By Mr. REID (for himself, Mr. LEAHY, Mr. MENENDEZ, Mr. DURBIN, Mr. SCHUMER, Mr. BLUMENTHAL, Ms. BOXER, Mr. MURPHY, Ms. CANTWELL, Mr. LEVIN, and Mr. ROCKEFELLER): S. 1. A bill to reform America’s broken immigration system; to the Committee on the Judiciary.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE. This Act may be cited as the “Sandy Hook Elementary School Violence Reduction Act”.

SEC. 2. SENSE OF THE SENATE. It is the sense of the Senate that Congress should— 

(1) support the efforts of the President of the United States to reduce violence in the United States; 

(2) promote common-sense proposals for preventing gun violence; 

(3) provide law enforcement officers with the tools necessary to combat violent crime and protect communities, and protect themselves; 

(4) ensure children can attend school free from the threat of violence; 

(5) support States and local districts to ensure schools have the safe and successful learning conditions in which all students can excel; 

(6) provide tools for identifying individuals that pose a threat to themselves or others, so they can receive appropriate assistance; 

(7) keep dangerous weapons out of the hands of criminals and individuals who are not lawfully authorized to possess them; 

(8) promote information-sharing that will facilitate the early identification of threats to public safety; 

(9) mitigate the effects of violence by promoting preparedness; 

(10) provide training for educational professional, public health, and others to recognize indicators of the potential for violent behavior; 

(11) examine whether there is a connection between violent media and violent behavior; 

(12) enable the collection, study, and publication of relevant research; and 

(13) expand access to mental health services, with a focus on children and young adults.

By Mr. REID (for himself, Mr. HARKIN, Mr. DURBIN, Mrs. MURRAY, Ms. MUKULSKI, Mr. LEAHY, Mr. CARDIN, Mr. LAUTENBERG, Mr. COONS, Mrs. GILLIBRAND, Mr. BROWN, Ms. HIRONO, Mr. SCHATZ, Mr. SANDERS, Mr. MENENDEZ, Ms. CANTWELL, and Mr. LEVIN):

S. 3. A bill to improve education and provide all students in the United States with the opportunity to succeed; to the Committee on Health, Education, Labor, and Pensions.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE. This Act may be cited as the “Strengthen Our Schools and Students Act”.

SEC. 2. SENSE OF THE SENATE. It is the sense of the Senate that Congress should— 

(1) strengthen early learning programs to better prepare children for success in school; 

(2) ensure that all students have equitable access to a high-quality, well-rounded education that prepares them to succeed in college and a career; 

(3) build on recent efforts to continue to make higher education more affordable and to improve access and success for all students; 

(4) provide all teachers with the support they need to ensure student success, including the creation of a new national Science, Technology, Engineering, and Mathematics (STEM) Master Teacher Corps to recognize and help retain STEM teachers and strengthen STEM education in public schools in the United States; and 

(5) provide all teachers with the support they need to ensure student success, including the creation of a new national Science, Technology, Engineering, and Mathematics (STEM) Master Teacher Corps to recognize and help retain STEM teachers and strengthen STEM education in public schools in the United States;

S. 4. A bill to create jobs and strengthen our economy by rebuilding our Nation’s infrastructure; to the Committee on Commerce, Science, and Transportation.

By Mr. REID (for himself, Mrs. BOXER, Mr. DURBIN, Mr. SCHUMER, Mr. WYDEN, Mr. LEVIN, Mr. BROWN, Mr. SCHATZ, Mr. HARKIN, Mrs. GILLIBRAND, Mr. LAUTENBERG, Ms. KLOBUCHAR, and Mr. COONS):
(6) invest in clean energy technologies that help free the United States from its dependence on oil, especially foreign oil;
(7) eliminate wasteful tax subsidies that promote pollution and fail to reduce our reliance on foreign oil;
(8) spur innovation by facilitating the development of new cutting-edge broadband Internet technology and improving Internet access for all Americans;
(9) modernize, renovate, and repair elementary and secondary school buildings in public school districts and community colleges across the United States in order to support improved educational outcomes in those schools;
(10) invest in the Nation’s crumbling water infrastructure to protect public health and reduce pollution;
(11) upgrade and repair the Nation’s system of flood protection infrastructure, such as levees, to protect public safety; and
(12) invest in the infrastructure of the United States to address vulnerabilities to natural disasters and the impacts of extreme weather.

By Mr. REID (for himself, Mr. DURBIN, Mr. SCHUMER, Ms. STABENOW, Mrs. GILLIBRAND, Mr. UDALL of New Mexico, Mrs. SHAHEEN, Mr. WARNER, Mr. SCHUTZ, Mrs. FEINSTEIN, Mr. BROWN, Mr. TESTER, Mr. COONS, Mr. WHITEHOUSE, Mr. BAUCUS, Ms. HIRONO, Mr. BINGHAM, Mr. SANDERS, Mr. CASEY, Ms. BLUMENTHAL, Ms. KLOBUCHAR, Mr. LAUTENBERG, Mrs. BOXER, Mr. LEVIN, Mr. ROCKEFELLER, and Mr. HINCHICH):

S. 5. A bill to reauthorize the Violence Against Women Act of 1994; to the Committee on the Judiciary.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Putting Our Veterans Back to Work Act of 2013”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

S. 6 Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled:

TITLE I—RENEWING OUR VOW TO HIRE HEROES

Sec. 101. Reauthorization of veterans retraining assistance program.

Sec. 102. Extension of authority of Secretary of Veterans Affairs to provide rehabilitation and vocational benefits to members of Armed Forces with severe injuries or illnesses.

Sec. 103. Extension of additional rehabilitation programs for persons who have exhausted rights to unemployment benefits under State law.

Sec. 104. Reauthorization of collaborative veterans' training, mentoring, and placement program.

TITLE II—EXPANDING OUR VOW TO VETERAN SMALL BUSINESSES

Sec. 201. Patriot Express Loan Program.


TITLE III—BUILDING ON OUR VOW TO HIRE HEROES

Sec. 301. Unified employment portal for veterans.

Sec. 302. Grants to hire veterans as first responders.

Sec. 303. Employment of veterans as evaluation factor in the awarding of Federal contracts.

TITLE IV—IMPROVING EMPLOYMENT AND REEMPLOYMENT RIGHTS OF MEMBERS OF THE UNIFORMED SERVICES

Sec. 401. Enforcement of rights of members of uniformed services with respect to States and private employers.

Sec. 402. Suspension, termination, or debarment of contractors for repeated violations of employment or reemployment rights of members of uniformed services.

Sec. 403. Subpoena power for Special Counsel in enforcement of employment and reemployment rights of members of uniformed services with respect to Federal executive agencies.

Sec. 404. Issuance and service of civil investigative demands by Attorney General.
"(e) Authorization of Appropriations.—There are authorized to be appropriated to carry out this section amounts as follows:

(1) $1,500,000 for the period consisting of fiscal years 2012 and 2013.

(2) $2,500,000 for the period consisting of fiscal years 2014 and 2015.

SECTION 4105 of title 38, United States Code is amended by adding at the end the following:

"(c) The Secretary shall award a single, unified Federal web-based employment portal, for use by veterans, containing information on Federal programs and activities concerning employment, unemployment, and training to the extent the programs and activities affect veterans.

(2) The Secretary shall work with representatives from the Department of Defense, the Department of Veterans Affairs, the Small Business Administration, and other Federal agencies and organizations concerned with veterans' issues, to determine an appropriate platform and implementing agency for the portal. The Secretary shall enter into an agreement with the other Federal agencies for the implementation of the portal."

SECTION 302. GRANTS TO HIRE VETERANS AS FIRST RESPONDERS.


(b) GRANTS FOR LAW ENFORCEMENT OFFICERS.—The Attorney General shall award grants under part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3781 et seq.) to hire veterans as law enforcement officers.

(c) PRIORITY.—In awarding grants under this section to hire veterans, the Secretary of Homeland Security and the Attorney General shall give priority to the hiring of veterans who served on active duty in the Armed Forces on or after September 11, 2001.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $250,000,000.

SECTION 201. UNIFIED EMPLOYMENT PORTAL FOR VETERANS.

"3312. Employment of veterans as evaluation factor."—The head of each executive agency shall consider favorably as an evaluation factor in solicitations for contracts and task or delivery order valued at or above $25,000,000 the employment of a prospective contractor of veterans constituting at least 5 percent of the contractor's workforce.

(2) Clerical Amendment.—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 2335 the following new item:

"2336. Employment of veterans as evaluation factor."
"(2) In the case of contumacy or failure to obey a subpoena issued under paragraph (1), upon application by the Special Counsel, the Merit Systems Protection Board may issue an order compelling a Federal employee or Federal executive agency to comply with a subpoena of the Special Counsel."

"(5) No civil investigative demand or civil investigative demand order issued under this section, except that, for purposes of applying such section, as added by subsection (a)(2), in issue in writing and serve upon such person, a civil investigative demand requiring—"

"(A) the production of such documentary material for inspection and copying;"

"(B) that the custodian of such documentary material answer in writing questions with respect to such documentary material; or"

"(C) the production of any combination of such documentary material or answers."

"(2) The provisions of section 3733 of title 31 governing the authority to issue, use, and enforce civil investigative demands shall apply with respect to such demands under this section, except that, for purposes of applying such section 3733—"

"(A) references to false claims law investigators or investigations under this subchapter;"

"(B) references to interrogatories shall be considered references to investigators or investigations under this subchapter;"

"(C) the definitions relating to ‘false claim law’ shall not apply; and"

"(D) provisional relief to qui tam relators shall not apply."

"(b) EFFECTIVE DATE.—Subsection (i) of such section, as added by subsection (a)(2), shall take effect on the date of the enactment of this Act and shall apply with respect to violations of chapter 43 of such title alleged to have occurred on or after such date."

"(c) ANNUAL REPORTS.—Section 4323(b)(2) of such title amended—"

"(1) by redesignating subsection (i) as subparagraph (i); and"

"(2) by inserting after subsection (b) the following new subparagraph (j):"

"(1) ISSUANCE AND SERVICE OF CIVIL INVESTIGATIVE DEMANDS.—(1) Whenever the Attorney General has reason to believe that any person may be in possession, custody, or control of any documentary material relevant to an investigation under this subchapter, the Attorney General may, before commencing such investigation under subsection (a), issue in writing and serve upon such person, a civil investigative demand requiring—"

"(A) the production of such documentary material for inspection and copying;"

"(B) that the custodian of such documentary material answer in writing questions with respect to such documentary material; or"

"(C) the production of any combination of such documentary material or answers."

"(2) The provisions of section 3733 of title 31 governing the authority to issue, use, and enforce civil investigative demands shall apply with respect to such demands under this section, except that, for purposes of applying such section 3733—"

"(A) references to false claims law investigators or investigations under this subchapter;"

"(B) references to interrogatories shall be considered references to investigators or investigations under this subchapter;"

"(C) the definitions relating to ‘false claim law’ shall not apply; and"

"(D) provisional relief to qui tam relators shall not apply."

"(b) EFFECTIVE DATE.—Subsection (i) of such section, as added by subsection (a)(2), shall take effect on the date of the enactment of this Act and shall apply with respect to violations of chapter 43 of such title alleged to have occurred on or after such date."

"(c) ANNUAL REPORTS.—Section 4323(b)(2) of such title amended—"

"(1) by redesignating subsection (i) as subparagraph (i); and"

"(2) by adding at the end the following new subparagraph:"

"(B) ADDITIONAL SUPPLEMENT ON CIVIL INVESTIGATIVE DEMANDS.—"

"(i) IN GENERAL.—The Attorney General shall include with each report submitted under subparagraph (A) for the last quarter of each fiscal year a report on the issuance of civil investigative demands under section 4323(b) of this title during the most recently completed fiscal year.

"(ii) ELEMENTS.—Each report submitted under clause (i) shall include the following for the fiscal year covered by the report:"

"(I) the number of times that a civil investigative demand was issued under section 4323(b) of this title.

"(II) For each civil investigative demand issued under such section with respect to an investigation, whether such investigation resulted in a settlement, order, or judgment.

"S. 7. A bill to improve the resilience of the United States to extreme weather events and to prevent the worsening of extreme weather conditions; to the Committee on Commerce, Science, and Transportation:

"Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD."

"There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

"S. 7 Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

"SECTION 1. SHORT TITLE. This Act may be cited as the ‘‘Extreme Weather Prevention and Resilience Act’’."

"SEC. 2. SENSE OF THE SENATE. It is the sense of the Senate that Congress should—"

"(1) prepare and protect communities from extreme weather, sea-level rise, drought, flooding, wildfire, and other changing conditions exacerbated by carbon pollution;

"(2) promote coordination across Federal agencies and provide strong support to States, Indian tribes, and public and private sector entities to prepare for and withstand extreme weather;

"(3) promote investment in clean energy infrastructure and replace aging and obsolete infrastructure to ensure resilience to extreme weather, disasters, and hydrological change;

"(4) promote investment in clean energy infrastructure, energy efficiency, and other measures to address dangerous air, land, and water pollution;

"(5) promote development of clean energy technologies that reduce demand for oil, contribute to economic growth and job creation, and put the United States at the forefront of the global clean energy market; and

"(6) ensure that the Federal Government is a leader in reducing pollution, promoting the use of clean energy sources, and improving energy efficiency."

"By Mr. REID (for himself, Mr. BOXER, Mr. WYDEN, Mr. DURBIN, Mr. SCHUMER, Mrs. MURRAY, Mr. CARPER, Mr. LAUTENBERG, Mr. LEVIN, Mr. SANDERS, Mr. BROWN, Mrs. GILLBRAND, Mr. WHITEHOUSE, Mr. CARDIN, Mr. MENENDEZ, Mr. SCHATZ, Mr. COONS, Mr. UDALL of Colorado, Mr. BLUMENTHAL, Ms. HIRONO, Ms. CANTWELL, and Mr. BINGGELI)."

"S. 9. A bill to strengthen our Nation’s electoral system by ensuring clean and fair elections; to the Committee on Rules and Administration:

"Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD."

"There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

"S. 9 Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

"SECTION 1. SHORT TITLE. This Act may be cited as the ‘Clean and Fair Elections Act’."

"SEC. 2. SENSE OF THE SENATE. It is the sense of the Senate that Congress should—"

"(1) recognize that—"

"(A) our elections belong to the voters of the United States; and"

"(B) our systems of election administration and campaign finance should be structured in a way that prioritizes the interests of the American public first;

"(2) pass legislation to bring greater transparency to our elections and end anomalous political spending by shadow groups and special interests;

"(3) require greater disclosure of campaign contributions in a searchable, public online database;

"(4) take steps to safeguard the right to vote for every eligible voter, including prohibiting deceptive and misleading efforts to prevent voters from exercising the franchise;

"(5) improve access to the polls for every eligible voter by streamlining voting procedures; and

"(6) pass election reform legislation that includes expanded absentee voting, mandatory
early voting periods, and voter registration reforms;
(7) support local election officials to ensure they have working voting systems that are accessible, secure, and easy to use;
(8) require states to develop plans to reduce lines at polling places and develop contingency plans that provide additional flexibility in the event of a natural disaster or other emergency situation; and
(9) ensure that the guarantees of the 14th and 15th amendments to the Constitution and the Voting Rights Act of 1965 are enforced so that all Americans are able to vote and have their votes count without discrimination.

