levels ~~(83):—Provided further, That, of~~
 26 ~~the total amount of fiscal year 1996 carryover funds that~~

1 cannot be spent in fiscal year 1997, any funds in excess
2 of \$100,000,000 may be transferred by the Secretary to
3 other programs in the Department of Agriculture, exclud-
4 ing the Forest Service, with prior notification to the House
5 and Senate Appropriations Committees: *Provided further,*
6 *That once the amount for fiscal year 1996 carryover funds*
7 *has been determined by the Secretary, any funds in excess*
8 *of \$100,000,000 may be transferred by the Secretary of Ag-*
9 *riculture to any loan program of the Department and/or*
10 *to make available up to \$10,000,000 for the WIC farmers'*
11 *market nutrition program: Provided further, That none of*
12 *the funds in this Act shall be available to pay administra-*
13 *tive expenses of WIC clinics except those that have an an-*
14 *nounced policy of prohibiting smoking within the space*
15 *used to carry out the program: Provided further, That*
16 *none of the funds provided in this account shall be avail-*
17 *able for the purchase of infant formula except in accord-*
18 *ance with the cost containment and competitive bidding*
19 *requirements specified in section 17 of the Child Nutrition*
20 *Act of 1966 (42 U.S.C. 1786)(84): Provided further, That*
21 *State agencies required to procure infant formula using a*
22 *competitive bidding system may use funds appropriated by*
23 *this Act to purchase infant formula under a cost contain-*
24 *ment contract entered into after September 30, 1996 only*
25 *if the contract was awarded to the bidder offering the lowest*

1 *net price, as defined by section 17(b)(20) of the Child Nutri-*
 2 *tion Act of 1966, unless the State agency demonstrates to*
 3 *the satisfaction of the Secretary that the weighted average*
 4 *retail price for different brands of infant formula in the*
 5 *State does not vary by more than five percent.*

6 FOOD STAMP PROGRAM

7 For necessary expenses to carry out the Food Stamp
 8 Act (7 U.S.C. ~~(85)2011-2029~~ 2011 *et seq.*),
 9 ~~(86)\$27,615,029,000~~ \$28,521,029,000: *Provided, That*
 10 funds provided herein shall remain available through Sep-
 11 tember 30, 1997, in accordance with section 18(a) of the
 12 Food Stamp Act: *Provided further, That*
 13 ~~(87)\$100,000,000~~ \$1,000,000,000 of the foregoing
 14 amount shall be placed in reserve for use only in such
 15 amounts and at such times as may become necessary to
 16 carry out program operations ~~(88):—Provided further,~~
 17 ~~That none of the funds made available under this heading~~
 18 ~~shall be used for new studies and evaluations:~~ *Provided*
 19 *further, That not to exceed \$6,000,000 of the funds made*
 20 *available under this heading shall be used for studies and*
 21 *evaluations: Provided further, That funds provided herein*
 22 *shall be expended in accordance with section 16 of the*
 23 *Food Stamp Act: Provided further, That this appropria-*
 24 *tion shall be subject to any work registration or workfare*
 25 *requirements as may be required by law: Provided further,*

1 That \$1,174,000,000 of the foregoing amount shall be
 2 available for nutrition assistance for Puerto Rico as au-
 3 thorized by 7 U.S.C. 2028.

4 COMMODITY ASSISTANCE PROGRAM

5 For necessary expenses to carry out the commodity
 6 supplemental food program as authorized by section 4(a)
 7 of the Agriculture and Consumer Protection Act of 1973
 8 (7 U.S.C. 612c (note)), the Emergency Food Assistance
 9 Act of 1983, as amended, and section 110 of the Hunger
 10 Prevention Act of 1988, \$166,000,000, to remain avail-
 11 able through September 30, 1998: *Provided*, That none
 12 of these funds shall be available to reimburse the Com-
 13 modity Credit Corporation for commodities donated to the
 14 program.

15 FOOD DONATIONS PROGRAMS FOR SELECTED GROUPS

16 For necessary expenses to carry out section 4(a) of
 17 the Agriculture and Consumer Protection Act of 1973 (7
 18 U.S.C. 612c (note)), ~~(89) section 4(b) of the Food Stamp~~
 19 ~~Act (7 U.S.C. 2013(b))~~, and section 311 of the Older
 20 Americans Act of 1965, as amended (42 U.S.C. 3030a),
 21 ~~(90)\$205,000,000~~ \$141,250,000, to remain available
 22 through September 30, 1998.

23 FOOD PROGRAM ADMINISTRATION

24 For necessary administrative expenses of the domes-
 25 tic food programs funded under this Act,
 26 ~~(91)\$104,487,000~~ \$107,769,000, of which \$5,000,000

1 shall be available only for simplifying procedures, reducing
 2 overhead costs, tightening regulations, improving food
 3 stamp coupon handling, and assistance in the prevention,
 4 identification, and prosecution of fraud and other viola-
 5 tions of law: *Provided*, That this appropriation shall be
 6 available for employment pursuant to the second sentence
 7 of section 706(a) of the Organic Act of 1944 (7 U.S.C.
 8 2225), and not to exceed \$150,000 shall be available for
 9 employment under 5 U.S.C. 3109.

10 TITLE V
 11 FOREIGN ASSISTANCE AND RELATED
 12 PROGRAMS
 13 FOREIGN AGRICULTURAL SERVICE AND GENERAL SALES
 14 MANAGER
 15 (INCLUDING TRANSFERS OF FUNDS)

16 For necessary expenses of the Foreign Agricultural
 17 Service, including carrying out title VI of the Agricultural
 18 Act of 1954, as amended (7 U.S.C. 1761–1768), market
 19 development activities abroad, and for enabling the Sec-
 20 retary to coordinate and integrate activities of the Depart-
 21 ment in connection with foreign agricultural work, includ-
 22 ing not to exceed \$128,000 for representation allowances
 23 and for expenses pursuant to section 8 of the Act approved
 24 August 3, 1956 (7 U.S.C. 1766), ~~(92)\$128,005,000~~
 25 ~~\$138,561,000~~, of which ~~(93)\$2,792,000~~ \$3,231,000 may

1 be transferred from the Export Loan Program account in
 2 this Act, and ~~(94)~~\$1,005,000 \$1,035,000 may be trans-
 3 ferred from the Public Law 480 program account in this
 4 Act: *Provided*, That the Service may utilize advances of
 5 funds, or reimburse this appropriation for expenditures
 6 made on behalf of Federal agencies, public and private or-
 7 ganizations and institutions under agreements executed
 8 pursuant to the agricultural food production assistance
 9 programs (7 U.S.C. 1736) and the foreign assistance pro-
 10 grams of the International Development Cooperation Ad-
 11 ministration (22 U.S.C. 2392) ~~(95)~~:~~*Provided further*,~~
 12 ~~That funds provided for foreign market development to~~
 13 ~~trade associations, cooperatives and small businesses shall~~
 14 ~~be allocated only after a competitive bidding process to~~
 15 ~~target funds to those entities most likely to generate addi-~~
 16 ~~tional U.S. exports as a result of the expenditure.~~

17 None of the funds in the foregoing paragraph shall
 18 be available to promote the sale or export of tobacco or
 19 tobacco products.

20 PUBLIC LAW 480 PROGRAM AND GRANT ACCOUNTS

21 (INCLUDING TRANSFERS OF FUNDS)

22 For expenses during the current fiscal year, not oth-
 23 erwise recoverable, and unrecovered prior years' costs, in-
 24 cluding interest thereon, under the Agricultural Trade De-
 25 velopment and Assistance Act of 1954, as amended (7

1 U.S.C. 1691, 1701–1715, 1721–1726, 1727–1727f,
2 1731–1736g), as follows: (1) ~~(96)\$216,400,000~~
3 ~~\$218,944,000~~ for Public Law 480 title I credit, including
4 Food for Progress programs; (2) \$13,905,000 is hereby
5 appropriated for ocean freight differential costs for the
6 shipment of agricultural commodities pursuant to title I
7 of said Act and the Food for Progress Act of 1985, as
8 amended; (3) \$837,000,000 is hereby appropriated for
9 commodities supplied in connection with dispositions
10 abroad pursuant to title II of said Act; and (4)
11 ~~(97)\$29,500,000~~ ~~\$40,000,000~~ is hereby appropriated for
12 commodities supplied in connection with dispositions
13 abroad pursuant to title III of said Act: *Provided*, That
14 not to exceed 15 percent of the funds made available to
15 carry out any title of said Act may be used to carry out
16 any other title of said Act: *Provided further*, That such
17 sums shall remain available until expended (7 U.S.C.
18 2209b).

19 For the cost, as defined in section 502 of the Con-
20 gressional Budget Act of 1974, of direct credit agreements
21 as authorized by the Agricultural Trade Development and
22 Assistance Act of 1954, as amended, and the Food for
23 Progress Act of 1985, as amended, including the cost of
24 modifying credit agreements under said Act,
25 ~~(98)\$177,000,000~~ ~~\$179,082,000~~.

1 tion 202 (a) and (b) of the Agricultural Trade Act of 1978
 2 (7 U.S.C. 5641).

