

GENERAL PROVISIONS

The estimates include General Provisions language as follows (new language in italics):

SECTION 701: Provides authority for the purchase, replacement, and hire of passenger motor vehicles.

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the current fiscal year under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 461 passenger motor vehicles, of which 456 shall be for replacement only, and for the hire of such vehicles.

SECTION 702: Authorizes the transfer of discretionary, unobligated funds appropriated by this Act or other available unobligated discretionary balances to the Working Capital Fund for the purpose of acquiring plant and capital equipment necessary for the delivery of financial, administrative, and information technology services with notification to the Agency Administrator and the Appropriations Committees of both Houses of Congress. In addition, language allows up to 4 percent of income for the National Finance Center (NFC) to be reserved for capital equipment or to pay any unforeseen, extraordinary costs of the NFC. Except for emergencies, the amounts reserved are not available for obligation without notification to the Appropriations Committees.

SEC. 702. The Secretary of Agriculture may transfer unobligated balances of discretionary funds appropriated by this Act or other available unobligated discretionary balances of the Department of Agriculture to the Working Capital Fund for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture: *Provided*, That none of the funds made available by this Act or any other Act shall be transferred to the Working Capital Fund without the prior notification to the agency administrator: *Provided further*, That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without the prior notification to the Committees on Appropriations of both Houses of Congress: *Provided further*, That of annual income amounts in the Working Capital Fund of the Department of Agriculture allocated for the National Finance Center, the Secretary may reserve not more than 4 percent for the replacement or acquisition of capital equipment, including equipment for the improvement and implementation of a financial management plan, information technology, and other systems of the National Finance Center or to pay any unforeseen, extraordinary cost of the National Finance Center: *Provided further*, That none of the amounts reserved shall be available for obligation unless the Secretary submits notification of the obligation to the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That the limitation on the obligation of funds pending notification to Congressional Committees shall not apply to any obligation that, as determined by the Secretary, is necessary to respond to a declared state of emergency that significantly impacts the operations of the National Finance Center; or to evacuate employees of the National Finance Center to a safe haven to continue operations of the National Finance Center.

SECTION 703: Provides that no part of any appropriation in this Act shall remain available for obligation beyond the current fiscal year unless otherwise specified.

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

SECTION 704: Limits the negotiated indirect cost rates on cooperative agreements between the Department and nonprofit institutions to 10 percent of the value of the agreement.

SEC. 704. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when

such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SECTION 705: Provides that subsidy authority for certain loan programs remain available until expended to cover obligations.

SEC. 705. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year for the following accounts: the Rural Development Loan Fund program account, the Rural Electrification and Telecommunication Loans program account, and the Rural Housing Insurance Fund program account.

SECTION 706: Prohibits the use of funds to establish a Safe Meat and Poultry Inspection Panel.

SEC. 706. None of the funds appropriated by this Act may be used to carry out section 410 of the Federal Meat Inspection Act (21 U.S.C. 679a) or section 30 of the Poultry Products Inspection Act (21 U.S.C. 471).

SECTION 707: Prohibits the use of funds to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer (OCIO), without approval of the Chief Information Officer and the concurrence of the Executive Technology Investment Review Board and Committees on Appropriations of both Houses of Congress.

SEC. 707. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: *Provided*, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer unless notification has been transmitted to the Committees on Appropriations of both Houses of Congress: *Provided further*, That none of the funds available to the Department of Agriculture for information technology shall be obligated for projects over \$25,000 prior to receipt of written approval by the Chief Information Officer.

SECTION 708: Provides that fiscal year funds made available for certain conservation programs and for Agricultural Management Assistance shall remain available until expended to cover obligations made in the same fiscal years but are not available for new obligations.

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

SECTION 709: On a yearly basis, expands eligibility under the Rural Economic Development Grants program to entities that are not current RUS borrowers.

SEC. 709. Notwithstanding any other provision of law, any former RUS borrower that has repaid or prepaid an insured, direct or guaranteed loan under the Rural Electrification Act, or any not-for-profit utility that is eligible to receive an insured or direct loan under such Act, shall be eligible for assistance under Section 313(b)(2)(B) of such Act in the same manner as a borrower under such Act.

SECTION 710: Modifies matching requirements of in-kind support from non-Federal sources for certain research grants.

SEC. 710. Notwithstanding any other provision of law, for the purposes of a grant under section 412 of the Agricultural Research, Extension, and Education Reform Act of 1998, none of the funds in this or any other Act may be used to prohibit the provision of in-kind support from non-Federal sources under section

412(e)(3) in the form of unrecovered indirect costs not otherwise charged against the grant, consistent with the indirect rate of cost approved for a recipient.

SECTION 711: Allows unobligated balances from the Farm Service Agency and Rural Development Salaries and Expenses accounts, to remain available through September 30, 2013, for information technology expenses.