By Mr. REID (for himself, Ms. STABENOW, Mr. DURBIN, Mr. SCHUMER, Mr. JOHNSON of South Dakota, Mr. LEAHY, Mr. BUC- CUS, Mr. BENNET, Mr. BROWN, Mr. TESTER, Mr. CASEY, Mr. HARKIN, Mr. SCHATZ, Ms. HIKIKAMP, Ms. KLOBUCAR, Mr. COONS, Mr. DONNELLY, Mr. LEVIN, and Mr. FRANKEN):

S. 10. A bill to reauthorize agricultural programs through 2018; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 10

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) In GENERAL.—This Act may be cited as the “Agriculture Reform, Food, and Jobs Act of 2013”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definition of Secretary.

TITLE I—COMMODITY PROGRAMS

Subtitle A—Repeals and Reforms
Sec. 1101. Repeal of direct payments.
Sec. 1102. Repeal of nonrecourse marketing assistance.
Sec. 1103. Repeal of deficiency payments.
Sec. 1104. Repeal of counter-cyclical payments.
Sec. 1105. Repeal of loan deficiency payments.
Sec. 1106. Repeal of average crop revenue election program.
Sec. 1107. Period of effectiveness.
Sec. 1108. Adjusted gross income limitation for conservation programs.

Subtitle B—Marketing Assistance Loans and Loan Deficiency Payments
Sec. 1201. Availability of nonrecourse marketing assistance loans for loan commodities.
Sec. 1202. Loan rates for nonrecourse marketing assistance loans.
Sec. 1203. Term of loans.
Sec. 1204. Loan eligibility.
Sec. 1205. Loan deficiency payments.
Sec. 1206. Payments in lieu of loan deficiency payments for grazed acreage.
Sec. 1207. Special competitive provisions for extra long staple cotton.
Sec. 1208. Availability of recourse loans for high moisture feed grains and seed cotton.
Sec. 1209. Adjustments of loans.

Subtitle C—Sugar
Sec. 1301. Sugar program.

Subtitle D—Dairy
PART I—DAIRY PRODUCTION MARGIN PROTECTION AND DAIRY MARKET STABILIZATION PROGRAMS
Sec. 1401. Definitions.
Sec. 1402. Calculation of average feed cost and actual dairy production margins.

PART II—DAIRY MARKET STABILIZATION PROGRAM
Sec. 1431. Establishment of dairy market stabilization program.
Sec. 1432. Threshold for implementation and reduction in dairy payments.
Sec. 1433. Milk marketing information.
Sec. 1434. Calculation and collection of reduced dairy operation payments.
Sec. 1435. Remitting funds to the Secretary and use of funds.
Sec. 1436. Suspension of reduced payment requirement.
Sec. 1437. Enforcement.
Sec. 1438. Audit requirements.
Sec. 1439. Study report.

PART III—REPEAL OR RAUTHORIZATION OF OTHER DAIRY-RELATED PROVISIONS
Sec. 1471. Repeal of dairy product price support and milk income loss contract programs.
Sec. 1472. Repeal of dairy export incentive program.
Sec. 1473. Extension of dairy forward pricing program.
Sec. 1474. Extension of dairy indemnity program.
Sec. 1475. Extension of dairy promotion and research program.

PART IV—FEDERAL MILK MARKETING ORDER REFORM
Sec. 1481. Federal milk marketing orders.

PART V—EFFECTIVE DATE
Sec. 1491. Effective date.

Subtitle E—Regional Conservation Partnership Program
Sec. 1601. Regional Conservation Partnership Program.
Sec. 1602. Definitions.
Sec. 1603. Duties of owners and operators.
Sec. 1604. Payment limitations for conservation programs.
Sec. 1605. Adjusted gross income limitation.
Sec. 1606. Geographically disadvantaged farmers and ranchers.
Sec. 1607. Personal liability of producers for deficiency payments.
Sec. 1608. Prevention of deceased individuals receiving payments under farm commodity programs.
Sec. 1609. Appeals.
Sec. 1610. Technical corrections.
Sec. 1611. Assignment of payments.
Sec. 1612. Tracking of benefits.
Sec. 1613. Signature authority.
Sec. 1614. Implementation.

TITLE II—CONSERVATION

Subtitle A—Conservation Reserve Program
Sec. 2001. Extension and enrollment requirements of conservation reserve program.
Sec. 2002. Farmable wetland program.
Sec. 2003. Duties of owners and operators.
Sec. 2004. Duties of the Secretary.
Sec. 2006. Contract requirements.
Sec. 2007. Conversion of land subject to contract to other conserving uses.
Sec. 2008. Effective date.

Subtitle B—Conservation Stewardship Program
Sec. 2101. Conservation stewardship program.
Sec. 2102. Definitions.
Sec. 2103. Establishment and administration.
Sec. 2104. Evaluation of applications.
Sec. 2105. Duties of producers.
Sec. 2106. Limitation on payments.
Sec. 2107. Conservation innovation grants and payments.
Sec. 2108. Effective date.

Subtitle D—Agricultural Conservation Easement Program
Sec. 2301. Agricultural Conservation Easement Program.

Subtitle E—Regional Conservation Partnership Program
Sec. 2401. Regional Conservation Partnership Program.
Sec. 2402. Definitions.
Sec. 2403. Duties of producers.
Sec. 2404. Contract requirements.
Sec. 2405. Limitation on payments.
Sec. 2406. Offset of payments.
Sec. 2407. Sale or exchange of easements.
Sec. 2408. Period of effectiveness.
Sec. 2409. Effective date.

Subtitle F—Other Conservation Programs
Sec. 2501. Conservation of private grazing lands.
Sec. 2502. Grassroots source water protection program.
Sec. 2503. Voluntary public access and habitat incentive program.
Sec. 2504. Agriculture conservation experienced services program.
Sec. 2505. Small watershed rehabilitation program.
Sec. 2506. Terminal lakes assistance.

Subtitle G—Funding and Administration
Sec. 2601. Funding.
Sec. 2602. Technical assistance.
Sec. 2603. Regional equity.
Sec. 2604. Reserve of funds to provide assistance to certain farmers or ranchers for conservation access.
Sec. 2605. Annual report on program enrollment and assistance.
Sec. 2606. Administrative requirements for conservation programs.
Sec. 2607. Rulemaking authority.
Sec. 2608. Standards for State technical assistance.
Sec. 2609. Highly erodible land and wetland conservation for crop insurance.

Subtitle H—Repeal of Superseded Program Authorities and Transitional Provisions
Sec. 2701. Comprehensive conservation enhancement program.
Sec. 2702. Emergency forestry conservation reserve program.

Sec. 2703. Wetlands reserve program.

Sec. 2704. Farmland protection program and rural energy assistance program.

Sec. 2705. Grassland reserve program.

Sec. 2706. Agricultural water enhancement program.

Sec. 2707. Wildlife habitat incentive program.

Sec. 2708. Great Lakes basin program.

Sec. 2709. Chesapeake Bay watershed program.

Sec. 2710. Cooperative conservation partnership initiative.

Sec. 2711. Environmental easement program.

Sec. 2712. Technical amendments.

TITLE III—TRADE

Subtitle A—Food for Peace Act

Sec. 3001. Set-aside for support for organizations through which non-emergency assistance is provided.

Sec. 3002. Food aid quality.

Sec. 3003. Minimum levels of assistance.

Sec. 3004. Reauthorization of Food Aid Consultative Group.

Sec. 3005. Oversight, monitoring, and evaluation of Food for Peace Act programs.

Sec. 3006. Assistance for stockpiling and rapid transportation, delivery, and distribution of shelf-stable prepackaged foods.

Sec. 3007. Limitation on total volume of commodities monetized.

Sec. 3008. Flexibility.

Sec. 3009. Procurement, transportation, testing, and storage of agricultural commodities for prepositioning in the United States and foreign countries.

Sec. 3010. Deadline for agreements to finance sales or to provide other assistance.

Sec. 3011. Minimum level of nonemergency food assistance.

Sec. 3012. Coordination of foreign assistance programs report.

Sec. 3013. Micronutrient fortification program.

Sec. 3014. John Ogonowski and Doug Bereuter Farmer-to-Farmer Program.

Sec. 3015. Prohibition on assistance for North Korea.

Subtitle B—Agricultural Trade Act of 1978

Sec. 3101. Export credit guarantee programs.

Sec. 3102. Funding for market access programs.

Sec. 3103. Foreign market development cooperative program.

Subtitle C—Other Agricultural Trade Laws

Sec. 3201. Food for Progress Act of 1965.

Sec. 3202. Bill Emerson Humanitarian Trust.

Sec. 3203. Promotion of agricultural exports.

Sec. 3204. McGovern-Dole International Food for Education and Child Nutrition Program.

Sec. 3205. Technical assistance for specialty crops.

Sec. 3206. Global Crop Diversification Trust.

Sec. 3207. Local and regional food aid procurement projects.

Sec. 3208. Donald Payne Horn of Africa food resilience program.

Sec. 3209. Agricultural trade enhancement study.

TITLE IV—NUTRITION

Subtitle A—Supplemental Nutrition Assistance Program

Sec. 4001. Food distribution program on Indian reservations.

Sec. 4002. Standard utility allowances based on the receipt of energy assistance payments.

Sec. 4003. Eligibility disqualifications.

Sec. 4004. Ending supplemental nutrition assistance program benefits for lottery or gambling winners.

Sec. 4005. Retail food store program.

Sec. 4006. Improving security of food assistance.

Sec. 4007. Technology modernization for retail food stores.

Sec. 4008. Use of benefits for purchase of community-supported agriculture share.

Sec. 4009. Reimbursable meals program.

Sec. 4010. Quality control error rate determination.

Sec. 4011. Performance bonus payments.

Sec. 4012. Authorization of appropriations.

Sec. 4013. Assistance for community food projects.

Sec. 4014. Emergency food assistance.

Sec. 4015. Nutrition education.

Sec. 4016. Retail food store and recipient trafficking.

Sec. 4019. Technical and conforming amendments.

Subtitle B—Commodity Distribution Programs

Sec. 4101. Commodity distribution program.

Sec. 4102. Commodity supplemental food program.

Sec. 4103. Distribution of surplus commodities to special nutrition programs.

Sec. 4104. Technical and conforming amendments.

Subtitle C—Miscellaneous

Sec. 4201. Purchase of fresh fruits and vegetables for distribution to schools and service institutions.

Sec. 4202. Seniors farmers' market nutrition programs.

Sec. 4203. Nutrition information and awareness pilot program.

Sec. 4204. Whole grain products.

Sec. 4205. Hunger-free communities.

Sec. 4206. Healthy Food Financing Initiative.

Sec. 4207. Pulse crop products.

Sec. 4208. Dietary Guidelines for Americans.

Sec. 4209. Purchases of locally produced foods.

TITLE V—CREDIT

Subtitle A—Farmer Loans, Servicing, and Other Assistance under the Consolidated Farm and Rural Development Act

Sec. 5001. Farmer loans, servicing, and other assistance under the Consolidated Farm and Rural Development Act.

Subtitle B—Miscellaneous

Sec. 5101. State agricultural mediation programs.

Sec. 5102. Loans to purchasers of highly nutritious and educationally enriched foods.

Sec. 5103. Removal of duplicative appraisals.

TITLE VI—RURAL DEVELOPMENT

Subtitle A—National Housing Trust Fund

Sec. 6001. Reorganization of the Consolidated Farm and Rural Development Act.

Sec. 6002. Conforming amendments.

Subtitle B—Rural Electrification

Sec. 6101. National rural information center.

Sec. 6102. Guarantees for bonds and notes.

Sec. 6103. Expansion of 911 access.

Sec. 6104. Access to broadband telecommunications services in rural areas.

Sec. 6105. Rural energy savings program.

Sec. 6106. Study of rural transportation issues.

Sec. 6107. Agricultural transportation policy.

TITLE VII—RESEARCH, EXTENSION, AND RELATED MATTERS


Sec. 7101. National Agricultural Research, Extension, Education, and Economic Advisory Board.

Sec. 7102. Specialty crop committee.

Sec. 7103. Veterinary services grant program.

Sec. 7104. Grants and fellowships for food and agriculture sciences education.

Sec. 7105. Agricultural and food policy research centers.

Sec. 7106. Education grants to Alaska Native serving institutions and Native Hawaiian serving institutions.

Sec. 7107. Nutrition education program.

Sec. 7108. Continuing animal health and disease research programs.

Sec. 7109. Grants to support agricultural and food sciences facilities at 1890 land-grant colleges, including Tuskegee University.

Sec. 7110. Grants to upgrade agricultural and food sciences facilities and equipment at insular area land-grant institutions.

Sec. 7111. Hispanic-serving institutions.

Sec. 7112. Competitive grants for international agricultural science and education programs.

Sec. 7113. University research.

Sec. 7114. Extension service.

Sec. 7115. Supplemental and alternative crops.

Sec. 7116. Capacity building grants for NLGLCA institutions.

Sec. 7117. Aquaculture assistance programs.

Sec. 7118. Rangeland research programs.

Sec. 7119. Special authorization for biosecurity planning and response.

Sec. 7120. Distance education and instruction grants program for insular area institutions of higher education.

Subtitle B—Food, Agriculture, Conservation, and Trade Co-operations

Sec. 7201. Best utilization of biological applications.

Sec. 7202. Integrated management systems.

Sec. 7203. Sustainable agriculture technology development and transfer programs.

Sec. 7204. National training program.

Sec. 7205. National Genetics Resources Program.

Sec. 7206. National Agricultural Weather Information System.

Sec. 7207. High-priority research and extension initiatives.

Sec. 7208. Organic agriculture research and extension initiative.

Sec. 7209. Farm business management.

Sec. 7210. Regional centers of excellence.

Sec. 7211. Assistance technology program for farmers with disabilities.

Sec. 7212. National rural information center clearinghouse.

Subtitle C—Agricultural Research, Extension, and Education Reform Act of 1998

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SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term “Secretary” means the Secretary of Agriculture or any other officer or employee of the Muslims to whom the Secretary assigns the performance of the duties of the Secretary in whole or in part.

TITLE I—COMMODITY PROGRAMS

Subtitle A—Repeals and Reforms

Sec. 1101. REPEAL OF DIRECT PAYMENTS.
(a) REPEAL.—Sections 1103 and 1303 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8713, 8753) are repealed.
(b) CONTINUED APPLICATION FOR 2013 CROP YEAR.—Sections 1103 and 1303 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8713, 8753), as in effect on the day before the date of enactment of this Act, shall continue to apply through the 2013 crop year with respect to all covered commodities (as defined in section 1301 of that Act (7 U.S.C. 8702)) (except pulse crops) and peanuts on a farm.
SEC. 1102. REPEAL OF COUNTER-CYCLICAL PAYMENTS.

(a) REPEAL.—Sections 1104 and 1304 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8714, 8754) are repealed.

(b) CONTINUED APPLICATION FOR 2013 CROP YEAR.—Sections 1104 and 1304 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8714, 8754), as in effect on the day before the date of enactment of this Act, shall continue to apply through the 2013 crop year with respect to all covered commodities (as defined in section 1103(c) of that Act (7 U.S.C. 8702)) and peanuts on a farm.

SEC. 1103. REPEAL OF AVERAGE CROP REVENUE PROGRAM.

(a) REPEAL.—Section 1105 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8715) is repealed.

(b) CONTINUED APPLICATION FOR 2013 CROP YEAR.—Section 1105 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8715), as in effect on the day before the date of enactment of this Act, shall continue to apply through the 2013 crop year with respect to all covered commodities (as defined in section 1103(c) of that Act (7 U.S.C. 8702)) and peanuts on a farm for which the irrevocable election under section 1105(b) of that Act (7 U.S.C. 8702) is made before the date of enactment of this Act.

SEC. 1104. DEFINITIONS.

In this subtitle, subtitle B, and subtitle F:

(1) ACTUAL CROP REVENUE.—The term "actual crop revenue", with respect to a covered commodity for a crop year, means the amount actually received for the covered commodity for a crop year, less any expense incurred for production, marketing, and processing of the crop.