3 TITLE VI
 4 RELATED AGENCIES AND FOOD AND DRUG
 5 ADMINISTRATION
 6 DEPARTMENT OF HEALTH AND HUMAN
 7 SERVICES
 8 FOOD AND DRUG ADMINISTRATION
 9 SALARIES AND EXPENSES

10 For necessary expenses of the Food and Drug Ad-
 11 ministration, including hire and purchase of passenger
 12 motor vehicles; for rental of special purpose space in the
 13 District of Columbia or elsewhere; and for miscellaneous
 14 and emergency expenses of enforcement activities, author-
 15 ized and approved by the Secretary and to be accounted
 16 for solely on the Secretary's certificate, not to exceed
 17 \$25,000; \$907,499,000, of which not to exceed
 18 \$87,528,000 in fees pursuant to section 736 of the Fed-
 19 eral Food, Drug, and Cosmetic Act may be credited to
 20 this appropriation and remain available until expended:
 21 *Provided*, That fees derived from applications received
 22 during fiscal year 1997 shall be subject to the fiscal year
 23 1997 limitation: *Provided further*, That none of these
 24 funds shall be used to develop, establish, or operate any
 25 program of user fees authorized by 31 U.S.C. 9701(102):

1 *Provided further, That a sufficient amount of these funds*
 2 *shall be used to ensure compliance with the statutory dead-*
 3 *lines set forth in section 505(j)(4)(A) of the Federal Food,*
 4 *Drug, and Cosmetic Act (21 U.S.C. 355(j)(4)(A)).*

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

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

11 ~~(103)None of the funds appropriated or made avail-~~
 12 ~~able to the Federal Food and Drug Administration shall~~
 13 ~~be used to implement any rule finalizing the August 25,~~
 14 ~~1995 proposed rule entitled “The Prescription Drug Prod-~~
 15 ~~uct Labeling; Medication Guide Requirements,” except as~~
 16 ~~to any specific drug or biological product where the FDA~~
 17 ~~determines that without approved patient information~~
 18 ~~there would be a serious and significant public health risk.~~

19 ~~(104)GENERAL PROVISIONS~~

20 ~~(105)SEC. 601. EFFECTIVE MEDICATION GUIDES.—~~

21 ~~(a) IN GENERAL.—Not later than 30 days after~~
 22 ~~the date of enactment of this Act, the Secretary of the~~
 23 ~~Department of Health and Human Services shall re-~~
 24 ~~quest that national organizations representing health~~
 25 ~~care professionals, consumer organizations, voluntary~~

1 health agencies, the pharmaceutical industry, drug
2 wholesalers, patient drug information database com-
3 panies, and other relevant parties collaborate to de-
4 velop a long-range comprehensive action plan to
5 achieve goals consistent with the goals of the proposed
6 rule of the Food and Drug Administration on “Pre-
7 scription Drug Product Labeling: Medication Guide
8 Requirements” (60 Fed. Reg. 44182; relating to the
9 provision of oral and written prescription informa-
10 tion to consumers).

11 (b) GOALS.—Goals consistent with the proposed
12 rule described in subsection (a) are the distribution of
13 useful written information to 75 percent of individ-
14 uals receiving new prescriptions by the year 2000 and
15 to 95 percent by the year 2006.

16 (c) PLAN.—The plan described in subsection (a)
17 shall—

18 (1) identify the plan goals;

19 (2) assess the effectiveness of the current pri-
20 vate-sector approaches used to provide oral and
21 written prescription information to consumers;

22 (3) develop guidelines for providing effective
23 oral and written prescription information con-
24 sistent with the findings of any such assessment;

1 (4) contain elements necessary to ensure the
2 transmittal of useful information to the consum-
3 ing public, including being scientifically accu-
4 rate, non-promotional in tone and content, suffi-
5 ciently specific and comprehensive as to ade-
6 quately inform consumers about the use of the
7 product, and in an understandable, legible for-
8 mat that is readily comprehensible and not con-
9 fusing to consumers expected to use the product.

10 (5) develop a mechanism to assess periodi-
11 cally the quality of the oral and written pre-
12 scription information and the frequency with
13 which the information is provided to consumers;
14 and

15 (6) provide for compliance with relevant
16 State board regulations.

17 (d) *LIMITATION ON THE AUTHORITY OF THE*
18 *SECRETARY.*—*The Secretary of the Department of*
19 *Health and Human Services shall have no authority*
20 *to implement the proposed rule described in sub-*
21 *section (a), or to develop any similar regulation, pol-*
22 *icy statement, or other guideline specifying a uniform*
23 *content or format for written information voluntarily*
24 *provided to consumers about prescription drugs if, (1)*
25 *not later than 120 days after the date of enactment*

1 of this Act, the national organizations described in
2 subsection (a) develop and submit to the Secretary for
3 Health and Human Services a comprehensive, long-
4 range action plan (as described in subsection (a))
5 which shall be acceptable to the Secretary of Health
6 and Human Services; (2) the aforementioned plan is
7 submitted to the Secretary of Health and Human
8 Services for review and acceptance: Provided, That
9 the Secretary shall give due consideration to the sub-
10 mitted plan and that any such acceptance shall not
11 be arbitrarily withheld; and (3) the implementation
12 of (a) a plan accepted by the Secretary commences
13 within 30 days of the Secretary's acceptance of such
14 plan, or (b) the plan submitted to the Secretary com-
15 mences within 60 days of the submission of such plan
16 if the Secretary fails to take any action on the plan
17 within 30 days of the submission of the plan. The
18 Secretary shall accept, reject or suggest modifications
19 to the plan submitted within 30 days of its submis-
20 sion. The Secretary may confer with and assist pri-
21 vate parties in the development of the plan described
22 in subsections (a) and (b).

23 (e) *SECRETARY REVIEW.*—Not later than Janu-
24 ary 1, 2001, the Secretary of the Department of
25 Health and Human Services shall review the status

1 *of private-sector initiatives designed to achieve the*
 2 *goals of the plan described in subsection (a), and if*
 3 *such goals are not achieved, the limitation in sub-*
 4 *section (d) shall not apply, and the Secretary shall*
 5 *seek public comment on other initiatives that may be*
 6 *carried out to meet such goals.*

7 **(106)**SEC. 602. Section 3 of the Saccharin Study and
 8 Labeling Act (21 U.S.C 348 nt.) is amended by striking
 9 out “May 1, 1997” and inserting in lieu thereof “May 1,
 10 **(107)**~~2002~~ 1998”.

11 **(108)**SEC. 603. AMENDMENTS TO THE FEDERAL
 12 FOOD, DRUG, AND COSMETIC ACT.—

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

16 (1) *by striking “accessory of a device which*
 17 *is ready” and inserting “accessory of a device, or*
 18 *other article of device requiring further process-*
 19 *ing, which is ready”;*

20 (2) *in subparagraph (A), by striking “is in-*
 21 *tended to be” and inserting “is intended to be*
 22 *further processed by the initial owner or con-*
 23 *signee, or”;* and

24 (3) *in subparagraph (C)—*

1 (A) by striking “part,” and inserting
2 “part, article,”; and

3 (B) by striking “incorporated” and in-
4 serting “incorporated or further processed”.

5 (b) LABELING OF EXPORTED DRUGS.—Section
6 801(f) of the Federal Food, Drug, and Cosmetic Act
7 is amended—

8 (1) in paragraph (1), by striking “If a
9 drug” and inserting “If a drug (other than insu-
10 lin, an antibiotic drug, an animal drug, or a
11 drug exported under section 802)”; and

12 (2) in paragraph (2), by adding at the end
13 the following new sentence: “A drug exported
14 under section 802 is exempt from this section.”.

15 (c) EXPORT OF CERTAIN UNAPPROVED DRUGS
16 AND DEVICES.—Section 802(f)(5) of the Federal Food,
17 Drug, and Cosmetic Act is amended by striking “if
18 the drug or device is not labeled” and inserting “if
19 the labeling of the drug or device is not”.

20 **(109)**SEC. 604. Not later than 180 days after enact-
21 ment of this Act, the Administrator of the Food and Drug
22 Administration, in consultation with the States and other
23 appropriate Federal agencies shall report to the Chairman
24 and Ranking Member of the Committee on Appropriations
25 of the House and Senate on the feasibility of applying DNA

1 *testing or other testing procedures to determine the adulter-*
2 *ation, blending, mixing or substitution of crab meat other*
3 *than Callinectes Sapidus offered for sale in the United*
4 *States. The Administrator also shall report on the feasibil-*
5 *ity of developing a database of imported crab meat ship-*
6 *ments from port of entry to final wholesaler to be made*
7 *available to State agencies to aid enforcement and public*
8 *health protection.*

9 BUILDINGS AND FACILITIES

10 For plans, construction, repair, improvement, exten-
11 sion, alteration, and purchase of fixed equipment or facili-
12 ties of or used by the Food and Drug Administration,
13 where not otherwise provided, \$21,350,000, to remain
14 available until expended (7 U.S.C. 2209b).