SEC. 711. Except as otherwise specifically provided by law, unobligated balances remaining available at the end of the fiscal year from appropriations made available for salaries and expenses in this Act for the Farm Service Agency and the Rural Development mission area, shall remain available through September 30, 2013, for information technology expenses.

SECTION 712: Allows the Secretary to exceed the maximum amount of infant formula in regulation (by not more than a specified number of ounces) to allow all major manufacturers' products to remain eligible under the WIC Program.

SEC. 712. The Secretary of Agriculture may authorize a State agency to use funds provided in this Act to exceed the maximum amount of liquid infant formula specified in 7 C.F.R. 246.10 when issuing liquid infant formula to participants.

SECTION 713: Prohibits the use of funds for first-class travel that does not comply with Federal regulations on temporary duty travel allowances.

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

SECTION 714: Prohibits the use of appropriated funds to inspect horses under the Federal Meat Inspection Act, the Federal Agriculture Improvement and Reform Act of 1996, and Title 9 of the Code of Federal Regulations for the Food Safety and Inspection Service.

SEC. 714. None of the funds made available in this Act may be used to pay the salaries or expenses of personnel to—

(1) inspect horses under section 3 of the Federal Meat Inspection Act (21 U.S.C. 603);

(2) inspect horses under section 903 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 1901 note; Public Law 104–127); or

(3) implement or enforce section 352.19 of title 9, Code of Federal Regulations.

SECTION 715: Allows the use of Farm Bill Commodity Credit Corporation (CCC) funds for salaries and related administrative expenses used to implement certain Farm Bill programs that are funded by CCC.

SEC. 715. In the case of each program established or amended by the Food, Conservation, and Energy Act of 2008 (Public Law 110–246), other than by title I or subtitle A of title III of such Act, that is authorized or required to be carried out using funds of the Commodity Credit Corporation—(1) such funds shall be available for salaries and related administrative expenses, including technical assistance, associated with the implementation of the program, without regard to the limitation on the total amount of allotments and fund transfers contained in section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i); and (2) the use of such funds for such purpose shall not be considered to be a fund transfer or allotment for purposes of applying the limitation on the total amount of allotments and fund transfers contained in such section.

SECTION 716: Proposes to increase the one-time fee on business and industry guaranteed loans not to exceed 3 percent due to increased defaults that have raised subsidy costs. With this fee, the department will be able to maintain approximately the same program level as authorized in the fiscal year 2010.

SEC. 716. Hereafter, notwithstanding section 310B(g)(5) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(g)(5)), the Secretary may assess a one-time fee for any guaranteed business and industry loan in an amount that does not exceed 3 percent of the guaranteed principal portion of the loan.

SECTION 717: Allows the section 502 single family housing guaranteed loan program to be a direct endorsement program just like FHA guarantees and VA home loan guarantees. Specifically, this provision will allow lenders to issue the loan guarantees on behalf of the Federal government.

SEC. 717. In carrying out subsection (h) of section 502 of the Housing Act of 1949, the Secretary may use the authority described in subsections (h) and (j) of section 538 of such Act.

SECTION 718: Reserves 5 percent of funding for programs listed that are engaged in strategic regional development planning through April 1, 2012.

SEC. 718. The Secretary may reserve, through April 1, 2012, up to 5 percent of the funding available for the following items for projects in areas that are engaged in strategic regional development planning as defined by the Secretary: business and industry guaranteed loans; rural development loan fund; rural business enterprise grants; rural business opportunity grants; rural energy for America program; value-added producer grants; broadband program; water and waste program; rural community facilities program; and wholesale farmers and alternative market development programs.

SECTION 719: Provides that subsidy authority for Broadband Loans programs, made available in fiscal years 2005, 2006, and 2007, remain available until expended to cover valid obligations made in fiscal years 2005, 2006, 2007 and 2008.

SEC. 719. Appropriations to the Department of Agriculture made available in fiscal years 2005, 2006, and 2007 to carry out section 601 of the Rural Electrification Act of 1936 (7 U.S.C. 950bb) for the cost of direct loans shall remain available until expended to disburse valid obligations made in fiscal years 2005, 2006, 2007 and 2008.

SECTION 720: Lowers the cap on spending for the Section 32 program by deferring \$114,478,000 until October 1, 2012, for the Fresh Fruit and Vegetable Program.

SEC. 720. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out a program under subsection (b)(2)(A)(iv) of section 14222 of Public Law 110-246 in excess of \$1,116,522,000: *Provided*, That none of the funds made available in this Act or any other Act shall be used for salaries and expenses to carry out in this fiscal year section 19(i)(1)(E) of the Richard B. Russell National School Lunch Act, as amended, in excess of \$38,159,000, including the transfer of funds under subsection(c) of section 14222 of Public Law 110-246, until October 1, 2012: *Provided further*, That \$114,478,000 made available on October 1, 2012, to carry out section 19(i)(1)(E) of the Richard B. Russell National School Lunch Act, as amended, shall be excluded from the limitation described in subsection (b)(2)(A)(v) of section 14222 of Public Law 110-246.