(2) AGRICULTURE RISK COVERAGE GUARANTEE.—The term "agriculture risk coverage guarantee", with respect to a covered commodity for a crop year, means the amount determined by the Secretary under section 1105(c)(4).

(3) AGRICULTURE RISK COVERAGE PAYMENT.—The term "agriculture risk coverage payment" means the payment under section 1105(c).

(4) AVERAGE INDIVIDUAL YIELD.—The term "average individual yield" means the yield reported by a producer for purposes of subtitle A of the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.), to the maximum extent practicable.

(5) COUNTY COVERAGE.—For the purposes of agriculture risk coverage under section 1105, the term "county coverage" means coverage determined using the total quantity of all acreage in a county of the covered commodity that is planted or prevented from being planted for harvest by a producer with the county on the county yield described in subsection (c) of that section.

(6) COVERED COMMODITY.—(A) IN GENERAL.—The term "covered commodity" means wheat, corn, grain sorghum, barley, oats, long grain rice, medium grain rice, pulse crops, soybeans, other oilseeds, and peanuts.

(B) POPCORN.—The term "popcorn" means an owner, operator, landlord, tenant, or sharecropper that shares in the risk of producing a crop and is entitled to share in the crop available for marketing from the farm, or would have shared had the crop been produced.

(7) ELIGIBLE ACRE.

(A) IN GENERAL.—Except as provided in subparagraphs (B) through (D), the term "eligible acre" means all acres planted or prevented from being planted to covered commodities and upland cotton on the farm for the 2009 through 2012 crop years, as determined by the Secretary.

(B) ADJUSTMENT.—The Secretary shall make an adjustment, as appropriate, in the eligible acres for the farm if any of the following circumstances occurs:

(i) An irrigation agreement is made under paragraph (1) that shall be binding on the subsequent producers.

(ii) A producer is prevented from being planted to a covered commodity by 2014.

(iii) The Secretary determines it to be feasible, shall designate popcorn as a covered commodity by 2014; and

(iv) If the Secretary determines it to be feasible, shall designate popcorn as a covered commodity.

(8) ELIGIBLE OILSEEDS.—The term "eligible oilseeds" means oilseeds, which shall be determined using the total quantity of all acreage in a county of the covered commodity that is planted or prevented from being planted for harvest by a producer with the county on the county yield described in subsection (c) of that section.

(9) FARM.-The term "farm" means an owner, operator, landlord, tenant, or sharecropper that shares in the risk of producing a crop and is entitled to share in the crop available for marketing from the farm, or would have shared had the crop been produced.

(10) MEDIUM GRAIN RICE.—The term "medium grain rice" includes short grain rice, large potato rice, medium grain rice, medium short grain rice, medium japonica rice, medium long grain rice, and medium japonica rice.

(11) MIDSEASON PRICE.—The term "midseason price" means the applicable national average market price received by producers for the first 5 months of the applicable marketing year, as determined by the Secretary.

(12) OTHER OILSEED.—The term "other oilseed" means a crop of sunflower seed, rape seed, canola, safflower, mustard, crambe, sesame seed, or any oilseed designated by the Secretary.

(13) PRODUCER.—The term "producer" means an owner, operator, landlord, tenant, or sharecropper that shares in the risk of producing a crop and is entitled to share in the crop available for marketing from the farm, or would have shared had the crop been produced.

(14) HYBRID SEED.—In determining whether a grower of hybrid seed is a producer, the Secretary shall—

(i) not take into consideration the existence of a hybrid seed contract; and

(ii) ensure that program requirements do not adversely affect the ability of the grower to receive a payment under this title.

(15) PULS PULL.—The term "pulex crop" means dry peas, lentils, small chickpeas, and large chickpeas.

(16) STATE.—The term "State" means—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico; and

(D) any other territory or possession of the United States.

(17) UNITED STATES.—The term "United States", when used in a geographical sense, means all of the States.

(18) UNITED STATES PREMIUM FACTOR.—The term "United States Premium Factor" means the percentage by which the difference in the United States loan schedule premiums for Strict Middling (SM) 1 1/2-inch upland cotton and for Middling (M) 1 1/2-inch upland cotton exceeds the difference in the applicable premiums for comparable international qualities.
(A) the amount that—
   (i) the agriculture risk coverage guarantee for the covered commodity; exceeds
   (ii) the actual crop revenue for the crop year for the covered commodity; or
   (B) 10 percent of the benchmark revenue for the crop year of the covered commodity.
(6) PAYMENT AMOUNT.—If agriculture risk coverage payments are required to be paid for any of the 2014 through 2018 crop years of a covered commodity, the amount of the agriculture risk coverage payment for the crop year shall be equal to the product obtained by multiplying—
   (A) the payment rate under paragraph (5); and
   (B) in the case of individual coverage the sum of—
      (i) 65 percent of the planted eligible acres of the covered commodity; and
      (ii) 45 percent of the eligible acres that were prevented from being planted to the covered commodity; or
   (ii) in the case of county coverage—
      (I) 80 percent of the planted eligible acres of the covered commodity; and
      (II) 45 percent of the eligible acres that were prevented from being planted to the covered commodity.
(7) DUTIES OF THE SECRETARY.—In carrying out the program under this subsection, the Secretary shall—
   (A) to the maximum extent practicable, use all available information and analysis to determine the benchmark revenue for the covered commodity; or
   (B) to the maximum extent practicable, calculate a separate actual crop revenue and agriculture risk coverage guarantee for irrigated and nonirrigated covered commodities;
   (C) differentiate by type or class the national average price of—
      (i) sunflower seeds;
      (ii) barley, using malting barley values; and
      (iii) wheat;
   and
   (D) assign a yield for each acre planted or prevented from being planted for the crop year for the covered commodity on the basis of the yield history of representative farms in the State, region, or crop reporting district, as determined by the Secretary; or
   (E) in the case of county coverage, the Secretary shall use the applicable transitional yield, subject to clause (ii).
   (ii) subject to clause (ii), the average national yield, if available, for the most recent 5 crop years, excluding each of the crop years with the highest and lowest yields;
   (ii) subject to clause (ii), the average national yield, if available, for the most recent 5 crop years, excluding each of the crop years with the highest and lowest yields; and
   (ii) subject to clause (ii), the average national yield, if available, for the most recent 5 crop years, excluding each of the crop years with the highest and lowest yields;
   (ii) subject to clause (ii), the average national yield, if available, for the most recent 5 crop years, excluding each of the crop years with the highest and lowest yields.
(3) USE OF TRANSITIONAL YIELDS.—If the yield determined under clause (1)(aa)—
   (I) for the 2013 crop year or any prior crop year, is less than 60 percent of the applicable transitional yield, the Secretary shall use 60 percent of the applicable transitional yield for that crop year; and
   (II) for the 2014 crop year and any subsequent crop year, is less than 60 percent of the applicable transitional yield, the Secretary shall use 70 percent of the applicable transitional yield for that crop year.
(4) SPECIAL RULE FOR RICE AND PEANUTS.—If the national marketing year average price under clause (i)(II) for any of the applicable transitional crop years is lower than the price for the covered commodity listed below, the Secretary shall use the following price for that crop year:
   (I) for long grain rice, $13.00 per hundredweight;
   (II) for medium grain rice, $13.00 per hundredweight.
(5) PENALTIES.—Nothing in this section shall preclude the Secretary from taking any action necessary to ensure producer compliance with the requirements of this section.
(6) INTEREST.—The Secretary shall ensure that producers receive interest on any funds held by the Secretary in accordance with sections 1926 and 1927 of the Food Security Act of 1985 (7 U.S.C. 1308–3a(b)(2)(A)) is amended—
   (1) by striking ‘‘LIMITS.—’’ and all that follows through ‘‘clause (II),’’ and inserting ‘‘LIMITS.—Notwithstanding any other provision of law,’’; and
   (2) by striking clause (II).
means wheat, corn, grain sorghum, barley, oats, upland cotton, extra long staple cotton, long grain rice, medium grain rice, peanuts, soybeans, other oilseeds, graded wool, non-grade wool, honey, dry peas, lentils, small chickpeas, and large chickpeas.

(b) NONRECOURSE LOANS AVAILABLE.—

(I) IN GENERAL.—For each of the 2014 through 2018 crop years under this section, the Secretary shall make available to producers on a farm nonrecourse marketing assistance loans for loan commodities produced on the farm.

(II) TERMS AND CONDITIONS.—The marketing assistance loans shall be made under terms and conditions that are prescribed by the Secretary and at the loan rate established under section 1202 for the loan commodity.

(c) ELIGIBLE PRODUCTION.—The producers on a farm shall be eligible for a marketing assistance loan under subsection (b) for any quantity of a loan commodity produced on the farm.

(d) COMPLIANCE WITH CONSERVATION AND WETLANDS REQUIREMENTS.—

(1) REQUIREMENTS.—Before the producers on a farm may receive a marketing assistance loan or any other payment or benefit under this title, the producers shall agree, for the crop year for which the payments are made and in exchange for the payments—

(A) to comply with applicable conservation requirements under subtitle B of title XII of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.);

(B) to comply with applicable wetland protection requirements under subtitle C of title XII of that Act (16 U.S.C. 3821 et seq.);

(C) to use the land on the farm for an agricultural or conserving use in a quantity equal to the attributable eligible acres of the farm, and not for a nonagricultural commercial, industrial, or residential use, as determined by the Secretary; and

(D) to effectively control noxious weeds and otherwise maintain the land in accordance with sound agricultural practices, as determined by the Secretary, if the agricultural or conserving use involves the noncultivation of any portion of the land referred to in subparagraph (C).

(2) MODIFICATION.—At the request of a transferee or owner, the Secretary may modify the requirements of this subsection if the modifications are consistent with the purposes of this subsection, as determined by the Secretary.

(e) SPECIAL RULES FOR PEANUTS.—

(I) IN GENERAL.—This subsection shall apply only to producers of peanuts.

(II) OPTIONS FOR OBTAINING LOAN.—A marketing assistance loan under this section, and loan deficiency payments under section 1201 for a loan commodity shall be made under terms specified by the Secretary at the loan rate established under section 1202 for the loan commodity.

(a)(1) IN GENERAL.—To ensure proper storage of peanuts for which a loan is made under this section, the Secretary shall pay handling, and other associated costs (other than storage costs) incurred at the time at which the peanuts are placed under loan, as determined by the Secretary.

(b) REDEMPTION AND FORFEITURE.—The Secretary shall—

(i) require the repayment of handling and other associated costs paid under subparagraph (A) for all peanuts pledged as collateral for a loan that is redeemed under this section; and

(ii) pay storage, handling, and other associated costs for all peanuts pledged as collateral that are forfeited under this section.

(c) MARKETING.—A marketing association or cooperative may market peanuts for which a loan is made under this section in any manner that conforms to consumer needs, including the separation of peanuts by type and quality.

(d) REIMBURSABLE AGREEMENTS AND PAYMENT OF ADMINISTRATIVE EXPENSES.—The Secretary may enter into any reimbursement agreements or provide for the payment of administrative expenses under this subsection only in a manner that is consistent with those activities in regard to other loan commodities.

SEC. 1202. LOAN RATES FOR NONRECOURSE MARKETING ASSISTANCE LOANS.

(a) IN GENERAL.—For purposes of each of the 2014 through 2018 crop years, the loan rate for a marketing assistance loan under section 1201 for a loan commodity shall be equal to the following:

(1) the loan rate established for the commodity under section 1202, plus interest (determined in accordance with section 163 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7283)); or

(2) a rate (as determined by the Secretary) that—

(A) is calculated based on average market prices for the loan commodity during the preceding 30-day period; and

(B) will minimize discrepancies in marketing loan benefits across State boundaries and across county boundaries;

(3) the prevailing world market price for each of the following commodities—

(A) the simple average of the adjusted prevailing world price for the 2 immediately preceding marketing years, as determined by the Secretary and announced October 1 preceding the next domestic plantings, but in no case less than $0.47 per pound or more than $0.52 per pound.

(B) in the case of extra long staple cotton, $0.7977 per pound.

(C) in the case of long grain rice, $6.50 per hundredweight.

(D) in the case of medium grain rice, $6.50 per hundredweight.

(E) in the case of soybeans, $5.90 per bushel.

(F) in the case of the other oilseeds, $10.09 per hundredweight for each of the following kinds of oilseeds:

(i) Sunflower seed.

(ii) Rapeseed.

(iii) Canola.

(iv) Safflower.

(v) Flaxseed.

(vi) Mustard seed.

(vii) Garam.

(viii) Sesame seed.

(ix) Other oilseeds designated by the Secretary.

(b) IN GENERAL.—For purposes of each of the 2014 through 2018 crop years, the loan rate for a marketing assistance loan under section 1201 for a loan commodity shall have a term of 9 months beginning on the first day of the first month after the month in which the loan is made.

(c) EXTENSIONS PROHIBITED.—The Secretary may not extend the term of a marketing assistance loan for any loan commodity.

SEC. 1204. REPAYMENT OF LOANS.

(a) GENERAL RULE.—The Secretary shall permit the producers on a farm to repay a marketing assistance loan under section 1201 for a loan commodity (other than upland cotton, long grain rice, medium grain rice, extra long staple cotton, peanuts and confectionery and each other kind of sunflower seed (other than oil sunflower seed)) at a rate that is the lesser of—

(1) the loan rate established for the commodity under section 1202, plus interest (determined in accordance with section 163 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7283)); or

(2) a rate (as determined by the Secretary) that—

(A) is calculated based on average market prices for the loan commodity during the preceding 30-day period; and

(B) will minimize discrepancies in marketing loan benefits across State boundaries and across county boundaries;

(3) a rate that the Secretary may develop using alternative methods for calculating a repayment rate for a loan commodity that the Secretary determines will—

(A) minimize potential loan forfeitures;

(B) minimize the accumulation of stocks of the commodity by the Federal Government;

(C) minimize the cost incurred by the Federal Government in storing the commodity;

(D) allow the commodity produced in the United States to be marketed freely and competitively, both domestically and internationally; and

(E) minimize discrepancies in marketing loan benefits across State boundaries and across county boundaries.

(b) REPAYMENT FOR UPLAND COTTON, LONG GRAIN RICE, AND MEDIUM GRAIN RICE.—The Secretary shall permit producers to repay a marketing assistance loan under section 1201 for upland cotton, long grain rice, and medium grain rice at a rate that is the lesser of—

(1) the loan rate established for the commodity under section 1202, plus interest (determined in accordance with section 163 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7283)); or

(2) the prevailing world market price for the commodity, as determined and adjusted by the Secretary in accordance with this section.

(c) REPAYMENT RATES FOR EXTRA LONG STAPLE COTTON.—Repayment of a marketing assistance loan for extra long staple cotton shall be at the loan rate established for the commodity under section 1202, plus interest (determined in accordance with section 163 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7283)).

(d) PREVAILING WORLD PRICE.—For purposes of this section, the Secretary shall prescribe by regulation—

(1) a formula to determine the prevailing world market price for each of upland cotton, long grain rice, and medium grain rice; and

(2) 

(3) 

(4) 

(5) 

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(2) a mechanism by which the Secretary shall announce periodically those prevailing world market prices;
(e) ADJUSTMENT OF PREVAILING WORLD MARKET PRICE FOR UPLAND COTTON, LONG GRAIN RICE, AND MEDIUM GRAIN RICE.—
(1) Rice.—The prevailing world market price for long grain rice and medium grain rice shall be reduced by 20 percent.
(2) Cotton.—The prevailing world market price for upland cotton determined under subsection (d) shall be adjusted to United States quality and location.
(2) Cotton.—The prevailing world market price for upland cotton determined under subsection (d) shall be reduced by 20 percent.
(1) Adjustment Authority.—In the event of a severe disruption to marketing, transportation, or related infrastructure, the Secretary may adjust the repayment rate otherwise applicable under this section for marketing assistance loans under section 1201 for a loan commodity.
(1) Adjustment Authority.—In the event of a severe disruption to marketing, transportation, or related infrastructure, the Secretary may adjust the repayment rate otherwise applicable under this section for marketing assistance loans under section 1201 for a loan commodity.
(2) Duration.—Any adjustment made under paragraph (1) in the repayment rate for marketing assistance loans for a loan commodity shall be in effect on a short-term and temporary basis, as determined by the Secretary.