15 RENTAL PAYMENTS (FDA)

16 (INCLUDING TRANSFERS OF FUNDS)

17 For payment of space rental and related costs pursu-
18 ant to Public Law 92-313 for programs and activities of
19 the Food and Drug Administration which are included in
20 this Act, \$46,294,000: *Provided*, That in the event the
21 Food and Drug Administration should require modifica-
22 tion of space needs, a share of the salaries and expenses
23 appropriation may be transferred to this appropriation, or
24 a share of this appropriation may be transferred to the
25 salaries and expenses appropriation, but such transfers

1 shall not exceed 5 percent of the funds made available for
 2 rental payments (FDA) to or from this account.

3 DEPARTMENT OF THE TREASURY

4 FINANCIAL MANAGEMENT SERVICE

5 PAYMENTS TO THE FARM CREDIT SYSTEM FINANCIAL

6 ASSISTANCE CORPORATION

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

14 INDEPENDENT AGENCIES

15 COMMODITY FUTURES TRADING COMMISSION

16 For necessary expenses to carry out the provisions
 17 of the Commodity Exchange Act, as amended (7 U.S.C.
 18 1 et seq.), including the purchase and hire of passenger
 19 motor vehicles; the rental of space (to include multiple
 20 year leases) in the District of Columbia and elsewhere; and
 21 not to exceed \$25,000 for employment under 5 U.S.C.
 22 3109; ~~(110)\$55,101,000~~ \$56,601,000, including not to ex-
 23 ceed \$1,000 for official reception and representation ex-
 24 penses: *Provided*, That the Commission is authorized to
 25 charge reasonable fees to attendees of Commission spon-

1 sored educational events and symposia to cover the Com-
2 mission's costs of providing those events and symposia,
3 and notwithstanding 31 U.S.C. 3302, said fees shall be
4 credited to this account, to be available without further
5 appropriation.

6 **(111) FARM CREDIT ADMINISTRATION**

7 **LIMITATION ON ADMINISTRATIVE EXPENSES**

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

13 **TITLE VII—GENERAL PROVISIONS**

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

21 SEC. 702. Funds in this Act available to the Depart-
22 ment of Agriculture shall be available for uniforms or al-
23 lowances therefor as authorized by law (5 U.S.C. 5901–
24 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; ~~(112) Food~~
4 ~~Safety and Inspection Service~~, field automation and infor-
5 mation management project; funds appropriated for rental
6 payments; funds for the Native American institutions en-
7 dowment fund in the Cooperative State Research, Edu-
8 cation, and Extension Service, and funds for the competi-
9 tive research grants (7 U.S.C. 450i(b)), shall remain avail-
10 able 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 **(113)**: *Provided, That notwithstanding*
3 *any other provision of law, none of the funds appropriated*
4 *or otherwise made available in this Act may be used to*
5 *transfer to the Treasury or to the Federal Financing Bank*
6 *any unobligated balance of the Rural Telephone Bank tele-*
7 *phone liquidating account which is in excess of current re-*
8 *quirements and such balance shall receive interest as set*
9 *forth for financial accounts in section 505(c) of the Federal*
10 *Credit 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 **(114)**~~SEC. 721.~~ None of the funds appropriated or
24 otherwise 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. 721. None of the funds appropriated or otherwise*
4 *made available by this Act, or made available through the*
5 *commodity Credit Corporation, shall be used to enroll in*
6 *excess of 130,000 acres in the fiscal year 1997 wetlands re-*
7 *serve program, as authorized by section 3837 of title 16,*
8 *United States Code: Provided, That additional acreage may*
9 *be enrolled in the program to the extent that non-Federal*
10 *funds available to the Secretary are used to fully com-*
11 *pensate for the cost of additional enrollments: Provided fur-*
12 *ther, That the condition on enrollments provided in section*
13 *1237(b)(2)(B) of the Food Security Act of 1985, as amended*
14 *(16 U.S.C. 3837(b)(2)(B)) shall be deemed met upon the*
15 *enrollment of 43,333 acres through the use of temporary*
16 *easements: Provided further That the Secretary shall not en-*
17 *roll acres in the wetlands reserve program through the use*
18 *of new permanent easements in fiscal year 1998 until the*
19 *Secretary has enrolled at least 31,667 acres in the program*
20 *through the use of temporary easements.*

21 *SEC. 722. Of the funds made available by this Act,*
22 *not more than \$1,000,000 shall be used to cover necessary*
23 *expenses of activities related to all advisory committees,*
24 *panels, commissions, and task forces of the Department*
25 *of Agriculture except for panels used to comply with nego-*

1 tiated rule makings **(115)** *and panels used to evaluate*
2 *competitively awarded grants.*

3 SEC. 723. None of the funds appropriated or other-
4 wise made available by this Act shall be used to pay the
5 salaries and expenses of personnel who carry out an export
6 enhancement program if the aggregate amount of funds
7 and/or commodities under such program exceeds
8 \$100,000,000.

9 **(116)**~~SEC. 724.~~ None of the funds appropriated or
10 otherwise made available by this Act shall be used to pay
11 the salaries and expenses of personnel who carry out a
12 farmland protection program in excess of \$2,000,000 au-
13 thorized by section 388 of Public Law 104-127.

14 **(117)**~~SEC. 725.~~ None of the funds appropriated or
15 otherwise made available by this Act shall be used to pay
16 the salaries and expenses of personnel who carry out a
17 wildlife habitat incentives program authorized by section
18 387 of Public Law 104-127.

19 **(118)**~~SEC. 726.~~ None of the funds appropriated or
20 otherwise made available by this Act shall be used to pay
21 the salaries and expenses of personnel who carry out a
22 conservation farm option program in excess of \$2,000,000
23 authorized by section 335 of Public Law 104-127.

24 SEC. 727. None of the funds made available in this
25 Act may be used to pay the salaries of employees of the

1 Department of Agriculture who make payments pursuant
2 to a production flexibility contract entered into under sec-
3 tion 111 of the Federal Agriculture Improvement and Re-
4 form Act of 1996 (Public Law 104–127; 7 U.S.C. 7211)
5 when it is made known to the Federal official having au-
6 thority to obligate or expend such funds that the land cov-
7 ered by that production flexibility contract is not being
8 ~~(119)~~used for the production of an agricultural commod-
9 ity or is not devoted to a conserving use, unless it is also
10 made known to that Federal official that the lack of agri-
11 cultural production or the lack of a conserving use is a
12 consequence of drought, flood, or other natural disaster
13 *used for an agricultural or related activity, including con-*
14 *serving use, as determined by the Secretary.*

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

19 ~~(120)~~SEC. 729. None of the funds made available
20 in this Act may be used to maintain the price of raw cane
21 sugar (as reported for an appropriate preceding month for
22 applicable sugar futures contracts of the Coffee, Sugar,
23 and Cocoa Exchange, New York) at more than 117½ per-
24 cent of the statutory loan rate under section 158 of the

1 Federal Agriculture Improvement and Reform Act (title
2 1 of Public Law 104–127).

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

7 ~~(121)SEC. 731. (a) IN GENERAL.—~~Any owner on
8 the date of enactment of this Act of the right to market
9 a nonsteroidal anti-inflammatory drug that—

10 (1) contains a patented active agent;

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

14 (3) was approved as safe and effective by the
15 Federal Food and Drug Administration on January
16 31, 1991, shall be entitled, for the 2-year period be-
17 ginning on February 28, 1997, to exclude others
18 from making, using, offering for sale, selling, or im-
19 porting into the United States such active agent, in
20 accordance with section 154(a)(1) of title 35, United
21 States Code.

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

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

9 SEC. 732. ~~(122)~~Funds *Hereafter*, funds appropriated
10 to the Department of Agriculture may be used for inciden-
11 tal expenses such as transportation, uniforms, lodging,
12 and subsistence for volunteers serving under the authority
13 of 7 U.S.C. 2272, when such volunteers are engaged in
14 the work of the U.S. Department of Agriculture; and for
15 promotional items of nominal value relating to the U.S.
16 Department of Agriculture Volunteer Programs.

17 ~~(123)~~SEC. 733. *It is the sense of Congress that, not*
18 *later than the date of the enactment of this Act, the Sec-*
19 *retary of Agriculture should—*

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

24 (A) an explanation of the factors to be
25 used to determine the compensation amount for

1 wheat farmers and handlers, including how con-
2 tract and spot market prices will be handled;
3 and

4 (B) compensation for farmers who have
5 crops positive for karnal bunt and compensation
6 for farmers who have crops which are negative
7 for karnal bunt, but which cannot go to market
8 due to the lack of Department action on match-
9 ing restrictions on the negative wheat with the
10 latest risk assessments; and

11 (2) review the risk assessments developed by
12 the University of California at Riverside and submit
13 a report to Congress describing how these risk as-
14 sessments will impact the Department of Agriculture
15 policy on the quarantine area for the 1997 wheat
16 crop.