SECTION 721: Places limitations on the amount of funds available to carry out certain mandatory conservation programs that receive funding from the Commodity Credit Corporation (CCC).

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

(a) a Wetlands Reserve Program as authorized by sections 1237–1237F of the Food Security Act of 1985, as amended (16 U.S.C. 3837), to enroll in excess of 271,158 acres in the fiscal year 2012: *Provided*, That such program shall be permanently reduced by 158,895 acres.

(b) a Conservation Stewardship Program as authorized by Chapter 2 of subtitle D of title XII of the Food Security Act of 1985, as amended (16 U.S.C. 3838d–3838i), to enroll in excess of 12,004,796 acres in the fiscal year 2012: *Provided*, That such program shall be permanently reduced by 764,204 acres.

(c) a Grasslands Reserve Program as authorized by subchapter D of Chapter 2 of subtitle D of title XII of the Food Security Act of 1985, as amended (16 U.S.C. 3838n–3838q), to enroll in excess of 203,515 acres in the fiscal year 2012: *Provided*, That such program shall be permanently reduced by 165,684 acres.

(d) an Agricultural Management Assistance Program as authorized by section 524 of the Federal Crop Insurance Act, as amended (7 U.S.C. 1524), in excess of \$2,500,000 for the Natural Resources Conservation Service. Funds exceeding this amount for fiscal year 2012 are hereby permanently cancelled.

(e) an Environmental Quality Incentives Program as authorized by sections 1240–1240H of the Food Security Act of 1985, as amended (16 U.S.C. 3839aa–3839aa(8)), in excess of \$1,408,000,000. Funds exceeding this amount for fiscal year 2012 are hereby permanently cancelled.

(f) a program authorized by section 14(h)(1) of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012(h)(1)). Of the funds available under such section for fiscal year 2012, \$165,000,000 are hereby permanently cancelled.

(g) a Wildlife Habitat Incentives Program established under section 1240N of the Food Security Act of 1985, as amended (16 U.S.C. 3839bb-1), in excess of \$73,000,000. Funds exceeding this amount for fiscal year 2012 are hereby permanently cancelled.

(h) payments for the Collection, Harvest, Storage and Transportation for a Biomass Crop Assistance Program authorized by section 9011(d) of Public Law 107-171, in excess of \$70,000,000. Funds exceeding this amount for fiscal year 2012 are hereby permanently cancelled.

SECTION 722: Permanently cancels \$223,748,898 of the unobligated balances available to the Agricultural Research Service, Buildings and Facilities account except for amounts designated as emergency funds.

SEC. 722. Of the unobligated balances in the Agricultural Research Service, Buildings and Facilities account, \$223,748,898 are hereby permanently cancelled: *Provided*, That no amounts may be cancelled from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SECTION 723: Provides a \$2,400,000 limitation on the amount of funds that the Department is allowed to spend on advisory committees, panels, commissions, and task forces.

SEC. 723. Of the funds made available by this Act, not more than \$2,400,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants.

SECTION 724: Rescinds funds from unobligated balances for the Wildlife Habitat Incentives Program and the Water Bank Program.

SEC. 724. Of the unobligated balances available for the Wildlife Habitat Incentives Program under section 1240N of the Food Security Act of 1985 (16 U.S.C. 3839bb-1), as identified by Treasury Account reference 12X3322, \$10,188,000 are hereby permanently cancelled: *Provided*, That no amounts may be cancelled from amounts that were designated by the Congress as an emergency requirement pursuant to the

Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended. Of the unobligated balances available for the program under the Water Bank Act (16 U.S.C. 1301 et seq.), as identified by Treasury Account reference 12X3320, \$745,000 are hereby permanently cancelled: Provided, That no amounts may be cancelled from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SECTION 725: Permanently cancels the unobligated balances available to the Cooperative State Research, Education and Extension Service, Buildings and Facilities account except for amounts designated as emergency funds.

Sec. 725. All of the unobligated balances available under the heading "Cooperative State Research, Education and Extension Service, Buildings and Facilities" are hereby permanently cancelled: Provided, That no amounts may be cancelled from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SECTION 726: Raises the cap from 22 to 30 percent for indirect costs associated with any agricultural research, education, or extension grant awarded by the National Institute of Food and Agriculture.

Sec. 726. None of the funds in this Act shall be available to pay indirect costs charged against any agricultural research, education, or extension grant awards issued by the National Institute of Food and Agriculture that exceed 30 percent of total Federal funds provided under each award: Provided, That notwithstanding section 1462 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310), funds provided by this Act for grants awarded competitively by the National Institute of Food and Agriculture shall be available to pay full allowable indirect costs for each grant awarded under section 9 of the Small Business Act (15 U.S.C. 638).