SEC. 1205. LOAN DEFICIENCY PAYMENTS.
(a) AVAILABILITY OF LOAN DEFICIENCY PAYMENTS.
(1) IN GENERAL.—Except as provided in subsection (d), the Secretary may make loan deficiency payments available to producers on a farm that, although eligible to obtain a loan under section 1201, with respect to a loan commodity, agrees to forgo obtaining the loan for the commodity in return for loan deficiency payments under this section.

(b) COMPETITION.—A loan deficiency payment for a loan commodity or commodity referred to in subsection (a)(2) shall be equal to the product of the loan deficiency payment rate determined under subsection (c) for the commodity; by the quantity of the commodity produced by the eligible producers, excluding any quantity for which the producers obtain a marketing assistance loan under section 1201.
(c) PAYMENT RATE.—
(1) IN GENERAL.—In the case of a loan commodity, the payment rate shall be the amount by which—
(A) the loan rate established under section 1202 for the loan commodity; exceeds
(B) the rate at which a marketing assistance loan for the loan commodity may be repaid under section 1204.
(2) UNSHORN PELTS, HAY, AND SILAGE.—
(A) MARKETING ASSISTANCE LOANS.—Subject to subparagraph (B), nongraded wool in the form of unshorn pelts, hay and silage derived from a loan commodity are not eligible for a marketing assistance loan under section 1201.
(B) LOAN DEFICIENCY PAYMENT.—Effective for the 2014 through 2018 crop years, the Secretary may make loan deficiency payments available under this section to producers on a farm that produce unshorn pelts or hay and silage derived from a loan commodity.

(d) EXCEPTION FOR EXTRA LONG STAPLE COTTON.—This section shall not apply with respect to extra long staple cotton.
(e) EFFECTIVE DATE FOR PAYMENT RATE DETERMINATION.—The Secretary shall determine the amount of the loan deficiency payment to be made under this section to the producers on a farm by first determining a quantity of a loan commodity or commodity referred to in subsection (a)(2) using the payment rate in effect under subsection (c) as of the date the producer enters into the agreement.
and in the same manner as loan deficiency payments are made under section 1205.

(2) AVAILABILITY.—

(A) IN GENERAL.—The Secretary shall establish a period for the payment of assistance loans made under this section.

(B) CERTAIN COMMODITIES.—In the case of wheat, barley, and oats, the availability period shall be consistent with the availability period for the commodity established by the Secretary for marketing assistance loans authorized by this subtitle.

(3) ELIGIBLE RECIPIENTS.—The Secretary shall carry out a program—

(A) to maintain and expand the domestic use of extra long staple cotton produced in the United States;

(B) to increase exports of extra long staple cotton produced in the United States; and

(C) to ensure that extra long staple cotton produced in the United States remains competitive in world markets.

(b) PAYMENTS UNDER PROGRAM; TRIGGER.—Under the program, the Secretary shall make payments available under this section whenever—

(1) for a consecutive 4-week period, the world market price for the lowest priced competing growth of extra long staple cotton (adjusted to United States quality and location and for other factors affecting the competitiveness of such cotton), as determined by the Secretary, is below the prevailing United States price for a competing growth of extra long staple cotton; and

(2) the competitive growth of extra long staple cotton (adjusted to United States quality and location and for other factors affecting the competitiveness of such cotton), as determined by the Secretary, is less than 84 percent of the loan rate for extra long staple cotton.

(c) ELIGIBLE RECIPIENTS.—The Secretary shall make payments available under this section to domestic users of extra long staple cotton produced in the United States and exporters of extra long staple cotton produced in the United States that enter into an agreement with the Commodity Credit Corporation to participate in the program under this section.

(d) PAYMENT AMOUNT.—Payments under this subsection shall be based on the amount of the difference in the prices referred to in subsection (b)(1) during the fourth week of the consecutive period multiplied by the amount of documents purchased by domestic users and sales for export by exporters made in the United States in the following such a consecutive 4-week period.

SEC. 1208. AVAILABILITY OF RECRUDE LOANS FOR HIGH MOISTURE FEED GRAINS (A) HIGH MOISTURE FEED GRAINS.—

(1) DEFINITION OF HIGH MOISTURE STATE.—In this subsection, the term "high moisture state" means a State whose high moisture feed grain producers have a moisture content in excess of Commodity Credit Corporation standards for marketing assistance loans made by the Secretary under section 1201.

(2) RECRUCE LOANS AVAILABLE.—For each of the years 2014 through 2018, the Secretary shall make available recrude loans, as determined by the Secretary, to producers on a farm that—

(A) normally harvest all or a portion of their crop of corn or grain sorghum in a high moisture state; and

(B) present—

(i) certified scale tickets from an inspection certifier, including a licensed warehouse, feedlot, feed mill, distillery, or other similar entity approved by the Secretary, pursuant to regulations issued by the Secretary; or

(ii) a field or other physical measurements of the standing or stored crop in regions of the United States, as determined by the Secretary, that do not have certified commercial scale tickets from which certified scale tickets may be obtained within reasonable proximity of harvest operation;

(C) certify that the producers on the farm were the owners of the feed grain at the time of delivery to, and that the quantity to be placed under loan under this subsection was, in fact, delivered to, a feedlot, feed mill, or commercial or on-farm high-moisture storage facility, or to a facility maintained by the users of corn and grain sorghum for storage, on-farm storage;

(D) comply with deadlines established by the Secretary for harvesting the corn or grain sorghum and submit applications for loans under this subsection within deadlines established by the Secretary.

(3) ELIGIBILITY OF ACQUIRED FEED GRAINS.—A loan under this subsection shall be made on a quality basis of the same crop acquired by the producer equivalent to a quantity determined by multiplying—

(A) the acreage of the corn or grain sorghum in a high moisture state harvested on the farm of the producer; by

(B) the lower of the actual average yield used to make payments under subtitle A or the actual yield on a field, as determined by the Secretary, that is similar to the field from which the corn or grain sorghum was obtained.

(b) RECROUCE LOANS AVAILABLE FOR SEED COTTO.—For each of the years 2014 through 2018, the Secretary shall make available recrude seed cotton loans, as determined by the Secretary, on any production.

(c) REPAYMENT RATES.—Repayment of a recrude seed cotton loan shall be at the loan rate established for the commodity by the Secretary, plus interest (determined in accordance with section 1205 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7233)).

SEC. 1209. ADJUSTMENTS OF LOANS.

(a) ADJUSTMENT AUTHORITY.—Subject to subsection (b), the Secretary may make appropriate adjustments in the loan rates for any loan commodity (other than cotton) for differences in grade, type, quality, location, and other factors.

(b) MANNER OF ADJUSTMENT.—The adjustments under subsection (a) shall, to the maximum extent practicable, be made in such a manner that the average loan level for the commodity will, on the basis of the anticipated incidence of the factors, be equal to the level of support determined in accordance with this subtitle and subtitles C through E.

(c) ADJUSTMENT ON COUNTY BASIS.—

(1) IN GENERAL.—The Secretary may establish a loan adjustment program for individual counties in a manner that results in the lowest loan rate being 95 percent of the national average loan rate, if those loan rates do not result in an increase in outlays.

(2) PROHIBITION.—Adjustments under this subsection shall not result in an increase in the national average loan rate for any year.

(d) ADJUSTMENT IN LOAN RATE FOR COTTON.

(1) IN GENERAL.—The Secretary may make appropriate adjustments in the loan rate for cotton for differences in quality factors.

(2) REVSIONS TO QUALITY ADJUSTMENTS FOR UPLAND COTTON.

(b) MANDATORY REVISIONS.—Revisions under subsection (a) shall include—

(i) the elimination of warehouse location differentials;

(ii) the establishment of differentials for the various quality factors and staple lengths of cotton based on a 3-year, weighted moving average of the weighted designated spot market regions, as determined by region;

(iii) the elimination of any artificial split in the premium or discount between upland cotton with a 32 or 33 staple length due to micronaire and

(iv) a mechanism to ensure that no premium or discount is established that exceeds the premium or discount associated with a cotton that is 1 better than the applicable color grade.

(c) DISCRETIONARY REVISIONS.—Revisions under subsection (a) may include—

(i) the use of ginning price data, in addition to spot market price data, that would enhance the accuracy of the price information used in determining quality adjustments under this subsection;

(ii) adjustments in the premiums or discounts associated with upland cotton with a staple length of 33 or above due to micronaire with the goal of eliminating any unnecessary artificial splits in the calculations of the premiums or discounts; and

(iii) such other adjustments as the Secretary determines appropriate, after consultations conducted in accordance with paragraph (3).

(3) CONSULTATION WITH PRIVATE SECTOR.—The Secretary shall carry out a process of consultation with producers under this subsection.

(d) INAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to consultations conducted under this subsection.

(e) RICE.—The Secretary shall not make adjustments in the loan rates for long grain rice and medium grain rice, except for differences in grade and quality (including milling yields).

Subtitle C—Sugar

SEC. 1301. SUGAR PROGRAM.

(a) CONTINUATION OF CURRENT PROGRAM AND LOAN RATES.—
S56

CONGRESSIONAL RECORD — SENATE

January 22, 2013

(1) SUGARCANE.—Section 156a(a)(5) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a)(5)) is amended by striking “the 2012 crop year” and inserting “each of the 2014 through 2018 crop years”.

(2) SUGAR BERTS.—Section 156(b)(2) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(b)(2)) is amended by striking “2012” and inserting “2018”.

(3) EFFECTIVE PERIOD.—Section 156(1) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(1)) is amended by striking “2012” and inserting “2018”.

(4) SUGAR IMPORT QUOTA ADJUSTMENT DATE.—Section 359a(b) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359a(b)) is amended—

(A) by striking “APRIL 1” each place it appears and inserting “FEBRUARY 1”; and

(B) by striking “MARCH 1” each place it appears and inserting “FEBRUARY 1”.

(5) EFFECTIVE PERIOD.—Section 359(a) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359(a)) is amended by striking “2012” and inserting “2018”.

Subtitle D—Dairy

PART I—DAIRY PRODUCTION MARGIN PROTECTION AND DAIRY MARKET STABILIZATION PROGRAMS

SEC. 1401. DEFINITIONS.

In this part:

(1) ACTUAL DAIRY PRODUCTION MARGIN.—The term “actual dairy production margin” means the difference between the all-milk price and the average feed cost, as calculated under section 1402.

(2) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

(3) ANNUAL PRODUCTION HISTORY.—The term “annual production history” means the production history determined for the preceding period by the Secretary.

(4) AVERAGE FEED COST.—The term “average feed cost” means the average cost of feed used by a dairy operation to produce a hundredweight of milk, determined under section 1402 using the sum of the following:

(A) The product determined by multiplying 1.0728 by the price of corn per bushel.

(B) The product determined by multiplying 0.00735 by the price of soybean meal per ton.

(C) The product determined by multiplying 0.0137 by the price of alfalfa hay per ton.

(5) BASIC PRODUCTION HISTORY.—The term “basic production history” means the production history determined for a participating dairy operation under section 1413(a) for provision of basic production margin protection.

(6) CONSECUTIVE 2-MONTH PERIOD.—The term “consecutive 2-month period” refers to the 2-month period consisting of the months of January and February, March and April, May and June, July and August, September and October, or November and December, respectively.

(7) DAIRY OPERATION.—

(A) IN GENERAL.—The term “dairy operation” means, as determined by the Secretary, a dairy producer that produce and market milk as a single dairy operation in which each dairy producer—

(i) shares in the pooling of resources and a common ownership structure;

(ii) is at risk in the production of milk on the dairy operation; and

(iii) contributes to labor, management, equipment, or capital to the dairy operation.

(B) ADDITIONAL OWNERSHIP STRUCTURES.—

The Secretary shall determine additional ownership structures covered by the definition of dairy operation.

(8) HANDLER.—

(A) IN GENERAL.—The term “handler” means the initial dairy, milk marketing cooperative, or entity seeking payment to a dairy operation for milk produced in the United States and marketed for commercial use.

(B) PRODUCTION HANDLER.—The term includes a “producer-handler” when the producer satisfies the definition in subparagraph (A).

(9) PARTICIPATING DAIRY OPERATION.—The term “participating dairy operation” means a dairy operation that—

(A) signs up under section 1412 to participate in the production margin protection program under subpart A; and

(B) as a result, also participates in the stabilization program under subpart B.

(10) PRODUCTION MARGIN PROTECTION PROGRAM.—The term “production margin protection program” means the dairy production margin protection program required by subpart A.

(11) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

(12) STABILIZATION PROGRAM.—The term “stabilization program” means the dairy market stabilization program required by subpart B.

(13) STABILIZATION PROGRAM BASE.—The term “stabilization program base”, with respect to a participating dairy operation, means the stabilization program base calculated for the participating dairy operation under section 1413(b).

(14) UNITED STATES.—The term “United States”, in a geographical sense, means the 50 States, the District of Columbia, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, the Virgin Islands of the United States, and any other territory or possession of the United States.

SEC. 1402. CALCULATION OF AVERAGE FEED COST AND ACTUAL DAIRY PRODUCTION MARGIN.

(a) CALCULATION OF AVERAGE FEED COST.—The Secretary shall calculate the national average feed cost for each month using the following:

(1) the all-milk price for that preceding month;

(2) the average feed cost for that preceding month; and

(3) the national average feed cost for the preceding month.

(b) CALCULATION OF ACTUAL DAIRY PRODUCTION MARGINS.—

(1) PRODUCTION MARGIN PROTECTION PROGRAM.—For use in the production margin protection program, the Secretary shall calculate the actual dairy production margin for each consecutive 2-month period by subtracting—

(A) the average feed cost for that consecutive 2-month period, determined in accordance with subsection (a); from

(B) the all-milk price for that consecutive 2-month period.

(2) STABILIZATION PROGRAM.—For use in the stabilization program under subpart B, the Secretary shall calculate the actual dairy production margin for the preceding month by subtracting—

(A) the average feed cost for that preceding month, determined in accordance with subsection (a); from

(B) the all-milk price for that preceding month.

(c) TIME FOR CALCULATIONS.—The calculations required by paragraphs (1) and (2) shall be made as soon as practicable using the full month price of the applicable reference month.

Subpart A—Dairy Production Margin Protection Program

SEC. 1411. ESTABLISHMENT OF DAIRY PRODUCTION MARGIN PROTECTION PROGRAM.

Effective not later than 120 days after the effective date of this subtitle, the Secretary shall establish and administer a dairy production margin protection program under which participating dairy operations are paid—

(1) basic production margin protection program payments payments under section 1414 when actual dairy production margins are less than the threshold levels for such payments; and

(2) supplemental production margin protection program payments under section 1414 if purchased by a participating dairy operation.

SEC. 1412. PARTICIPATION OF DAILY OPERATIONS IN PRODUCTION MARGIN PROTECTION PROGRAM.

(a) ELIGIBILITY.—All daily operations in the United States shall be eligible to participate in the production margin protection program, except that a participating dairy operation shall be required to register with the Secretary before the participating dairy operation may receive—

(1) basic production margin protection program payments under section 1414; and

(2) if the participating dairy operation purchases supplemental production margin protection under section 1415, supplemental production margin protection program payments under such section.