17 **(124)***SEC. 734. Not to exceed 10 percent of the*
18 *amounts appropriated or otherwise made available by this*
19 *Act for the Rural Housing Assistance Program, the Rural*
20 *Business-Cooperative Assistance Program, and the Rural*
21 *Utilities Assistance Program may be transferred between*
22 *these programs for authorized purposes.*

23 **(125)***SEC. 735. None of the funds appropriated or*
24 *otherwise made available to the Department of Agriculture*
25 *by this Act may be used to detail or assign an individual*

1 *from an agency or office funded in this Act to any other*
2 *agency or office for more than 60 days, unless the Secretary*
3 *provides notification to the House and Senate Committees*
4 *on Appropriations that an employee detail or assignment*
5 *in excess of 60 days is required.*

6 **(126)***SEC. 736. Section 747(e) of the Federal Agri-*
7 *culture Improvement and Reform Act of 1996 is amended*
8 *by inserting, “effective October 1, 1996” following “The Sec-*
9 *retary shall make grants” in Section 747(e)(2).*

10 **(127)***SEC. 737. LABELING OF RAW POULTRY PROD-*
11 *UCTS.—*

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

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

24 *(1) maintains the standard that the term*
25 *“fresh” may be used only for raw poultry prod-*

1 *ucts the internal core temperature of which has*
2 *not fallen below 26° Fahrenheit;*

3 *(2) deletes the requirement that poultry*
4 *products the internal core temperature of which*
5 *has ever been less than 26° Fahrenheit, but more*
6 *than 0° Fahrenheit, be labeled as “hard chilled”*
7 *or “previously hard chilled”, except that—*

8 *(A) the products shall be prohibited*
9 *under the rule from being labeled as “fresh”*
10 *but shall not be required to bear any spe-*
11 *cific alternative labeling; and*

12 *(B) nothing in this section shall be in-*
13 *terpreted as modifying the requirements for*
14 *labeling of all poultry products the internal*
15 *core temperature of which has ever fallen to*
16 *0° Fahrenheit as “frozen”;*

17 *(3) provides for a tolerance from the 26°*
18 *Fahrenheit standard established by the rule of—*

19 *(A) 1° Fahrenheit for poultry products*
20 *within an official processing establishment;*

21 *(B) 2° Fahrenheit for poultry products*
22 *in commerce;*

23 *(4) exempts from temperature testing wings,*
24 *tenders, hearts, livers, gizzards, necks, and prod-*

1 *ucts that undergo special processing, such as*
2 *sliced poultry products; and*

3 *(5) in all other terms and conditions (in-*
4 *cluding the period of time permitted for imple-*
5 *mentation) is substantively identical to the rule*
6 *referred to in subsection (a).*

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

15 *(1) temperature testing that are based on*
16 *measurements at the center of the deepest muscle;*
17 *and*

18 *(2) sampling methods that ensure that the*
19 *average of individual temperatures within poul-*
20 *try product lots of each specific product type*
21 *(such as whole birds, whole muscle leg products,*
22 *and whole muscle breast products) meet the*
23 *standards.*

24 *(d) SEVERABILITY.—If any provision of this sec-*
25 *tion or the application thereof to any person or cir-*

1 *cumstance is held invalid, the validity of the remain-*
2 *der of this section and of the application of the provi-*
3 *sion to any other persons or circumstances shall not*
4 *be affected.*

5 **(128)** *SEC. 738. Section 7 of the Food Stamp Act of*
6 *1977 (7 U.S.C. 2016) is amended by adding at the end the*
7 *following:*

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

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

16 *“(2) APPLICABLE LAW.—Disclosures, protections,*
17 *responsibilities, and remedies established by the Fed-*
18 *eral Reserve Board under section 904 of the Elec-*
19 *tronic Fund Transfer Act (15 U.S.C. 1692b) shall not*
20 *apply to benefits under this Act delivered through any*
21 *electronic benefit transfer system.*

22 *“(3) REPLACEMENT OF BENEFITS.—Regulations*
23 *issued by the Secretary regarding the replacement of*
24 *benefits and liability for replacement of benefits under*
25 *an electronic benefit transfer system shall be similar*

1 to the regulations in effect for a paper-based food
2 stamp issuance system.”.

3 **(129)**SEC. 739. (a) *ELECTRONIC WAREHOUSE RE-*
4 *CEIPTS.*—Section 17(c) of the United States Warehouse Act
5 (7 U.S.C. 259(c)) is amended—

6 (1) in paragraph (1)(A), by striking “cotton”
7 and inserting “any agricultural product”;

8 (2) by striking “the cotton” each place it appears
9 and inserting “the agricultural product”; and

10 (3) in paragraph (2)—

11 (A) in subparagraph (A), by striking “in
12 cotton” and inserting “in the agricultural prod-
13 uct”; and

14 (B) in the last sentence of subparagraph
15 (B)—

16 (i) by striking “electronic cotton” and
17 inserting “electronic”; and

18 (ii) by striking “cotton stored in a cot-
19 ton warehouse” and inserting “any agricul-
20 tural product stored in a warehouse”.

21 (b) *WRITTEN RECEIPTS.*—Section 18(c) of the United
22 States Warehouse Act (7 U.S.C. 260(c)) is amended by
23 striking “consecutive”.

24 **(130)**SEC. 740. Hereafter, notwithstanding any other
25 provision of law, any domestic fish or fish product produced

1 *in compliance with food safety standards or procedures ac-*
2 *cepted by the Food and Drug Administration as satisfying*
3 *the requirements of the “Procedures for the Safe and Sani-*
4 *tary Processing and Importing of Fish and Fish Products”*
5 *(published by the Food and Drug Administration as a final*
6 *regulation in the Federal Register of December 18, 1995),*
7 *shall be deemed to have met any inspection requirements*
8 *of the Department of Agriculture or other Federal agency*
9 *for any Federal commodity purchase program, including*
10 *the program authorized under section 32 of the Act of Au-*
11 *gust 24, 1935 (7 U.S.C. 612c) except that the Department*
12 *of Agriculture or other Federal agency may utilize lot in-*
13 *spection to establish a reasonable degree of certainty that*
14 *fish or fish products purchased under a Federal commodity*
15 *purchase program, including the program authorized under*
16 *section 32 of the Act of August 24, 1935 (7 U.S.C. 612c),*
17 *meet Federal product specifications.*

18 **(131)**SEC. 741. (a) *EXTENSION OF MULTIFAMILY*
19 *RURAL HOUSING LOAN PROGRAM.—*

20 (1) *AUTHORITY TO MAKE LOANS.—Section*
21 *515(b)(4) of the Housing Act of 1949 (42 U.S.C.*
22 *1485(b)(4)) is amended by striking “September 30,*
23 *1996” and inserting “September 30, 1997”.*

24 (2) *SET-ASIDE FOR NONPROFIT ENTITIES.—The*
25 *first sentence of section 515(w)(1) of the Housing Act*

1 of 1949 (42 U.S.C. 1485(w)(1)) is amended by strik-
2 ing “fiscal year 1996” and inserting “fiscal year
3 1997”.

4 (b) *EXTENSION OF HOUSING IN UNDERSERVED AREAS*
5 *PROGRAM.*—*The first sentence of section 509(f)(4)(A) of the*
6 *Housing Act of 1949 (42 U.S.C. 1479(f)(4)(A)) is amended*
7 *by striking “fiscal year 1996” and inserting “fiscal year*
8 *1997”.*

9 (c) *REFORMS FOR MULTIFAMILY RURAL HOUSING*
10 *LOAN PROGRAM.*—

11 (1) *LIMITATION ON PROJECT TRANSFERS.*—*Sec-*
12 *tion 515 of the Housing Act of 1949 (42 U.S.C. 1485)*
13 *is amended by inserting after subsection (g) the fol-*
14 *lowing new subsection:*

15 “(h) *PROJECT TRANSFERS.*—*After the date of the en-*
16 *actment of the Act entitled ‘An Act making appropriations*
17 *for Agriculture, Rural Development, Food and Drug Ad-*
18 *ministration, and Related Agencies programs for the fiscal*
19 *year ending September 30, 1997, and for other purposes’,*
20 *the ownership or control of a project for which a loan is*
21 *made or insured under this section may be transferred only*
22 *if the Secretary determines that such transfer would further*
23 *the provision of housing and related facilities for low-in-*
24 *come families or persons and would be in the best interests*
25 *of residents and the Federal Government.”.*

1 (2) *EQUITY LOANS.*—*Section 515(t) of the Housing Act of 1949 (42 U.S.C. 1485(t)) is amended—*

3 (A) *by striking paragraphs (4) and (5); and*

4 (B) *by redesignating paragraphs (6) through (8) as paragraphs (4) through (6), respectively.*

7 (3) *EQUITY TAKEOUT LOANS TO EXTEND LOW-INCOME USE.*—

9 (A) *AUTHORITY AND LIMITATION.*—*Section 502(c)(4)(B)(iv) of the Housing Act of 1949 (42 U.S.C. 1472(c)(4)(B)(iv)) is amended by inserting before the period at the end the following: “or under paragraphs (1) and (2) of section 514(j), except that an equity loan referred to in this clause may not be made available after the date of the enactment of the Act entitled ‘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’, unless the Secretary determines that the other incentives available under this subparagraph are not adequate to provide a fair return on the investment of the borrower, to prevent prepayment of the loan insured under section*

1 514 or 515, or to prevent the displacement of
2 tenants of the housing for which the loan was
3 made”.