(b) REGISTRATION PROCESS.—

(1) IN GENERAL.—The Secretary shall specify the manner and form by which a participating dairy operation may register to participate in the production margin protection program.

(2) TREATMENT OF MULTIPLE DAIRY OPERATIONS.—If a participating dairy operation is operated by more than 1 dairy producer, all of the dairy producers of the participating dairy operation shall be treated as a single dairy operation for purposes of—

(A) registration to receive basic production margin protection and election to purchase supplemental production margin protection; and

(B) participation in the stabilization program under subsection (d) and producer premiums under section 1415 and participation in the stabilization program.

(3) TREATMENT OF PRODUCERS WITH MULTIPLE DAIRY OPERATIONS.—If a dairy producer operates 2 or more dairy operations, each dairy operation shall be separately register to receive basic production margin protection and purchase supplemental production margin protection and each separated operation shall be covered by the stabilization program.

(c) TIME FOR REGISTRATION.—

During the 15-month period beginning on the date of the initiation of the registration period for
the production margin protection program, a dairy operation that is actively engaged as of such date may register with the Secretary—
(A) to receive basic production margin protection; and
(B) if the dairy operation elects, to purchase supplemental production margin protection.

(2) new entrants.—A dairy producer that has no existing interest in a dairy operation as of the date of the initiation of the registration period for the production margin protection program, but that, after such date, establishes a new dairy operation, may register with the Secretary during the 1-year period beginning on the date on which the dairy operation first markets milk commercially.
(A) to receive basic production margin protection; and
(B) if the dairy operation elects, to purchase supplemental production margin protection.

(d) transition from Milc to production margin protection.—
(1) definition of transition period.—In this subsection, the term "transition period" means the period during which the milk income loss program established under section 1506 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8773) and the production margin protection program under this subtitle are both in existence.

(2) notice of availability.—Not later than 30 days after the date of enactment of this Act, the Secretary shall publish a notice in the Federal Register to inform dairy operations of the availability of basic production margin protection and supplemental production margin protection, including the terms of the protection and information about the option of dairy operations during the transition period to make an election described in paragraph (3).

(3) election.—Except as provided in paragraph (5), a dairy operation may elect to participate in either the milk income loss program established under section 1506 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8773) or the production margin protection program under this subtitle for the transition period to make an election described in paragraph (3).

(4) determination required.—For purposes of providing basic production margin protection, the Secretary shall determine the basic production history of a participating dairy operation.

(5) calculation.—Except as provided in paragraph (3), the basic production history of a participating dairy operation for basic production margin protection is equal to the highest annual milk marketing of the participating dairy operation during any 1 of the 3 calendar years immediately preceding the calendar year in which the participating dairy operation first signed up to participate in the production margin protection program.

(3) election by new dairy operations.—In the case of a participating dairy operation that has been in operation for less than a year, the participating dairy operation shall elect 1 of the following methods for the Secretary to determine the basic production history of the participating dairy operation:
(A) the volume of the actual milk marketings for the months the participating dairy operation has been in operation extrapolated to a yearly amount.
(B) an estimate of the actual milk marketings of the participating dairy operation based on the herd size of the participating dairy operation relative to the national rolling herd average data published by the Secretary.

(4) no change in production history for basic production margin protection.—Once the basic production history of a participating dairy operation is determined under paragraph (2) or (3), the basic production history shall not be subsequently changed for purposes of determining the amount of any basic production margin protection payments for the participating dairy operation made under section 1414.

(b) annual production history for supplemental production margin protection.—
(1) determination required.—For purposes of providing supplemental production margin protection for a participating dairy operation that purchases supplemental production margin protection for a year under section 1415, the Secretary shall determine the annual production history of the participating dairy operation under paragraph (2).

(2) calculation.—The annual production history of a participating dairy operation for a year is equal to the actual milk marketings of the participating dairy operation during the preceding calendar year.

(3) new dairy operations.—Subsection (a)(3) shall apply with respect to determining the annual production history of a participating dairy operation that has been in operation for less than a year.

(1) administration fee required.—Except as provided in paragraph (5), a participating dairy operation shall—
(A) pay an administration fee under this subsection to register to participate in the production margin protection program; and
(B) pay the administration fee annually thereafter to continue to participate in the production margin protection program.

(2) fee amount.—The administration fee for a participating dairy operation for a calendar year shall be based on the pounds of milk (in millions) marketed by the participating dairy operation in the previous calendar year, as follows:

<table>
<thead>
<tr>
<th>Pounds Marketed (in millions)</th>
<th>Administration Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>less than 1</td>
<td>$100</td>
</tr>
<tr>
<td>1 to 5</td>
<td>$250</td>
</tr>
<tr>
<td>more than 5 to 10</td>
<td>$350</td>
</tr>
<tr>
<td>more than 10 to 40</td>
<td>$1,000</td>
</tr>
<tr>
<td>more than 40</td>
<td>$2,500</td>
</tr>
</tbody>
</table>

(3) deposit of fees.—All administration fees collected under this subsection shall be credited to the fund or account used to cover the costs incurred to administer the production margin protection program and the stabilization program and shall be available to the Secretary, without further appropriation until expended, for use or transfer as provided in paragraph (4).

(4) use of fees.—The Secretary shall use administration fees collected under this subsection—
(A) to cover administrative costs of the production margin protection program and stabilization program; and
(B) to cover costs of the Department of Agriculture relating to reporting of dairy marketings, carrying out the amendments made by section 1476, and carrying out section 273 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1637b)), to the extent funds remain available after operation of subparagraph (A).

(5) waiver.—The Secretary shall waive or reduce the administration fee required under paragraph (1) in the case of a limited-resource dairy operation, as defined by the Secretary.

(f) limitation.—A dairy operation may only participate in the production margin protection program or the livestock gross margin for dairy program under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.), but not both.

SEC. 1413. PRODUCTION HISTORY OF PARTICIPATING DAIRY OPERATIONS.

(a) production history for basic production margin protection.—

(1) determination required.—For purposes of providing basic production margin protection, the Secretary shall determine the basic production history of a participating dairy operation.

(2) calculation.—Except as provided in paragraph (3), the basic production history of a participating dairy operation for basic production margin protection is equal to the highest annual milk marketing of the participating dairy operation during any 1 of the 3 calendar years immediately preceding the calendar year in which the participating dairy operation first signed up to participate in the production margin protection program.

(3) election by new dairy operations.—In the case of a participating dairy operation that has been in operation for less than a year, the participating dairy operation shall elect 1 of the following methods for the Secretary to determine the basic production history of the participating dairy operation:
(A) the volume of the actual milk marketings for the months the participating dairy operation has been in operation extrapolated to a yearly amount.
(B) an estimate of the actual milk marketings of the participating dairy operation based on the herd size of the participating dairy operation relative to the national rolling herd average data published by the Secretary.

(4) no change in production history for basic production margin protection.—Once the basic production history of a participating dairy operation is determined under paragraph (2) or (3), the basic production history shall not be subsequently changed for purposes of determining the amount of any basic production margin protection payments for the participating dairy operation made under section 1414.

(b) annual production history for supplemental production margin protection.—
(1) determination required.—For purposes of providing supplemental production margin protection for a participating dairy operation that purchases supplemental production margin protection for a year under section 1415, the Secretary shall determine the annual production history of the participating dairy operation under paragraph (2).

(2) calculation.—The annual production history of a participating dairy operation for a year is equal to the actual milk marketings of the participating dairy operation during the preceding calendar year.
(c) Required Information.—A participating dairy operation shall provide all information that the Secretary may require in order to establish—

(1) the basic production history of the participating dairy operation under subsection (a); and

(2) the production history of the participating dairy operation whenever the participating dairy operation purchases supplemental production margin protection under section 1415.

(d) Transfer of Production Histories—Transfer by Sale or Lease.—In promulgating the rules to initiate the production margin protection program, the Secretary shall specify the conditions under which and the manner by which the production history of a participating dairy operation may be transferred by sale or lease.

(2) Coverage Level.—

(A) Basic Production Margin Protection.—A purchaser or lessee to whom the Secretary transfers a basic production history under this subsection shall not obtain a different level of basic production margin protection than the production margin protection coverage held by the seller or lessee from whom the transfer was obtained.

(B) Supplemental Production Margin Protection.—A purchaser or lessee to whom the Secretary transfers an annual production history under this subsection shall not obtain a different level of supplemental production margin protection coverage than the supplemental production margin protection coverage in effect for the seller or lessee from whom the transfer was obtained for the calendar year in which the transfer was made.

(e) Movement and Transfer of Production History.—

(1) Movement and Transfer Authorized.—Subject to paragraph (2), if a participating dairy operation moves from 1 location to another location, the participating dairy operation may transfer the basic production history and annual production history associated with the participating dairy operation.

(2) Notification Requirement.—A participating dairy operation shall notify the Secretary of any move of a participating dairy operation under paragraph (1).

(3) Subsequent Occupation of Vacated Location.—A party subsequently occupying a participating dairy operation location vacated as described in paragraph (1) shall have no interest in the basic production history or annual production history previously associated with the participating dairy operation at such location.

SEC. 1414. BASIC PRODUCTION MARGIN PROTECTION.

(a) Payment Threshold.—The Secretary shall make a payment to a participating dairy operation in accordance with subsection (b) whenever the average actual dairy production margin for a consecutive 2-month period is less than $4.00 per hundredweight of milk.

(b) Basic Production Margin Protection Payment.—The basic production margin protection payment for a participating dairy operation for a consecutive 2-month period shall be equal to the product obtained by multiplying—

(1) the difference between the average actual dairy production margin for the consecutive 2-month period and $4.00, except that, if the difference is more than $4.00, the Secretary shall use $4.00; and

(2) the lesser of—

(A) 80 percent of the production history of the participating dairy operation, divided by 6; or

(B) the actual quantity of milk marketed by the participating dairy operation during the consecutive 2-month period.

SEC. 1415. SUPPLEMENTAL PRODUCTION MARGIN PROTECTION.

(a) Election of Supplemental Production Margin Protection.—A participating dairy operation may annually purchase supplemental production margin protection to protect, during the calendar year for which purchased, a higher level of the income of a participating dairy operation than the income level guaranteed by basic production margin protection under section 1414.

(b) Selection of Payment Threshold.—A participating dairy operation purchasing supplemental production margin protection for a year shall elect a coverage level that is higher, in any increment of $0.50, than the payment threshold for basic production margin protection specified in section 1414(a), but not to exceed $8.00.

(c) Coverage Percentage.—A participating dairy operation purchasing supplemental production margin protection for a year shall elect a percentage of coverage equal to not more than 90 percent, nor less than 25 percent, of the annual production history of the participating dairy operation.

(d) Premiums for Supplemental Production Margin Protection.

(1) Premiums Required.—A participating dairy operation that purchases supplemental production margin protection shall pay an annual premium equal to the product obtained by multiplying—

(A) the coverage percentage elected by the participating dairy operation under subsection (c); and

(B) the annual production history of the participating dairy operation; and

(2) Premium Per Hundredweight.—A participating dairy operation that purchases supplemental production margin protection shall pay an annual premium for a consecutive 2-month period in accordance with the applicable table under paragraph (2) or (3).

(3) Time for Payment.—In promulgating the rules to initiate the production margin protection program, the Secretary shall provide more than 1 method by which a participating dairy operation that purchases supplemental production margin protection for a calendar year may pay the premium under this subsection for that year in any manner that optimizes participating dairy operation payment flexibility and program integrity.

(e) Premium Obligations.—

(1) Pro-Ration of Premium for New Dairy Operations.—A participating dairy operation described in section 1412(c)(2) that purchases supplemental production margin protection for a calendar year after the start of the calendar year shall pay a pro-rated premium for that calendar year based on the portion of the calendar year for which the participating dairy operation purchases the coverage.

(2) Legal Obligation.—A participating dairy operation that purchases supplemental production margin protection for a calendar year shall be legally obligated to pay the applicable premium for that calendar year, except that the Secretary may waive that obligation, under terms and conditions determined by the Secretary, for 1 or more producers in any participating dairy operation in the case of death, retirement, permanent dissolution of a participating dairy operation, or other circumstances as the Secretary considers appropriate to ensure the integrity of the program.

(f) Supplemental Payment Threshold.—A participating dairy operation with supplemental production margin protection shall receive a supplemental production margin protection payment whenever the average

<table>
<thead>
<tr>
<th>Coverage Level</th>
<th>Premium per Cwt.</th>
</tr>
</thead>
<tbody>
<tr>
<td>$5.50</td>
<td>$0.035</td>
</tr>
<tr>
<td>$6.00</td>
<td>$0.045</td>
</tr>
<tr>
<td>$6.50</td>
<td>$0.050</td>
</tr>
<tr>
<td>$7.00</td>
<td>$0.055</td>
</tr>
<tr>
<td>$7.50</td>
<td>$0.060</td>
</tr>
<tr>
<td>$8.00</td>
<td>$0.065</td>
</tr>
</tbody>
</table>

(3) Premium Per Hundredweight for Production in Excess of 4 Million Pounds.—For milk marketings in excess of 4,000,000 pounds included in the annual production history of a participating dairy operation, the premium per hundredweight corresponding to each coverage level is as follows:

<table>
<thead>
<tr>
<th>Coverage Level</th>
<th>Premium per Cwt.</th>
</tr>
</thead>
<tbody>
<tr>
<td>$4.50</td>
<td>$0.02</td>
</tr>
<tr>
<td>$5.00</td>
<td>$0.025</td>
</tr>
<tr>
<td>$5.50</td>
<td>$0.030</td>
</tr>
<tr>
<td>$6.00</td>
<td>$0.035</td>
</tr>
<tr>
<td>$6.50</td>
<td>$0.040</td>
</tr>
<tr>
<td>$7.00</td>
<td>$0.045</td>
</tr>
<tr>
<td>$7.50</td>
<td>$0.050</td>
</tr>
<tr>
<td>$8.00</td>
<td>$0.055</td>
</tr>
</tbody>
</table>

(4) Time for Payment.—In promulgating the rules to initiate the production margin protection program, the Secretary shall provide more than 1 method by which a participating dairy operation that purchases supplemental production margin protection for a calendar year may pay the premium under this subsection for that year in any manner that optimizes participating dairy operation payment flexibility and program integrity.
actual dairy production margin for a consecutive 2-month period is less than the coverage level threshold selected by the participating dairy operation under subsection (b), or

(ii) $4.00.

(B) The amount determined under subparagraph (A) shall be multiplied by the lesser of

(i) the annual production of the participating dairy operation, divided by 6.

(ii) the actual amount of milk marketed by the participating dairy operation during the consecutive 2-month period.

SEC. 1416. EFFECT OF FAILURE TO PAY ADMINISTRATION FEES OR PREMIUMS.

(a) Loss of Benefits.—A participating dairy operation that fails to pay the required administration fee under section 1412 or is in arrears on premium payments for supplemental production margin protection under section 1415

(1) remains legally obligated to pay the administration fee or premiums, as the case may be; and

(2) does not receive basic production margin protection payments or supplemental production margin protection payments until the fees or premiums are fully paid.

(b) Enforcement.—The Secretary may take such action as necessary to collect administration fees and premium payments for supplemental production margin protection.

Subpart B—Dairy Market Stabilization Program

SEC. 1431. ESTABLISHMENT OF DAIRY MARKET STABILIZATION PROGRAM.

(a) Program Purpose.—Effective not later than 120 days after the effective date of this subtitle, the Secretary shall establish and administer a dairy market stabilization program applicable to participating dairy operations for the purpose of assisting in balancing the supply of milk with demand when participating dairy operations are experiencing low or negative operating margins.

(b) Election of Stabilization Program Base Calculation Method.—(1) Description of a dairy operation signs up under section 1412 to participate in the production margin protection program, the dairy operation shall inform the Secretary of the method by which the stabilization program base for the participating dairy operation will be calculated under paragraph (3).

(2) Change in Calculation Method.—A participating dairy operation may change the stabilization program base calculation method to be used for a calendar year by notifying the Secretary before the end of the calendar year that is later than a date determined by the Secretary.

(c) Calculation Methods.—(1) A participating dairy operation may elect either of the following methods of stabilization program base for the participating dairy operation:

(A) the volume of the average monthly milk marketings of the participating dairy operation for the 3 months immediately preceding the announcement by the Secretary that the stabilization program will become effective.

(B) the volume of the monthly milk marketings of the participating dairy operation for the consecutive 2-month period for the month by the participating dairy operation.

SEC. 1432. THRESHOLD FOR IMPLEMENTATION AND REDUCTION IN DAILY PAYMENTS.

(a) When Stabilization Program Requires Reduction in Daily Payments.—(1) The Secretary shall announce that the stabilization program is in effect and order reduced payments by handlers to participating dairy operations that exceed the applicable percentage of the participating dairy operation’s stabilization program base whenever—

(1) the actual daily production margin has been $6.00 or less per hundredweight of milk for each of the immediately preceding 2 months; or

(2) the actual dairy production margin has been $4.00 or less per hundredweight of milk for the immediately preceding month.

(b) Exception.—If any of the conditions described in subsection (a) have not been met during the 2-month period immediately preceding the month in which the announcement under subsection (a) would otherwise be made by the Secretary in the absence of this exception, the Secretary shall—

(1) suspend the stabilization program;

(2) refrain from making the announcement under subsection (a); and

(3) implement the stabilization program.

(c) Effective Date for Implementation of Payment Reductions.—Reductions in daily payments shall commence beginning on the first day of the month immediately following the date of the announcement by the Secretary under subsection (a).

SEC. 1433. MILK MARKETINGS INFORMATION.

(a) Collection of Milk Marketing Data.—The Secretary shall establish, by regulation, a program to collect from participating dairy operations and handlers such information as the Secretary determines necessary for each month during which the stabilization program is in effect.

(b) Reduce Regulatory Burden.—When implementing the process under subsection (a), the Secretary shall minimize the regulatory burden on participating dairy operations and handlers.

SEC. 1434. CALCULATION AND COLLECTION OF REDUCED DAILY OPERATION PAYMENTS.

(a) Reduced Participating Dairy Operation Payments Required.—During any month in which payment reductions are in effect under subsection (b), each handler shall reduce payments to each participating dairy operation from whom the handler receives milk.

(b) Reductions Based on Actual Dairy Production Margin.—(1) Reduction Requirement 1.—If the Secretary determines that the average actual dairy production margin has been less than $6.00 but greater than $5.00 per hundredweight of milk for 2 consecutive months, the handler shall make payments to a participating dairy operation for a month based on the greater of the following:

(A) 98 percent of the stabilization program base of the participating dairy operation.

(B) 93 percent of the marketings of milk for the month by the participating dairy operation.

(2) Reduction Requirement 2.—If the Secretary determines that the average actual dairy production margin has been less than $5.00 but greater than $4.00 for 2 consecutive months, the handler shall make payments to a participating dairy operation for a month based on the greater of the following:

(A) 97 percent of the stabilization program base of the participating dairy operation.

(B) 93 percent of the marketings of milk for the month by the participating dairy operation.

(3) Reduction Requirement 3.—If the Secretary determines that the average actual dairy production margin has been $4.00 or less for 1 month, the handler shall make payments to a participating dairy operation for a month based on the greater of the following:

(A) 96 percent of the stabilization program base of the participating dairy operation.

(B) 92 percent of the marketings of milk for the month by the participating dairy operation.

(c) Continuation of Reductions.—The largest level of payment reduction required under paragraph (1), (2), or (3) of subsection (b) shall be continued until the Secretary suspends the stabilization program and terminates payment reductions in accordance with section 1435.

(d) Payment Reduction Exception.—Notwithstanding any preceding subsection of this section, a handler may make no payment reductions for a participating dairy operation for a month if the participating dairy operation’s milk marketings for the month are equal to or less than the percentage of the stabilization program base applicable to the participating dairy operation under paragraph (1), (2), or (3) of subsection (b).

SEC. 1435. REMITTING FUNDS TO THE SECRETARY AND USE OF FUNDS.

(a) Remitting Funds.—As soon as practicable after the end of each month during which payment reductions are in effect under the stabilization program, each handler shall remit to the Secretary an amount equal to the amount by which payments to participating dairy operations are reduced by the handler under section 1434.

(b) Deposit of Remitted Funds.—All funds received under subsection (a) shall be available to the Secretary, without further appropriation and until expended, for use or transfer provided in subsection (c).

(c) Use of Funds.—(1) Availability for Certain Commodity Purchase.—Not later than 14 days after the funds described in subsection (a) are due as determined by the Secretary, the Secretary shall obligate the funds for the purpose of—

(A) purchasing dairy products for donations to food banks and other programs that the Secretary determines appropriate; and

(B) expanding consumption and building demand for dairy products.

(2) No Duplication of Effort.—The Secretary shall ensure that expenditures under paragraph (1) are compatible with, and do not duplicate, programs run by the dairy research and promotion activities conducted under the Dairy Production Stabilization Act of 1983 (7 U.S.C. 4501 et seq.).

(3) Accounting.—The Secretary shall keep an accurate account of all funds expended under paragraph (1), (2), or (3) of subsection (b) and submit to the Committee on Agriculture of the Senate a report that provides an accurate accounting of—

(1) funds received by the Secretary during the preceding fiscal year under subsection (a);
(2) all expenditures made by the Secretary under subsection (b) during the preceding fiscal year; and
(3) the impact of the stabilization program on dairy markets.
(e) ENFORCEMENT.—If a participating dairy operation or handler fails to remit or collect the amounts by which payments to participating dairy operations are reduced under section 1434, the participating dairy operation or handler responsible for the failure shall—at the option of the Secretary for the amount that should have been remitted or collected, plus interest. In addition to the enforcement authorities available under section 1438, the Secretary may enforce this subsection in the courts of the United States.

SEC. 1436. SUSPENSION OF REDUCED PAYMENT REQUIREMENT.

(a) DETERMINATION OF PRICES.—For purposes of this section:
(1) the price in the United States for cheddar cheese and skim milk powder shall be determined by the Secretary in accordance with subsection (d); and
(2) the world price of cheddar cheese and skim milk powder shall be determined by the Secretary in accordance with subsection (d).

(b) SUSPENSION THRESHOLDS.—The stabilization program shall be suspended or the Secretary shall refrain from making the announcement under section 1432(a) if the Secretary determines that:
(1) the actual dairy production margin is greater than $6.00 per hundredweight of milk for 2 consecutive months;
(2) the actual dairy production margin is equal to or less than $4.00 during 2 consecutive months, and during the same 2 consecutive months:
(A) the price in the United States for cheddar cheese is equal to or greater than the world price of cheddar cheese; or
(B) the price in the United States for nonfat dry milk is equal to or greater than the world price of skim milk powder;
(3) the actual dairy production margin is equal to or less than $5.00 (but greater than $4.00) for 2 consecutive months, and during the same 2 consecutive months:
(A) the price in the United States for cheddar cheese is more than 5 percent above the world price of cheddar cheese; or
(B) the price in the United States for nonfat dry milk is more than 7 percent above the world price of skim milk powder; or
(4) the actual dairy production margin is equal to or less than $4.00 for 2 consecutive months, and during the same 2 consecutive months:
(A) the price in the United States for cheddar cheese is more than 5 percent above the world price of cheddar cheese; or
(B) the price in the United States for nonfat dry milk is more than 7 percent above the world price of skim milk powder.

(c) BY HANDLERS.—Effective on the day after the date of the announcement by the Secretary under subsection (a), the handler shall cease deducting payments to participating dairy operations under the stabilization program.

(d) CONDITION ON RESUMPTION OF STABILIZATION PROGRAM.—Upon the announcement by the Secretary under subsection (b) that the stabilization program has been suspended, the stabilization program may not be implemented again until, at the earliest—
(1) 2 months have passed, beginning on the first day of the month immediately following the announcement by the Secretary; and
(2) the conditions of section 1432(a) are again met.

SEC. 1437. ENFORCEMENT.

(a) UNLAWFUL ACT.—It shall be unlawful and a violation of the this subpart for any person subject to the stabilization program to willfully fail or refuse to provide, or delay the timely reporting of, accurate information and remittance of funds to the Secretary in accordance with subsection (b).

(b) ORDER.—After providing notice and opportunity for a hearing to an affected person, the Secretary may order any person to cease and desist from continuing any violation of this subpart.

(c) APPEAL.—An order of the Secretary under this subpart shall be final and conclusive unless an affected person files an appeal of the order of the Secretary in the United States district court not later than 30 days after the date on which the order is issued. A finding of the Secretary in the order shall be set aside only if the finding is not supported by substantial evidence.

(d) NONCOMPLIANCE WITH ORDER.—If a person subject to this subpart fails to obey an order issued under subsection (b) after the order has become final and unappealable, or after the appropriate United States district court has entered a final judgment in favor of the Secretary, the United States may apply to the appropriate United States district court for enforcement of the order. If the court determines that the order was lawfully made and duly served and that the person failed to obey the order, the court shall enforce the order.

SEC. 1438. AUDIT REQUIREMENTS.

(a) AUDITS OF DAIRY OPERATION AND HANDLER ACCOUNTS.

(1) AUDITS AUTHORIZED.—If determined by the Secretary to be necessary to ensure compliance with this subpart and the information clearinghouse program, the Secretary may conduct periodic audits of participating dairy operations and handlers.

(2) SAMPLE OF DAIRY OPERATIONS.—Any audits conducted under paragraph (1) shall include, at a minimum, investigation of a statistically valid and random sample of participating dairy operations.

(b) SUBMISSION OF RESULTS.—The Secretary shall submit the results of any audit conducted under subsection (a) to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate and include such recommendations as the Committees may determine advisable regarding the stabilization program.

SEC. 1439. STUDY; REPORT.

(a) AGRICULTURAL MARKETING ACT OF 1946.—The Secretary shall—
(1) in consultation with the Council of Agricultural Economics to conduct a study of the impacts of the program established under section 1431(a).

(b) CONSIDERATIONS.—The study conducted under subsection (a) shall—
(1) the economic impact of the program throughout the dairy product value chain, including the impact on producers, processors, exporters, and customers, actual market growth and potential market growth, farms of different sizes, and different regions and States; and
(2) the impact of price discovery in the dairy markets, as determined by the Secretary after ‘‘of 1937’’.

(c) REPORT.—Not later than December 1, 2017, the Office of the Chief Economist shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study conducted under subsection (a).

SEC. 1441. DURATION.

The production margin protection program and the stabilization program shall end on December 31, 2018.

SEC. 1451. ADMINISTRATION AND ENFORCEMENT.

(a) INFORMATION CLEARINGHOUSE.—
(1) In general.—The Secretary shall establish an information clearinghouse to serve as a forum for the exchange of information concerning the price, quantity, and moisture content of dairy products sold by the manufacturer and any other product characteristics that may significantly affect price discovery in the dairy markets, as determined by the Secretary.

(2) Inclusion of information.—After the information clearinghouse is established, the Secretary shall—
(A) require each dairy producer to report to the Secretary, more frequently than once per month, information concerning the price, quantity, and moisture content of dairy products sold by the manufacturer and any other product characteristics that may significantly affect price discovery in the dairy markets, as determined by the Secretary; and
(B) require each dairy processor to report to the Secretary, more frequently than once per month, information on the quantity of dairy products stored.

(b) ADMINISTRATIVE APPEALS.—Using authorities under section 1001(h) of the Food Security Act of 1985 (7 U.S.C. 1308(h)) and subtitle D of the Agriculture Improvement Act of 1996 (7 U.S.C. 1637(b)), the Secretary shall promulgate regulations to provide for administrative appeals of decisions of the Secretary that are adverse to producers of the products described in subsection (a).

PART II—DAIRY MARKET TRANSPARENCY
SEC. 1461. DAIRY PRODUCT MANDATORY REPORTING.

(a) DEFINITIONS.—Section 272(1)(A) of the Agricultural Marketing Act of 1946 (7 U.S.C. 601 et seq.), is amended by inserting ‘‘, or any other dairy products that may significantly aid price discovery in the dairy markets, as determined by the Secretary’’ after ‘‘of 1937’’.

(b) MANDATORY REPORTING FOR DAIRY PRODUCTS.—Section 272(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1637(b)) is amended—
(1) in paragraph (1) and inserting the following new paragraph:
‘‘(1)(A) subject to the conditions described in paragraph (2), by inserting ‘‘or any other dairy products that may significantly aid price discovery in the dairy markets, as determined by the Secretary’’; and

(2) in paragraph (2), by inserting—
‘‘(B) require each manufacturer and other producer of dairy products (including dairy products in cold storage) to report to the Secretary, more frequently than once per month, information on the quantity of dairy products stored.’’.

SEC. 1462. FEDERAL MILK MARKETING ORDER INFORMATION.

(a) INFORMATION CLEARINGHOUSE.—
(1) In general.—The Secretary shall, on behalf of each milk marketing order issued under the Agricultural Adjustment Act (7 U.S.C. 601 et seq.), and amendments made by the Agricultural Marketing Agreement Act of 1937, establish an information
clearinghouse for the purposes of educating the public about the Federal milk marketing order system and any marketing order referenda, including proposed information and timelines that shall be kept current and updated as information becomes available.

(2) REQUIREMENTS.—Information under paragraph (1) shall include—
(A) a description on procedures by which cooperatives vote;
(B) if applicable, information on the manner by which producers may cast an individual ballot;
(C) in applicable, instructions on the manner in which to vote online;
(D) due dates for each specific referendum;
(E) the text of each referendum question under consideration;
(F) a description in plain language of the question;
(G) any relevant background information to the question; and
(H) any other information that increases Federal milk marketing order transparency.

(b) NOTIFICATION LIST FOR UPCOMING REFERENDUM.—Each Federal milk marketing order shall—
(1) make available the information described in subsection (b)(6) through an Internet site; and
(2) publicize the information in major agriculture and dairy-specific publications on upcoming referenda.

(c) STUDY.—
(1) IN GENERAL.—The Secretary shall conduct a study of the feasibility of establishing 2 classes of milk, a fluid class and a manufacturing class, to replace the 4-class system in effect on the date of enactment of this Act in administering Federal milk marketing orders.

(2) FEDERAL MILK MARKET ORDER REVIEW COMMISSION.—The Secretary may elect to use the Federal Milk Market Order Review Commission established under section 1506(a) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 1726), or documents of the Commission, to conduct all or part of the study.

(3) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the study required under this subsection, including any recommendations.

PART III—REPEAL OR REAUTHORIZATION OF OTHER DAIRY-RELATED PROVISIONS

SEC. 1471. REPEAL OF DAIRY PRODUCT PRICE SUPPORT PROGRAM AND MILK INCOME LOSS CONTRACT PROGRAMS.

(a) REPEAL OF DAIRY PRODUCT PRICE SUPPORT PROGRAM.—Section 1501 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8771) is repealed.

(b) REPEAL OF MILK INCOME LOSS CONTRACT PROGRAM.—(1) PAYMENTS UNDER MILK INCOME LOSS CONTRACT PROGRAM.—Section 1506(c)(3) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8773) is amended—
(A) in subparagraph (A), by inserting “and” after the semicolon;
(B) in subparagraph (B), by striking “August 31, 2013”; and
(C) by striking subparagraph (C).