4 (B) *APPROVAL OF ASSISTANCE.*—Section
5 502(c)(4)(C) of the Housing Act of 1949 (42
6 U.S.C. 1472(c)(4)(C)) is amended by striking
7 “(C)” and all that follows through “pro
8 vided—” and inserting the following:

9 “(C) *APPROVAL OF ASSISTANCE.*—The Secretary may
10 approve assistance under subparagraph (B) for assisted
11 housing only if the restrictive period has expired for any
12 loan for the housing made or insured under section 514 or
13 515 pursuant to a contract entered into after December 21,
14 1979, but before the date of the enactment of the Department
15 of Housing and Urban Development Reform Act of 1989,
16 and the Secretary determines that the combination of assist-
17 ance provided—”.

18 (C) *TECHNICAL CORRECTION.*—Section
19 515(c)(1) of the Housing Act of 1949 (42 U.S.C.
20 1485(c)(1)) is amended by striking “December
21 21, 1979” and inserting “December 15, 1989”.

22 (d) *EQUITY SKIMMING PENALTIES.*—

23 (1) *INSURANCE OF LOANS FOR THE PROVISION OF*
24 *HOUSING AND RELATED FACILITIES FOR DOMESTIC FARM*
25 *LABOR.*—Section 514 of the Housing Act of 1949 (42 U.S.C.

1 1484) is amended by adding at the end the following new
2 subsection:

3 “(j) *EQUITY SKIMMING PENALTY.*—Whoever, as an
4 owner, agent, or manager, or who is otherwise in custody,
5 control, or possession of property that is security for a loan
6 made or insured under this section willfully uses, or author-
7 izes the use, of any part of the rents, assets, proceeds, in-
8 come, or other funds derived from such property, for any
9 purpose other than to meet actual or necessary expenses of
10 the property, or for any other purpose not authorized by
11 this title or the regulations adopted pursuant to this title,
12 shall be fined not more than \$250,000 or imprisoned not
13 more than 5 years, or both.”.

14 (2) *DIRECT AND INSURED LOANS TO PROVIDE*
15 *HOUSING AND RELATED FACILITIES FOR ELDERLY*
16 *PERSONS AND FAMILIES IN RURAL AREAS.*—Section
17 515 of the *Housing Act of 1949 (42 U.S.C. 1485)* is
18 amended by adding at the end the following new sub-
19 section:

20 “(aa) *EQUITY SKIMMING PENALTY.*—Whoever, as an
21 owner, agent, or manager, or who is otherwise in custody,
22 control, or possession of property that is security for a loan
23 made or insured under this section willfully uses, or author-
24 izes the use, of any part of the rents, assets, proceeds, in-
25 come, or other funds derived from such property, for any

1 *purpose other than to meet actual or necessary expenses of*
2 *the property, or for any other purpose not authorized by*
3 *this title or the regulations adopted pursuant to this title,*
4 *shall be fined not more than \$250,000 or imprisoned not*
5 *more than 5 years, or both.”.*

6 **(132)**SEC. 742. *REAUTHORIZATION OF NATIONAL*
7 *AQUACULTURE ACT OF 1980.—Section 10 of the National*
8 *Aquaculture Act of 1980 (16 U.S.C. 2809) is amended by*
9 *striking “1991, 1992, and 1993” each place it appears and*
10 *inserting “1991 through 1997”.*

11 **(133)**SEC. 743. *DEPARTMENT OF AGRICULTURE VOL-*
12 *UNTARY SEPARATION INCENTIVE PAYMENTS.—*

13 *(a) DEFINITIONS.—For the purposes of this sec-*
14 *tion—*

15 *(1) the term “agency” means the Depart-*
16 *ment of Agriculture;*

17 *(2) the term “employee” means an employee*
18 *(as defined by section 2105 of title 5, United*
19 *States Code) who is employed by the agency (or*
20 *an individual employed by a county committee*
21 *established under section 8(b)(5) of the Soil Con-*
22 *servation and Domestic Allotment Act (16 U.S.C.*
23 *590h(b)(5))), is serving under an appointment*
24 *without time limitation, and has been currently*

1 *employed for a continuous period of at least 3*
2 *years, but does not include—*

3 *(A) a reemployed annuitant under sub-*
4 *chapter III of chapter 83 or chapter 84 of*
5 *title 5, United States Code, or another re-*
6 *irement system for employees of the agency;*

7 *(B) an employee having a disability on*
8 *the basis of which such employee is or*
9 *would be eligible for disability retirement*
10 *under the applicable retirement system re-*
11 *ferred to in subparagraph (A);*

12 *(C) an employee who is in receipt of a*
13 *specific notice of involuntary separation for*
14 *misconduct or unacceptable performance;*

15 *(D) an employee who, upon completing*
16 *an additional period of service as referred*
17 *to in section 3(b)(2)(B)(ii) of the Federal*
18 *Workforce Restructuring Act of 1994 (5*
19 *U.S.C. 5597 note), would qualify for a vol-*
20 *untary separation incentive payment under*
21 *section 3 of such Act;*

22 *(E) an employee who has previously*
23 *received any voluntary separation incentive*
24 *payment by the Federal Government under*

1 *this section or any other authority and has*
2 *not repaid such payment;*

3 *(F) an employee covered by statutory*
4 *reemployment rights who is on transfer to*
5 *another organization; or*

6 *(G) any employee who, during the*
7 *twenty four month period preceding the*
8 *date of separation, has received a recruit-*
9 *ment or relocation bonus under section 5753*
10 *of title 5, United States Code, or who, with-*
11 *in the twelve month period preceding the*
12 *date of separation, received a retention al-*
13 *lowance under section 5754 of title 5, Unit-*
14 *ed States Code.*

15 *(b) AGENCY STRATEGIC PLAN.—*

16 *(1) IN GENERAL.—The head of the agency,*
17 *prior to obligating any resources for voluntary*
18 *separation incentive payments, shall submit to*
19 *the House and Senate Committees on Appropria-*
20 *tions and the Committee on Governmental Af-*
21 *airs of the Senate and the Committee on Gov-*
22 *ernment Reform and Oversight of the House of*
23 *Representatives a strategic plan outlining the in-*
24 *tended use of such incentive payments and a*
25 *proposed organizational chart for the agency*

1 *once such incentive payments have been com-*
2 *pleted.*

3 (2) *CONTENTS.—The agency’s plan shall in-*
4 *clude—*

5 *(A) the positions and functions to be*
6 *reduced or eliminated, identified by organi-*
7 *zational unit, geographic location, occupa-*
8 *tional category and grade level;*

9 *(B) the number and amounts of vol-*
10 *untary separation incentive payments to be*
11 *offered; and*

12 *(C) a description of how the agency*
13 *will operate without the eliminated posi-*
14 *tions and functions.*

15 (c) *AUTHORITY TO PROVIDE VOLUNTARY SEPARA-*
16 *TION INCENTIVE PAYMENTS.—*

17 (1) *IN GENERAL.—A voluntary separation*
18 *incentive payment under this section may be*
19 *paid by an agency to any employee only to the*
20 *extent necessary to eliminate the positions and*
21 *functions identified by the strategic plan.*

22 (2) *AMOUNT AND TREATMENT OF PAY-*
23 *MENTS.—A voluntary separation incentive pay-*
24 *ment—*

1 (A) shall be paid in a lump sum after
2 the employee's separation;

3 (B) shall be paid from appropriations
4 or funds available for the payment of the
5 basic pay of the employees;

6 (C) shall be equal to the lesser of—

7 (i) an amount equal to the
8 amount the employee would be entitled
9 to receive under section 5595(c) of title
10 5, United States Code; or

11 (ii) an amount determined by the
12 agency head not to exceed \$25,000 in
13 fiscal year 1997, \$20,000 in fiscal year
14 1998, \$15,000 in fiscal year 1999, or
15 \$10,000 in fiscal year 2000;

16 (D) shall not be a basis for payment,
17 and shall not be included in the computa-
18 tion, of any other type of Government bene-
19 fit; and

20 (E) shall not be taken into account in
21 determining the amount of any severance
22 pay to which the employee may be entitled
23 under section 5595 of title 5, United States
24 Code, based on any other separation.

1 (3) *LIMITATION.*—No amount shall be pay-
2 able under this section based on any separation
3 occurring before the date of the enactment of this
4 Act, or after September 30, 2000.

5 (d) *ADDITIONAL AGENCY CONTRIBUTIONS TO THE*
6 *RETIREMENT FUND.*—

7 (1) *IN GENERAL.*—In addition to any other
8 payments which it is required to make under
9 subchapter III of chapter 83 of title 5, United
10 States Code, the agency shall remit to the Office
11 of Personnel Management for deposit in the
12 Treasury of the United States to the credit of the
13 Civil Service Retirement and Disability Fund
14 an amount equal to 15 percent of the final basic
15 pay of each employee of the agency who is cov-
16 ered under subchapter III of chapter 83 or chap-
17 ter 84 of title 5, United States Code, to whom a
18 voluntary separation incentive has been paid
19 under this section.