(2) EXTENSION.—Section 1506(b)(1) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8773(b)(1)) is amended by striking “September 30, 2013” and inserting “June 30, 2014”.

(3) REPLACEMENT.—Effective July 1, 2014, section 1506 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8773) is repealed.

SEC. 1472. REPEAL OF DAIRY EXPORT INCENTIVE PROGRAM.

(a) REPEAL.—Section 153 of the Food Security Act of 1985 (12 U.S.C. 731a–14) is repealed.

(b) CONFORMING AMENDMENTS.—Section 902(2) of the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7201(2)) is amended—
(1) by striking subparagraph (D); and
(2) by redesignating subparagraphs (E) and (F) as subparagraphs (D) and (E), respectively.

SEC. 1473. EXTENSION OF DAIRY FORWARD PRICING PROGRAM.

Section 1502(e) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8772(e)) is amended—
(1) by striking paragraph (1), and inserting “2013”;
(2) by striking paragraph (2), and inserting “2014”;

SEC. 1474. EXTENSION OF DAIRY INDENITY PROGRAM.

Section 3 of Public Law 90–484 (7 U.S.C. 450l) is amended by striking “2012” and inserting “2013”.

SEC. 1475. EXTENSION OF DAIRY PROMOTION AND RESEARCH PROGRAM.

Section 113(e)(2) of the Dairy Production Stabilization Act of 1983 (7 U.S.C. 450e(e)(2)) is amended by striking “2012” and inserting “2013”.

SEC. 1476. EXTENSION OF FEDERAL MILK MARKETING ORDER REVIEW COMMISSION.

Section 1509a of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 1726) is amended by inserting “or other funds” after “Subject to the availability of appropriated funds”.

PART IV—FEDERAL MILK MARKETING ORDER REFORM

SEC. 1481. FEDERAL MILK MARKETING ORDERS.

(a) AMENDMENTS.—The Secretary shall—
(1) conduct an analysis on the effects of amending each Federal milk marketing order issued under section 8c of the Agricultural Adjustment Act (7 U.S.C. 450c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937 (in this Act referred to as a “milk marketing order”), as required by this section.

(2) SUBMIT TO COMMITTEE.—In the case of Federal milk marketing orders, the Secretary shall submit the order to the House Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the findings of the Secretary on the impact of the action considered under paragraph (1) of this section.

(b) C ONFORMING AMENDMENTS.—Section 113(e)(2) of the Dairy Production Stabilization Act of 1983 (7 U.S.C. 450e(e)(2)) is amended—
(1) in paragraph (1), by striking “2012” and inserting “2013”;
(2) by striking paragraph (2), and inserting “2014”;

SEC. 1491. EFFECTIVE DATE.

Except as otherwise provided in this subtitle, this subtitle and the amendments made by this subtitle take effect on October 1, 2013.

Subtitle E—Supplemental Agricultural Disaster Assistance Programs

SEC. 1501. SUPPLEMENTAL AGRICULTURAL DISASTER ASSISTANCE PROGRAMS.

(a) DEFINITIONS.—In this section:
(1) ELIGIBLE PRODUCER ON A FARM.—(A) IN GENERAL.—The term “eligible producer on a farm” means an individual or entity described in subparagraph (B) that, acting through the Secretary, assumes the production and market risks associated with the agricultural production that is being produced in all counties that are intended to be harvested for sale by the eligible producer.

(B) SPECIFICATION.—In the case of a farm, the term “farm” means, in relation to an eligible producer on a farm, all fish being produced in all counties that are intended to be harvested for sale by the eligible producer.

(c) HONEY.—In the case of honey, the term “farm” means, in relation to an eligible producer on a farm, all bees and bee hives in all counties that are intended to be harvested for a honey crop for sale by the eligible producer.

(3) FARM-RAISED FISH.—The term “farm-raised fish” means any aquatic species that is propagated and reared in a controlled environment.

(d) LIVESTOCK.—The term “livestock” includes—
(A) cattle (including dairy cattle);
(B) hogs;
(C) poultry;
(D) sheep;
(E) swine;
(F) horses; and
(G) other livestock, as determined by the Secretary.

(b) LIVESTOCK INDENITY PAYMENTS.—(1) PAYMENTS.—For each of fiscal years 2012 through 2018, the Secretary shall use such sums as are necessary of the funds of the Commodity Credit Corporation to make livestock indemnity payments to eligible producers on farms that have incurred livestock death losses in excess of the normal mortality, as determined by the Secretary, due to—
(A) attacks by animals reintroduced into the wild by the Federal Government or protected by Federal law, including wolves; or
(B) adverse weather, as determined by the Secretary, during the calendar year, including losses due to hurricanes, floods, blizzards, disease, wildfires, extreme heat, and extreme cold.

(2) PAYMENT RATES.—Indemnity payments to an eligible producer on a farm under paragraph (1) shall be made at a rate of 65 percent of the market value of the applicable livestock on the day before the date of death of the livestock, as determined by the Secretary.

(c) SPECIAL RULE FOR PAYMENTS MADE DUE TO DISEASE.—The Secretary shall ensure that payments made to an eligible producer under paragraph (1) are not made for the same livestock death losses for which payments were provided pursuant to section 10407(d) of the Animal Health Protection Act (7 U.S.C. 8306(d)), or the Livestock Forage Disaster Program.

(1) ESTABLISHMENT.—There is established a livestock forage disaster program to provide 1 source for livestock forage disaster assistance for weather-related forage losses, as determined by the Secretary, by—
(A) the livestock forage assistance functions described in the crop disaster assistance program established by section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333); and
(B) the emergency assistance for livestock, honey bees, and farm-raised fish program.
under section 531(e) of the Federal Crop Insurance Act (7 U.S.C. 1531(e)) (as in existence on the day before the date of enactment of this Act); and

(2) the drought forage disaster program under section 531(d) of the Federal Crop Insurance Act (7 U.S.C. 1531(d)) (as in existence on the day before the date of enactment of this Act).

(2) DEFINITIONS.—In this subsection:

(A) COVERED LIVESTOCK.—

(i) IN GENERAL.—Except as provided in clause (ii), the term "covered livestock" means livestock of an eligible livestock producer that, during the 60 days prior to the beginning date of an eligible forage loss, as determined by the Secretary, the eligible livestock producer—

(i) owned;

(ii) leased;

(iii) purchased;

(iv) entered into a contract to purchase;

(v) was a contract grower; or

(vi) sold or otherwise disposed of as a result of an eligible forage loss during—

(aa) the current production year; or

(bb) subject to paragraph (4)(B)(ii), 1 or both of the 2 production years immediately preceding the current production year.

(ii) EXCLUSION.—The term "covered livestock" does not include livestock that were or would be fed to the livestock, on the beginning date of the eligible forage loss, as a part of the normal business operation of the eligible livestock producer, as determined by the Secretary.

(B) DROUGHT MONITOR.—The term "drought monitor" means a system for classifying drought severity according to a range of abnormally dry to exceptional drought, as defined by the Secretary.

(C) ELIGIBLE FORAGE LOSS.—The term "eligible forage loss" means 1 or more forage losses that occur due to weather-related conditions, including drought, flood, blizzard, hail, excessive moisture, hurricane, and fire, occurring during the normal grazing period, as determined by the Secretary, if the forage—

(i) is grown on land that is native or improved pastureland with permanent vegetative cover; or

(ii) is a crop planted specifically for the purpose of providing grazing for covered livestock during the normal grazing period.

(D) ELIGIBLE LIVESTOCK PRODUCER.—

(i) IN GENERAL.—The term "eligible livestock producer" means an eligible livestock producer on a farm that—

(I) is an owner, cash or share lessee, or contract groower of covered livestock that provides hay or grazing land for grazing or pastureland or grazing land, including cash-leased pastureland or grazing land, for the covered livestock;

(II) provides the pastureland or grazing land for covered livestock, including cash-leased pastureland or grazing land that is physcically located in a county affected by an eligible forage loss;

(III) meets all other eligibility requirements established under this subsection.

(ii) EXCLUSION.—The term "eligible livestock producer" does not include an owner, cash or share lessee, or contract grower of livestock that rents or leases pastureland or grazing land owned by another person on a rate of gain basis or "eligible forage loss; and

(IV) meets all other eligibility requirements established under this subsection.

(3) PROGRAM.—For each of fiscal years 2012 through 2013, the Secretary shall use such sums as are necessary of the funds of the Commodity Credit Corporation to provide compensation under paragraphs (4) through (6), as determined by the Secretary for eligible forage losses affecting covered livestock of eligible livestock producers.

(4) ASSISTANCE FOR ELIGIBLE FORAGE LOSSES DUE TO DROUGHT CONDITIONS.—

(A) ELIGIBLE FORAGE LOSSES.—

(i) IN GENERAL.—An eligible livestock producer of covered livestock may receive assistance under this paragraph for eligible forage losses that occur due to drought on land that—

(I) is native or improved pastureland with permanent vegetative cover; or

(II) is planted to a crop planted specifically for the purpose of providing grazing for covered livestock.

(ii) EXCLUSIONS.—An eligible livestock producer may not receive assistance under this paragraph for eligible forage losses that occur on land that—

(I) was a contract grower;

(II) leased;

(III) was a contract to purchase;

(IV) was planted to a crop planted specifically for the purpose of providing grazing for covered livestock; or

(V) was a contract grower of covered livestock that provides hay or grazing land for grazing or pastureland or grazing land, including cash-leased pastureland or grazing land, for the covered livestock during the normal grazing period for each type of grazing producer that owns grazing land or pastureland that is rated as having a D2 (severe drought) intensity in any area of the county at any time during the normal grazing period for the county, as determined by the Secretary, shall be eligible to receive assistance under this paragraph in an amount equal to 1 monthly payment rate otherwise calculated in accordance with clause (I);

(iii) CORN PRICE PER POUND.—For purposes of clause (I), the corn price per pound shall be determined by the appropriate Farm Service Agency county committee, as determined under subparagraph (B).

(iv) DROUGHT INTENSITY.—

(I) D2.—An eligible livestock producer that owns or leases grazing land or pastureland in a county that is rated as having a D2 (severe drought) intensity in any area of the county at any time during the normal grazing period for the county, as determined by the Secretary, shall be eligible to receive assistance under this paragraph in an amount equal to 1 monthly payment rate otherwise calculated in accordance with clause (I);

(bb) if the county is rated as having a D3 (extreme drought) intensity in any area of the county for at least 4 weeks during the normal grazing period for the county, as determined by the Secretary, the payment rate shall be 80 percent of the payment rate otherwise calculated in accordance with clause (I).

(C) MONTHLY FEED COST.—

(i) IN GENERAL.—The monthly feed cost shall equal the product obtained by multiplying—

(I) 30 days;

(II) a payment quantity that is equal to the feed grain equivalent, as determined under clause (ii); and

(III) a payment rate that is equal to the corn price per pound, as determined under clause (iii).

(ii) FEED GRAIN EQUIVALENT.—For purposes of clause (I)(II), the feed grain equivalent shall be—

(I) in the case of an adult beef cow, 15.7 pounds of corn per day; or

(II) in the case of any other type of weight or age livestock, the appropriate feed grain equivalent as determined by the Secretary that represents the average number of pounds of corn per day necessary to feed the livestock.

(iii) CORN PRICE PER POUND.—For purposes of clause (I)(III), the corn price per pound shall equal the quotient obtained by dividing—

(II) the higher of—

(aa) the national average corn price per bushel for the 12-month period immediately preceding March 1 of the year for which the disaster assistance is calculated; or

(bb) the national average corn price per bushel for the 24-month period immediately preceding March 1; by

(ii) NORMAL GRASSING PERIOD.—The term ‘normal grazing period’, with respect to a county, means the normal grazing period during the calendar year for the county, as determined by the Secretary.

(5) ASSISTANCE FOR LOSSES DUE TO FIRE ON PUBLIC MANAGED LAND.
The page contains a section of a congressional document titled "Subtitle F—Administration" from the Title I of the Farm Security and Rural Investment Act of 2002 (Public Law 107-171). The section describes eligibility criteria and other provisions related to assistance for eligible livestock producers for losses that occur due to weather-related conditions. The text includes various subparagaphs and paragraphs detailing the conditions and terms for eligibility, as well as the procedures for receiving assistance. The page also references the Federal Register and the Code of Federal Regulations as sources for more detailed information. The text is a natural representation of the document as if it were read aloud.
during that period to ensure that the expenditures do not exceed the allowable levels.

(2) CONGRESSional NOTIFICATION.—Before making any adjustment under paragraph (1), the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the determination made under that paragraph and the extent of the adjustment to be made.

SEC. 1602. SUSPENSION OF PERMANENT PRICE SUPPORT AUTHORITY.

(a) AGRICULTURAL ADJUSTMENT ACT OF 1938.—The following provisions of the Agricultural Adjustment Act of 1938 shall not be applicable to the 2018 crop of covered commodities (as defined in section 1104), cotton, and sugar and shall not be applicable to milk during the period beginning on the date of enactment of this Act through December 31, 2018:

(1) Subtitle B of title III (7 U.S.C. 1326 et seq.).

(2) In the case of upland cotton, section 377 (7 U.S.C. 1377).

(3) Subtitle D of title III (7 U.S.C. 1379a et seq.).

(B) AGRICULTURAL ACT OF 1949.—The following provisions of the Agricultural Act of 1949 shall not be applicable to the 2018 crop of covered commodities (as defined in section 1104), cotton, and sugar and shall not be applicable to milk during the period beginning on the date of enactment of this Act through December 31, 2018:

(i) Subtitle IV (7 U.S.C. 1401 et seq.).

(ii) AGRICULTURAL ACT OF 1949.—The following provisions of the Agricultural Act of 1949 shall not be applicable to the 2018 crop of covered commodities (as defined in section 1104), cotton, and sugar and shall not be applicable to milk during the period beginning on the date of enactment of this Act through December 31, 2018:

(i) Section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) is amended—

(A) in subsection (a)(1), by striking “section 1001 of the Food, Conservation, and Energy Act of 2008” and inserting “section 1104 of the Agriculture Reform, Food, and Jobs Act of 2013”;

(B) in subsection (e)—

(i) in paragraph (1), by striking “subsections (b) and (c)” and inserting “subsections (b), (c), and (d)”;

(ii) in paragraph (2), by striking “(b) or (c)” and inserting “(b), (c), and (d)”.

(c) CONFORMING AMENDMENTS.—

(1) Section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) is amended—

(A) in subsection (a)(1), by striking “section 1001 of the Food, Conservation, and Energy Act of 2008” and inserting “section 1104 of the Agriculture Reform, Food, and Jobs Act of 2013”;

(B) in subsection (e)—

(i) in paragraph (1), by striking “subsections (b) and (c)” and inserting “subsections (b), (c), and (d)”;

(ii) in paragraph (2), by striking “(b) or (c)” and inserting “(b), (c), and (d)”.

2. APPlicAtIon.—The amendments made by this section shall apply beginning with the 2013 crop year.

SEC. 1604. PAYMENTS LIMITED TO ACTIVE FARMERS.