20 (2) *DEFINITION.*—For the purpose of para-
21 graph (1), the term “final basic pay”, with re-
22 spect to an employee, means the total amount of
23 basic pay which would be payable for a year of
24 service by such employee, computed using the
25 employee’s final rate of basic pay, and, if last

1 *servicing on other than a full-time basis, with ap-*
2 *propriate adjustment therefor.*

3 (e) *EFFECT OF SUBSEQUENT EMPLOYMENT WITH*
4 *THE GOVERNMENT.—An individual who has received*
5 *a voluntary separation incentive payment under this*
6 *section and accepts any employment for compensation*
7 *with the Government of the United States, or who*
8 *works for any agency of the United States Govern-*
9 *ment through a personal services contract, within 5*
10 *years after the date of the separation on which the*
11 *payment is based shall be required to pay, prior to*
12 *the individual's first day of employment, the entire*
13 *amount of the incentive payment to the agency that*
14 *paid the incentive payment.*

15 (f) *REDUCTION OF AGENCY EMPLOYMENT LEV-*
16 *ELS.—*

17 (1) *IN GENERAL.—The total number of*
18 *funded employee positions in the agency shall be*
19 *reduced by one position for each vacancy created*
20 *by the separation of any employee who has re-*
21 *ceived, or is due to receive, a voluntary separa-*
22 *tion incentive payment under this section. For*
23 *the purposes of this subsection, positions shall be*
24 *counted on a full-time-equivalent basis.*

1 (2) *ENFORCEMENT.*—*The President, through*
2 *the Office of Management and Budget, shall*
3 *monitor the agency and take any action nec-*
4 *essary to ensure that the requirements of this*
5 *subsection are met.*

6 (g) *EFFECTIVE DATE.*—*This section shall take ef-*
7 *fect October 1, 1996.*

8 **(134)***SEC. 744. Section 101(b) of the Agriculture and*
9 *Food Act of 1981 (Public Law 97–98; 7 U.S.C. 608c note)*
10 *is amended by striking “1996” and inserting “2002”.*

11 **(135)***SEC. 745. REVIEW AND REPORT ON H–2A NON-*
12 *IMMIGRANT WORKERS PROGRAM.—*

13 (a) *SENSE OF THE CONGRESS.*—*It is the sense*
14 *of the Congress that the enactment of this Act may*
15 *impact the future availability of an adequate work*
16 *force for the producers of our Nation’s labor intensive*
17 *agricultural commodities and livestock.*

18 (b) *REVIEW.*—*The Comptroller General shall re-*
19 *view the effectiveness of the H–2A nonimmigrant*
20 *worker program to ensure that the program provides*
21 *a workable safety valve in the event of future short-*
22 *ages of domestic workers after the enactment of this*
23 *Act. Among other things, the Comptroller General*
24 *shall review the program to determine—*

1 (1) *that the program ensures that an ade-*
2 *quate supply of qualified United States workers*
3 *is available at the time and place needed for em-*
4 *ployers seeking such workers after the date of en-*
5 *actment of this Act;*

6 (2) *that the program ensures that there is*
7 *timely approval of applications for temporary*
8 *foreign workers under the H-2A nonimmigrant*
9 *worker program in the event of shortages of*
10 *United States workers after the date of enact-*
11 *ment of this Act;*

12 (3) *that the program ensures that imple-*
13 *mentation of the H-2A nonimmigrant worker*
14 *program is not displacing United States agricul-*
15 *tural workers or diminishing the terms and con-*
16 *ditions of employment of United States agricul-*
17 *tural workers; and*

18 (4) *if and to what extent the H-2A non-*
19 *immigrant worker program is contributing to*
20 *the problem of illegal immigration.*

21 (c) *REPORT.*—*Not later than December 31, 1996,*
22 *or three months after the date of enactment of this*
23 *Act, whichever is sooner, the Comptroller General*
24 *shall submit a report to Congress setting forth the*
25 *findings of the review conducted under subsection (b).*

1 (d) *DEFINITIONS.—As used in this section—*

2 (1) *the term “Comptroller General” means*
3 *the Comptroller General of the United States;*
4 *and*

5 (2) *the term “H-2A nonimmigrant worker*
6 *program” means the program for the admission*
7 *of nonimmigrant aliens described in section*
8 *101(a)(15)(H)(ii)(A) of the Immigration and*
9 *Nationality Act.*

10 **(136)***SEC. 746. NORTHERN FOREST STEWARD-*
11 *SHIP.—*

12 (a) *FINDINGS.—With respect to the Northern*
13 *Forest in the States of Maine, New Hampshire, New*
14 *York, and Vermont, Congress finds that—*

15 (1) *the current land ownership and man-*
16 *agement patterns have served the people and for-*
17 *ests of the region well; public policies relating to*
18 *the Northern Forest should seek to reinforce rath-*
19 *er than replace the patterns of ownership and*
20 *use that have characterized lands in the Northern*
21 *Forest for decades;*

22 (2) *people have a right to participate in de-*
23 *cisions that affect them;*

24 (3) *the rights of private property owners*
25 *must be respected;*

1 (4) *natural systems must be sustained over*
2 *the long term, including air, soil, water, and the*
3 *diversity of plant and animal species;*

4 (5) *the history and culture of the Northern*
5 *Forest and the connections between people and*
6 *the land must be respected;*

7 (6) *States should work in partnership with*
8 *local governments and the Federal Government;*

9 (7) *differences among the 4 Northern Forest*
10 *States must be recognized;*

11 (8) *people must appreciate that the North-*
12 *ern Forest has values that are important beyond*
13 *the boundaries of the Northern Forest;*

14 (9) *because public funds are scarce, the*
15 *greatest public benefit must be secured for any*
16 *additional investment;*

17 (10) *proposals must be judged by their long-*
18 *term benefits, looking at least 50 years into the*
19 *future;*

20 (11) *programs and regulations in existence*
21 *on the date of enactment of this Act should be*
22 *continually evaluated, built upon, and improved*
23 *before new ones are created;*

24 (12) *the actions described in this section are*
25 *most appropriately directed by the States, with*

1 *assistance from the Federal Government, as re-*
2 *quested by the States;*

3 (13) *certain Federal tax policies work*
4 *against the long-term ownership, management,*
5 *and conservation of forest land in the Northern*
6 *Forest region, and Congress and the President*
7 *should enact additional legislation to address*
8 *those tax policies as soon as possible; and*

9 (14) *this section effectuates certain rec-*
10 *ommendations of the Northern Forest Lands*
11 *Council that were developed with broad public*
12 *input and the involvement of Federal, State, and*
13 *local governments.*

14 (b) *PRINCIPLES OF SUSTAINABILITY.—*

15 (1) *IN GENERAL.—The Secretary of Agri-*
16 *culture, acting through the Chief of the Forest*
17 *Service, is authorized, at the request of the State*
18 *of Maine, New Hampshire, New York, or Ver-*
19 *mont, to provide technical assistance for a State-*
20 *based initiative directed by the State, to define*
21 *the appropriate benchmarks of sustainable forest*
22 *management that address the principles of sus-*
23 *tainability, as recommended by the Northern*
24 *Forest Lands Council.*

1 (2) *PRINCIPLES OF SUSTAINABILITY.*—*It is*
2 *the sense of Congress that for the purposes of*
3 *paragraph (1), principles of sustainability*
4 *should include—*

5 (A) *maintenance of soil productivity;*

6 (B) *conservation of water quality, wet-*
7 *lands, and riparian zones;*

8 (C) *maintenance or creation of a*
9 *healthy balance of forest age classes;*

10 (D) *continuous flow of timber, pulp-*
11 *wood, and other forest products;*

12 (E) *improvement of the overall quality*
13 *of the timber resource as a foundation for*
14 *more value-added opportunities;*

15 (F) *addressing scenic quality by limit-*
16 *ing adverse aesthetic impacts of forest har-*
17 *vesting, particularly in high-elevation areas*
18 *and vistas;*

19 (G) *conservation and enhancement of*
20 *habitats that support a full range of native*
21 *flora and fauna;*

22 (H) *protection of unique or fragile nat-*
23 *ural areas; and*

24 (I) *continuation of opportunities for*
25 *traditional recreation.*

1 (c) *NORTHERN FOREST RESEARCH COOPERA-*
2 *TIVE.—The Secretary of Agriculture, acting through*
3 *the Northeastern Forest Experiment Station and the*
4 *Chief of the Forest Service, is authorized, at the re-*
5 *quest of the State of Maine, New Hampshire, New*
6 *York, or Vermont, to cooperate with the State, the*
7 *land grant universities of the State, natural resource*
8 *and forestry schools, other Federal agencies, and other*
9 *interested parties in coordinating ecological and eco-*
10 *nomic research, including—*

11 (1) *research at those universities on eco-*
12 *system health, forest management, product devel-*
13 *opment, economics, and related fields;*

14 (2) *development of specific forest manage-*
15 *ment guidelines to achieve principles of sustain-*
16 *ability described in subsection (b) as rec-*
17 *ommended by the Northern Forest Lands Coun-*
18 *cil;*

19 (3) *technology transfer to the wood products*
20 *industry on efficient processing, pollution pre-*
21 *vention, and energy conservation;*

22 (4) *dissemination of existing and new infor-*
23 *mation to landowners, public and private re-*
24 *source managers, State forest citizen advisory*
25 *committees, and the general public through pro-*

1 *professional associations, publications, and other in-*
2 *formation clearinghouse activities; and*

3 (5) *analysis of strategies for the protection*
4 *of areas of outstanding ecological significance,*
5 *high biodiversity, and the provision of important*
6 *recreational opportunities, including strategies*
7 *for areas identified through State land acquisi-*
8 *tion planning processes.*

9 (d) *INTERSTATE COORDINATION STRATEGY.—At*
10 *the request of the States of Maine, New Hampshire,*
11 *New York, and Vermont, the Chief of the Forest Serv-*
12 *ice is authorized to make a representative of the State*
13 *and Private Forest Program available to meet with*
14 *representatives of the States to coordinate the imple-*
15 *mentation of Federal and State policy recommenda-*
16 *tions issued by the Northern Forest Lands Council*
17 *and other policies agreed to by the States.*

18 (e) *LAND CONSERVATION.—*

19 (1) *FEDERAL ASSISTANCE.—The Secretary*
20 *of Agriculture (acting through the Chief of the*
21 *Forest Service) and the Secretary of the Interior*
22 *(acting through the Director of the National*
23 *Park Service and Director of the United States*
24 *Fish and Wildlife Service) at the request of the*
25 *State of Maine, New Hampshire, Vermont, or*

1 *New York, is authorized to provide technical and*
2 *financial assistance for a State-managed public*
3 *land acquisition planning process and land ac-*
4 *quisition initiatives directed by the State.*

5 (2) *PROGRAM DEVELOPMENT.*—*A goal-ori-*
6 *ented planning process for a State described in*
7 *paragraph (1) to establish a land conservation*
8 *program shall include—*

9 (A) *identification of, and setting of*
10 *priorities for the acquisition of, fee or less-*
11 *than-fee interests in exceptional and impor-*
12 *tant lands, in accordance with criteria that*
13 *include—*

14 (i) *places offering outstanding rec-*
15 *reational opportunities, including loca-*
16 *tions for hunting, fishing, trapping,*
17 *hiking, camping, and other forms of*
18 *back-country recreation;*

19 (ii) *recreational access to river*
20 *and lake shorelines;*

21 (iii) *land supporting vital ecologi-*
22 *cal functions and values;*

23 (iv) *habitats for rare, threatened,*
24 *or endangered natural communities,*
25 *plants, and wildlife;*

1 (v) areas of outstanding scenic
2 value and significant geological fea-
3 tures; and

4 (vi) working private forest lands
5 that are of such significance or so
6 threatened by conversion that conserva-
7 tion easements should be purchased;

8 (B) acquisition of land and interests
9 in land only from willing sellers;

10 (C) involvement of local governments
11 and landowners in the planning process in
12 a meaningful way that acknowledges their
13 concerns about public land acquisition;

14 (D) recognition that zoning, while an
15 important land use mechanism, is not an
16 appropriate substitution for acquisition;

17 (E) assurances that unilateral eminent
18 domain will only be used with the consent
19 of the landowner to clear title and establish
20 purchase prices;

21 (F) efficient use of public funds by
22 purchasing only the rights necessary to best
23 identify and protect exceptional values;

1 (G) consideration of the potential im-
2 pacts and benefits of land and easement ac-
3 quisition on local and regional economies;

4 (H) consideration of the necessity of
5 including costs of future public land man-
6 agement in the assessment of overall costs of
7 acquisition;

8 (I) minimization of adverse tax con-
9 sequences to municipalities by making
10 funds available to continue to pay property
11 taxes based at least on current use valu-
12 ation of parcels acquired, payments in lieu
13 of taxes, user fee revenues, or other benefits,
14 where appropriate;

15 (J) identification of the potential for
16 exchanging public land for privately held
17 land of greater public value; and

18 (K) assurances that any land or inter-
19 ests inland that are acquired are used and
20 managed for their intended purposes.

21 (3) *WILLING SELLER.*—No Federal funds
22 made available to carry out this section may be
23 expended for acquisition of private or public
24 property unless the owner of the property will-
25 ingly offers the property for sale.

1 (4) *LAND ACQUISITION.*—

2 (A) *FUNDING.*—*After completion of the*
3 *planning process under paragraph (2), a*
4 *Federal and State cooperative land acquisi-*
5 *tion project under this section may be car-*
6 *ried out with funding provided exclusively*
7 *by the Federal Government or with funding*
8 *provided by both the Federal Government*
9 *and a State government.*

10 (B) *OBJECTIVES.*—*A cooperative land*
11 *acquisition project funded under this section*
12 *shall promote State land conservation objec-*
13 *tives that correspond with Federal goals*
14 *and the recommendations of the Northern*
15 *Forest Lands Council.*

16 (5) *COMPLEMENTARY PROGRAM.*—*The Sec-*
17 *retary of the Interior shall conduct activities*
18 *under this subsection—*

19 (A) *as a complement to the State Com-*
20 *prehensive Outdoor Recreation Plan for*
21 *each Northern Forest State in existence on*
22 *the date of enactment of this section; and*

23 (B) *with a landscape perspective.*

24 (6) *AUTHORIZATION OF APPROPRIATIONS.*—

1 (A) *IN GENERAL.*—*There are author-*
2 *ized to be appropriated, out of any funds*
3 *made available for State purposes under*
4 *section 6 of the Land and Water Conserva-*
5 *tion Fund Act of 1965 (16 U.S.C. 460l–8),*
6 *such sums as are necessary to carry out this*
7 *subsection.*

8 (B) *EFFECT ON APPORTIONMENT.*—*Ap-*
9 *portionment among the States under section*
10 *6(b) of the Act (16 U.S.C. 460l–8(b)) shall*
11 *be from funds not appropriated under sub-*
12 *paragraph (A).*

13 (f) *LANDOWNER LIABILITY EXEMPTION.*—

14 (1) *FINDINGS.*—*Congress finds that—*

15 (A) *many landowners keep their land*
16 *open and available for responsible recre-*
17 *ation; and*

18 (B) *private lands help provide impor-*
19 *tant forest-based recreation opportunities*
20 *for the public in the Northern Forest region.*

21 (2) *SENSE OF CONGRESS.*—*It is the sense of*
22 *Congress that States and other interested persons*
23 *should pursue initiatives that—*

1 (A) *strengthen relief-from-liability laws*
2 *to protect landowners that allow responsible*
3 *public recreational use of their lands;*

4 (B) *update relief-from-liability laws to*
5 *establish hold-harmless mechanisms for*
6 *landowners that open their land to public*
7 *use, including provision for payment by the*
8 *State of the costs of a landowner's defense*
9 *against personal injury suits and of the*
10 *costs of repairing property damage and re-*
11 *moving litter;*

12 (C) *private additional reductions in*
13 *property taxes for landowners that allow re-*
14 *sponsible public recreational use of their*
15 *lands;*

16 (D) *provide for purchases by the State*
17 *of land in fee and of temporary and perma-*
18 *nent recreation easements and leases, in-*
19 *cluding rights of access;*

20 (E) *foster State and private coopera-*
21 *tive recreation agreements;*

22 (F) *create recreation coordinator and*
23 *landowner liaison and remote ranger posi-*
24 *tions in State government to assist in the*
25 *management of public use of private lands*

1 *and provide recreation opportunities and*
2 *other similar services;*

3 *(G) strengthen enforcement of trespass,*
4 *antilittering, and antidumping laws;*

5 *(H) improve recreation user education*
6 *programs; and*

7 *(I) improve capacity in State park*
8 *and recreation agencies to measure rec-*
9 *reational use (including types, amounts, lo-*
10 *cations, and concentrations of use) and*
11 *identify and address trends in use before the*
12 *trends create problems.*

13 *(g) NONGAME CONSERVATION.—*

14 *(1) FINDINGS.—Congress finds that—*

15 *(A) private landowners often manage*
16 *their lands in ways that produce a variety*
17 *of public benefits, including wildlife habitat;*
18 *and*

19 *(B) there should be more incentives for*
20 *private landowners to exceed current forest*
21 *management standards and responsibilities*
22 *under Federal laws.*

23 *(2) SENSE OF CONGRESS.—It is the sense of*
24 *Congress that Congress should make it a priority*
25 *to consider legislation that creates a funding*

1 *mechanism to support the conservation of*
2 *nongame fish and wildlife and associated recre-*
3 *ation activities on public and private lands and*
4 *does not replace, substitute, or duplicate existing*
5 *laws that support game fish and wildlife.*

6 *(h) WATER QUALITY.—The Administrator of the*
7 *Environmental Protection Agency, in cooperation*
8 *with the Secretary of Agriculture and the Secretary*
9 *of the Interior, is authorized, at the request of the*
10 *State of Maine, New Hampshire, New York, or Ver-*
11 *mont, to provide technical and financial assistance to*
12 *assess water quality trends within the Northern For-*
13 *est region.*

14 *(i) RURAL COMMUNITY ASSISTANCE.—*

15 *(1) IN GENERAL.—The Secretary of Agri-*
16 *culture is authorized, at the request of the State*
17 *of Maine, New Hampshire, New York, or Ver-*
18 *mont, to provide technical and financial assist-*
19 *ance to the State, working in partnership with*
20 *the forest products industry, local communities,*
21 *and other interests to develop technical and mar-*
22 *keting capacity within rural communities for re-*
23 *alizing value-added opportunities in the forest*
24 *products sector.*

1 (2) *RURAL COMMUNITY ASSISTANCE PRO-*
2 *GRAM.*—*Sufficient funds from the rural commu-*
3 *nity assistance program under paragraph (1)*
4 *shall be directed to support State-based public*
5 *and private initiatives to—*

6 (A) *strengthen partnerships between*
7 *the public and private sectors and enhance*
8 *the viability of rural communities;*

9 (B) *develop technical capacity in the*
10 *utilization and marketing of value-added*
11 *forest products; and*

12 (C) *develop extension capacity in de-*
13 *livering utilization and marketing informa-*
14 *tion to forest-based businesses.*

15 (j) *AUTHORIZATION OF APPROPRIATIONS.*—

16 *There are authorized to be appropriated such sums as*
17 *are necessary to carry out subsections (b), (c), (d), (e),*
18 *(h), and (i) of this section and section 2371 of the*
19 *Rural Economic Development Act of 1990 (7 U.S.C.*
20 *6601) in the States of Maine, New Hampshire, New*
21 *York, and Vermont.*

22 (k) *APPLICABILITY.*—*This section shall be in ef-*
23 *fect during fiscal year 1997 and each fiscal year*
24 *thereafter.*

1 **(137)** *SEC. 747. BARLEY PAYMENTS.*—Section 113 of
2 *Public Law 104–127* is amended by inserting a new sub-
3 *section (g)* that reads:

4 “(g) *ADJUSTMENT IN BARLEY ALLOCATION.*—In addi-
5 *tion to the adjustments required under subsection (c), the*
6 *amount allocated under subsection (b) for barley contract*
7 *payments shall be increased by \$20,000,000 in fiscal year*
8 *1998, and shall be reduced by \$5,000,000 in each of fiscal*
9 *years 1999–2002.”.*

10 **(138)** *SEC. 748. INTERIM MORATORIUM ON BYPASS*
11 *FLOWS.*—

12 (a) *MORATORIUM.*—Section 389(a) of *Public*
13 *Law 104–127* is amended by striking “an 18-month”
14 *after the word “be” and inserting “a 20-month”.*

15 (b) *REPORT.*—Section 389(d)(4) of *Public Law*
16 *104–127* is amended by striking “1 year” after the
17 *word “than” and inserting “14 months”.*

18 (c) *EXTENSION FOR DELAY.*—Section 389 of
19 *public law 104–127* is amended by adding at the end
20 *the following new subsection—*

21 “(e) *EXTENSION FOR DELAY.*—There shall be a
22 *day-for-day extension to the 20-month moratorium re-*
23 *quired by subsection (a) and a day-for-day extension*
24 *to the report required by subsection (d)(4)—*

1 “(1) for every day of delay in implementing
2 or establishing the Water Rights Task Force
3 caused by a failure to nominate Task Force
4 members by the Administration or by the Con-
5 gress; or

6 “(2) for every day of delay caused by a fail-
7 ure by the Secretary of Agriculture to identify
8 adequate resources as determined by the Sec-
9 retary of Agriculture to carry out the purposes
10 of the task force.”.

11 **(139)**SEC. 749. EASEMENTS ON INVENTORIED PROP-
12 ERTY.—None of the funds appropriated or otherwise made
13 available by this Act may be used by the Secretary of Agri-
14 culture to establish a wetland conservation easement under
15 section 335(g) of the Consolidated Farm and Rural Devel-
16 opment Act (7 U.S.C. 1985(g)) on an inventoried property
17 that was used for farming (including haying and grazing)
18 at any time during the period beginning on the date 5 years
19 before the property entered the inventory of the Secretary
20 and ending on the date the property entered the inventory
21 of the Secretary, to the extent that land would otherwise
22 be eligible for an easement haying and grazing must be
23 done, according to a plan approved by the Natural Re-
24 sources Conservation Service.

1 **(140)**SEC. 750. GRANTS FOR PRECISION AGRICUL-
 2 TURAL TECHNOLOGIES.—Section 793(c)(2)(A) of the Fed-
 3 eral Agriculture Improvement and Reform Act of 1996 (7
 4 U.S.C. 2204f(c)(2)(A)) is amended—

5 (1) in clause (vii), by striking “and” at the end;

6 (2) in clause (viii), by striking the period at the
 7 end and inserting “; and”; and

8 (3) by adding at the end the following:

9 “(ix) develop and apply precision agri-
 10 cultural technologies.”.

11 **(141)**SEC. 751. SENSE OF SENATE ON CANADIAN
 12 WHEAT AND BARLEY EXPORTS.—It is the sense of the Sen-
 13 ate that—

14 (1) the United States Trade Representative
 15 should continue to carefully monitor the export of
 16 wheat and barley from western Canada to the United
 17 States;

18 (2) the bilateral Memorandum of Understanding
 19 with Canada clearly states that the United States—

20 (A) will not accept market disruptions from
 21 imports of Canadian grains; and

22 (B) will use its trade laws if it appears
 23 likely that market disruptions will occur;

24 (3) the United States Trade Representative
 25 should monitor any policy changes by the Canadian

1 *Government, acting through the Canadian Wheat*
2 *Board, that have the potential for increasing the ex-*
3 *ports of Canadian grains to the United States;*

4 *(4) family farmers of the United States should*
5 *not be subjected to increases in the 1-way channel of*
6 *Canadian grain exports to the United States that un-*
7 *fairly disrupt the grain transportation systems and*
8 *depress the prices received by farmers; and*

9 *(5) the United States Trade Representative*
10 *should be prepared to support the use of antidumping*
11 *laws, countervailing duty laws, section 301 of the*
12 *Trade Act of 1974 (19 U.S.C. 2411), and other Unit-*
13 *ed States laws consistent with the international obli-*
14 *gations of the United States, if—*

15 *(A) the Canadian Government implements*
16 *the changes described in paragraph (3) without*
17 *a resolution of the underlying cross-border grain*
18 *trading issues between the United States and*
19 *Canada; and*

20 *(B) the changes lead to unfair and injuri-*
21 *ous exports of Canadian grain to the United*
22 *States.*

23 **(142)** *SEC. 752. No funds appropriated or otherwise*
24 *made available to the Secretary of Agriculture may be used*
25 *to administer section 118(b)(2)(A) of the Agricultural Mar-*

1 *keting Transition Act unless the planting of a fruit or vege-*
 2 *table on contract acreage, if planted subsequent to the fail-*
 3 *ure of a contract commodity on the same acreage within*
 4 *the same crop year is permitted on contract acreage: Pro-*
 5 *vided, That this provision shall take effect upon the date*
 6 *of enactment of this Act into law.*

7 **(143)***SEC. 753. PLANTING OF WILD RICE ON CON-*
 8 *TRACT ACREAGE.—None of the funds appropriated in this*
 9 *Act may be used to administer the provision of contract*
 10 *payments to a producer under the Agricultural Market*
 11 *Transition Act (7 U.S.C. 7201 et seq.) for contract acreage*
 12 *on which wild rice is planted unless the contract payment*
 13 *is reduced by an acre for each contract acre planted to wild*
 14 *rice.*

15 **(144)***TITLE VIII—SUPPLEMENTAL APPROPRIA-*
 16 *TIONS AND RESCISSION FOR THE FISCAL*
 17 *YEAR ENDING SEPTEMBER 30, 1996*

18 **(145)***DEPARTMENT OF AGRICULTURE*
 19 *FARM SERVICE AGENCY*
 20 *AGRICULTURAL CREDIT INSURANCE FUND PROGRAM*
 21 *ACCOUNT*

22 *For an additional amount for the Agricultural Credit*
 23 *Insurance Fund Program Account for the additional cost*
 24 *of emergency insured loans authorized by 7 U.S.C. 1928—*

1 1929, including the cost of modifying such loans as defined
2 in section 502 of the Congressional Budget Act of 1974, re-
3 sulting from droughts in the Western United States, Hurri-
4 cane Bertha, and other natural disasters, to remain avail-
5 able until expended, \$25,000,000: Provided, That these
6 funds are available to subsidize additional gross obligations
7 for the principal amount of direct loans of \$85,208,000:
8 Provided further, That the entire amount is designated by
9 Congress as an emergency requirement pursuant to section
10 251(b)(2)(D)(i) of the Balanced Budget and Emergency
11 Deficit Control Act of 1985, as amended: Provided further,
12 That the amount shall be available to the extent that the
13 President notifies Congress of his designation of any or all
14 of these amounts as an emergency requirement under sec-
15 tion 251(b)(2)(D)(i) of the Balanced Budget and Emer-
16 gency Deficit Control Act of 1985.

17 **(146) DEPARTMENT OF THE TREASURY**

18 *BUREAU OF ALCOHOL, TOBACCO, AND FIREARMS*

19 *SALARIES AND EXPENSES*

20 *For an additional amount for “Salaries and Ex-*
21 *penses”, to be used in connection with investigations of*
22 *arson or violence against religious institutions,*
23 *\$12,011,000, to remain available until expended.*