Section 1001A of the Food Security Act of 1985 (7 U.S.C. 1308–1) is amended—

(1) in the definition of “active personal management” each place it appears in subparagraphs (A)(i)(II) and (B)(ii); and

(2) in paragraph (c)—

(A) in paragraph (1)—

(i) by striking subparagraph (A) and inserting the following:

“(A) the landowner share-rents the land at a rate that is usual and customary;”;

(ii) in subparagraph (B), by striking the period at the end and inserting “; and”;

(iii) by adding at the end the following:

“(C) the share of the payments received by the landowner is commensurate with the share of the crop or income received as rent.”;

(B) in paragraph (2)(A), by striking “active personal management or”;

(C) in paragraph (3) by striking “(5)” and all that follows through “(A) IN GENERAL.—A person” and inserting the following:

“(5) CUSTOM FARMING SERVICES.—A person

(i) by inserting “under usual and customary terms after” “services”;

(ii) by striking subparagraph (B) and (D) by adding at the end the following:

“(7) FARM MANAGERS.—A person who otherwise meets the requirements of this sub- section other than paragraphs (5) and (6) of this subsection shall be considered to be actively engaged in farming, as determined by the Secretary, with respect to the farming operation, including a farming operation that is a sole proprietorship, a legal entity such as a joint venture or general partnership, or a legal entity such as a corporation or limited partnership, if the person

(A) makes a significant contribution to the farming operation necessary for farming operation, taking into account—

(i) the size and complexity of the farming operation; and

(ii) the management requirements normally and customarily required by similar farming operations;

(B) is the only person in the farming operation qualifying as actively engaged in farming;

(C) does not use the management contribution under this paragraph to qualify as actively engaged in more than 1 farming operation; and

(D) manages a farming operation that does not substantially share equipment, labor, or management with persons or legal entities that with the person collectively receive, directly or indirectly, an amount equal to more than the applicable limits under section 1001(b);”;

(3) Section 1001B of the Food Security Act of 1985 (7 U.S.C. 1308–2(a)) is amended in the matter preceding paragraph (1) by striking “subsections (b) and (c)” and inserting “subsection (b)”; and

(4) Section 1001C of the Food Security Act of 1985 (7 U.S.C. 1308–3(a)) is amended by inserting “title I of the Agriculture Reform” after “2008.”.

(d) APPLICATION.—The amendments made by this section shall apply beginning with the 2013 crop year.
average adjusted gross income (or comparable measure over the 3 taxable years preceding the most immediately preceding complete taxable year, as determined by the Secretary of the person or legal entity exceeds $75,000.

“(B) COVERED BENEFITS.—Subparagraph (A) applies with respect to each of the following:

(i) A marketing loan gain or loan deficiency payment under subsection (B) of title I of the Agriculture Reform, Food, and Jobs Act of 2013.

(ii) A payment under section 1231(b) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8792(d)).

(iii) A payment under section 1105 of the Agriculture Reform, Food, and Jobs Act of 2013.


(b) APPLICATION.—The amendments made by this section shall apply beginning with the 2013 crop year.

SEC. 1606. GEOGRAPHICALLY DISADVANTAGED FARMERS AND RANCHERS.

Section 1621(d) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8792(d)) is amended by striking “2012” and inserting “2013”.

SEC. 1607. PERSONAL LIABILITY OF PRODUCERS FOR DEFICIENCIES.


SEC. 1608. PREVENTION OF DECREASED INDIVIDUAL ACTIVITY RECEIVING PAYMENTS UNDER FARM COMMODITY PROGRAMS.

(a) RECONCILIATION.—At least twice each year, the Secretary shall reconcile social security numbers of all individuals who receive payments under this title, whether directly or indirectly, with the Commissioner of Social Security to determine if the individuals are alive.

(b) PRECLUSION.—The Secretary shall preclude the issuance of payments to, and on behalf of deceased individuals that were not entitled to receive payments under this title, whether directly or indirectly, to individuals and entities under titles I and II and the amendments made by those titles.

SEC. 1611. SIGNATURE AUTHORITY.

(a) IN GENERAL.—In carrying out this title and title II and amendments made by those titles, if the Secretary approves a document, the Secretary shall not subsequently determine the document is inadequate or invalid because of the lack of authority of any person signing the document on behalf of the applicant or any other party to authorize, execute, or certify the authority of any person, certificate, or signature.

(b) NOTICE.—The producer making the assignment, or the assignee, shall provide the Secretary with notice, in such manner as the Secretary may require, of any assignment made under this section.

SEC. 1612. TRACKING BENEFITS.

As soon as practicable after the date of enactment of this Act, the Secretary shall take such action as necessary to track the benefits provided, directly or indirectly, to individuals and entities under titles I and II and the amendments made by those titles.

SEC. 1613. IMPLEMENTATION.

(a) STREAMLINING.—In implementing this title, the Secretary shall, to the maximum extent practicable—

(1) seek to reduce administrative burdens and paperwork, forms, and other administrative requirements; and

(2) take advantage of new technologies to enhance efficiency and effectiveness of program delivery to producers.

(b) IMPLEMENTATION.—On October 1, 2013, the Secretary shall make available to the Farm Service Agency to carry out this title $100,000,000.

TITLE II—CONSERVATION

Subtitle A—Conservation Reserve Program

SEC. 2001. EXTENSION AND ENROLLMENT REQUIREMENTS.

(a) EXTENSION.—Subsection (a) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(g)), relating to assignment of payments, shall apply to payments made under this title.

(b) NOTICE.—The producer making the assignment, or the assignee, shall provide the Secretary with notice, in such manner as the Secretary may require, of any assignment made under this section.

SEC. 2002. EXTENSION AND ENROLLMENT RESERVE PROGRAM.

(a) EXTENSION.—Section 1231(a) of the Food Security Act of 1985 (16 U.S.C. 3831(a)) is amended by striking “2012” and inserting “2018”.

(b) ELIGIBLE LAND.—Section 1231(b) of the Food Security Act of 1985 (16 U.S.C. 3831(b)) is amended—

(1) in paragraph (1)(B), by striking “the date of enactment of the Food, Conservation,
and Energy Act of 2008” and inserting “the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013”;

(2) by striking paragraph (2) and redesignating paragraph (3) as paragraph (2);

(3) by inserting before paragraph (4) the following:

“(3) grassland that—

(A) contains forests or shrubland (including improved rangeland and pasturage) for which grazing is the predominant use;

(B) is located in an area historically dominated by grassland; and

(C) could provide habitat for animal and plant populations of significant ecological value if the land is retained in its current use or otherwise preserved in its natural condition;”; and

(4) in paragraph (4)(C), by striking “filterstrips devoted to trees or shrubs” and inserting “filterstrips and riparian buffers devoted to trees, shrubs, or grasses”; and

(5) by striking paragraph (5) and inserting the following:

“(5) the portion of land in a field not enrolled in the conservation reserve in a case in which—

(A) more than 50 percent of the land in the field is enrolled as a buffer or filterstrip or other buffer or riparian buffer, then any portion of the land in the field is enrolled in a practice other than as a buffer or filterstrip; and

(B) the remainder of the field is—

(i) enrolled in a practice other than as a buffer or filterstrip; and

(ii) enrolled at regular rental rates.”.

(c) PLANTING STATUS OF CERTAIN LAND.—Section 1231(c) of the Food Security Act of 1985 (16 U.S.C. 3831b) is amended by striking “if” and all that follows through the period at the end and inserting “if, during the crop year, the land was devoted to a conserving use.”

(d) ENROLLMENT.—Section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831) is amended by striking subsection (a) and inserting the following:

“(a) ENROLLMENT.—

(1) MAXIMUM ACREAGE ENROLLED.—The Secretary may maintain in the conservation reserve at any 1 time during—

(A) fiscal year 2013, no more than 32,000,000 acres;

(B) fiscal year 2014, no more than 30,000,000 acres;

(C) fiscal year 2015, no more than 27,500,000 acres;

(D) fiscal year 2016, no more than 26,500,000 acres;

(E) fiscal year 2017, no more than 25,500,000 acres; and

(F) fiscal year 2018, no more than 25,000,000 acres.

(2) GRASSLAND.—

(A) LIMITATION.—For purposes of applying the limitations in paragraph (1), no more than 1,500,000 acres of the land described in subsection (b)(3) may be enrolled in the program at any 1 time during the 2014 through 2018 fiscal years.

(B) Priority.—In enrolling acres under subparagraph (A), the Secretary may give priority to land with expiring conservation reserve program contracts.

(C) METHOD OF ENROLLMENT.—In enrolling acres under subparagraph (A), the Secretary shall make the program available to owners or operators of eligible land at least once during each fiscal year.

(e) DURATION OF CONTRACT.—Section 1231(e) of the Food Security Act of 1985 (16 U.S.C. 3831e(e)) is amended by striking paragraphs (2) and (3) and inserting the following:

“(2) SPECIAL RULE FOR CERTAIN LAND.—In the case of land devoted to hardwood trees, shelterbelts, windbreaks, or wildlife corridors or the installation of wind turbines, the Secretary shall make the program available to owners of the land in the year such cultivation is initiated into under this subchapter, the owner or operator of the land may, within the limitations prescribed under this section, specify the duration of the contract.”.

(f) CONSERVATION PRIORITY AREAS.—Section 1231(f) of the Food Security Act of 1985 (16 U.S.C. 3831f) is amended by striking subsection (d) and inserting

“(d) ENROLLMENT.—Section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831) is amended by striking ‘’watershed areas of the Chesapeake Bay Region, the Great Lakes Region, the Long Island Sound Region, and the Mississippi River Delta’’ and inserting ‘’watershed areas’’; and

“(e) PRIORITY.—In enrolling acres under subsection (a), the following:

(1) by striking ‘’a watershed’s designation’’ and all that follows through the period at the end and inserting ‘’an area’s designation if the Secretary finds that the area contains actual and significant adverse water quality or habitat impacts related to agricultural production activities’’.

SEC. 2002. FARMABLE WETLAND PROGRAM.

(a) EXTENSION.—Section 1231B(a)(1) of the Food Security Act of 1985 (16 U.S.C. 3831b(a)(1)) is amended—

(1) by striking ‘’2012’’ and inserting ‘’2018’’; and

(2) by striking “a ‘farmable wetland program’.”

(b) ELEGIBLE ACREAGE.—Section 1231B(b)(1)(B) of the Food Security Act of 1985 (16 U.S.C. 3831b(b)(1)(B)) is amended by striking “flow from a row crop agricultural drainage system” and inserting “surface and subsurface flow from row crop agricultural production.”

(c) CERCLA AMENDMENTS.—Section 1231B(b)(1)(A) of the Food Security Act of 1985 (16 U.S.C. 3831b(a)) is amended—

(1) by striking the heading and inserting the following:

“(b) CERCLA AMENDMENTS.—

(i) the extent to which the land contains threatened or endangered wildlife and wild plant populations of significant ecological or cultural value; and

(ii) the extent to which the land contains actual and significant adverse water quality or habitat impacts related to agricultural production activities.”

SEC. 2003. DUTIES OF OWNERS AND OPERATORS.

(a) LIMITATION ON HARVESTING, GRAZING OR COMMERICAL USE OF FARMLAND.—Section 1232(a)(8) of the Food Security Act of 1985 (16 U.S.C. 3832(a)(8)) is amended by striking “except that” and all that follows through the period at the end and inserting “except that” and all that follows through the period at the end.

(b) CONSERVATION PLAN REQUIREMENTS.—Section 1232 of the Food Security Act of 1985 (16 U.S.C. 3832) is amended by striking subsection (b) and inserting the following:

“(b) CONSERVATION PLAN REQUIREMENTS.—

(i) shall develop appropriate vegetation practices to be carried out by the owner or operator during the term of the contract; and

(ii) shall identify periods during which the activities may be conducted, such that the frequency is at least once 5 years but not more than once every 3 years.

(b) prescribed grazing for the control of invasive species, which may be conducted annually;

(C) routine grazing, except that in permitting routine grazing, the Secretary, in coordination with the State technical committees.

(i) shall develop appropriate vegetation management requirements and stockin features of the land that are suitable for continued routine grazing;

(ii) shall identify periods during which routine grazing may be conducted, such that the frequency is not more than once every 2 years; and

(iii) for consideration regional differences as—

(C) grazing by livestock of a beginning farmer or rancher without any reduction in the rental rate, if the grazing is—

(A) consistent with the conservation of soil, water quality, and wildlife habitat (including habitat during the primary nesting season for critical birds in the area); and

(B) described in subparagraph (B) or (C) of paragraph (3);

(B) is located in an area historically dominated by grassland (including habitat during the primary nesting season for critical birds in the area) and in exchange for a reduction of not less than 25 percent in the annual rental rate for the acres covered by the authorized activity—

(1) a program of grazing, or other commercial use (including the managed harvest of biomass), except that in permitting those activities the Secretary, in coordination with the State technical committees.

(i) shall develop appropriate vegetation management requirements and stockin features of the land that are suitable for continued routine grazing;

(ii) shall identify the periods during which routine grazing may be conducted, such that the frequency is not more than once every 2 years; and

(iii) for consideration regional differences as—

(A) climate, soil type, and natural resources;

(B) the number of years that should be required between routine grazing activities; and

(C) how often during a year in which routine grazing is permitted that routine grazing should be allowed to occur; and

(D) the installation of wind turbines and associated access, except that in permitting the installation of wind turbines, the Secretary shall determine the number and location of wind turbines that may be installed, taking into account—

(i) climate, soil type, and other physical characteristics of the land;

(ii) the extent to which the land contains threatened or endangered and wildlife;

(iii) the purposes of the conservation reserve program under this subchapter; and
“(4) the intermittent and seasonal use of vegetative buffer practices incidental to agricultural production on land adjacent to the buffer such that the permitted use does not destroy the permanent vegetative cover; 

“(c) AUTHORIZED ACTIVITIES ON GRASSLAND.—Notwithstanding section 1232(a)(8), for eligible land described in section 1232(b)(3), the Secretary shall permit the following activities:

“(1) Common grazing practices, including maintenance and necessary cultural practices, that is carried on in a manner that is consistent with maintaining the viability of grassland, forb, and shrub species appropriate to that locality.

“(2) Haymaking, or harvesting for seed production, subject to appropriate restrictions during the primary nesting season for critical birds in the area.

“(3) Fertilization, rehabilitation, and construction of fire breaks.

“(4) Grazing-related activities, such as fencing and livestock watering.

“(d) RESOURCE CONSERVING USE.—

“(1) in paragraph (2), by adding at the end the following: ""(2) METHODS OF DETERMINATION.—

“(2) in paragraph (2), by striking ""require"" and inserting ""described in subparagraph (A), the Secretary shall permit the following:

“(d) PAYMENT SCHEDULE.—Section 1234(f) of the Food Security Act of 1985 (16 U.S.C. 3834(f)) is amended—

“(1) in paragraph (1)—

“(A) IN GENERAL.—The term ‘eligible land’ includes—

“(i) private and tribal land on which agricultural commodities, livestock, or forest-related products are produced; and

“(ii) land associated with the land described in clause (1) on which priority resource concerns could be addressed through a contract under the program.

“(B) INCLUSIONS.—The term ‘conservation activities’ includes—

“(1) structural measures, vegetative measures, and land management measures, including agriculture drainage management systems, as determined by the Secretary; and

“(2) includes conservation activities to be implemented, managed, or improved; and

“(D) describes conservation activities to be implemented, managed, or improved; and

“(B) operated with equipment, labor, management, and production or cultivation practices that are substantially separate from other agricultural operations, as determined by the Secretary.

“(3) CONSERVATION ACTIVITIES.—

“’(A) in General.—The term ‘conservation activities’ means conservation systems, practices, or management measures.

“(B) descriptions of conservation activities to be implemented, managed, or improved; and

“(D) includes a schedule and evaluation plan for the planning, installation, and management of the new and existing conservation activities.

“(4) ELIGIBLE LAND.—

“(A) IN GENERAL.—The term ‘eligible land’ means—

“(i) cropland; 

“(ii) grassland; 

“(iii) rangeland; 

“(iv) pastureland; 

“(v) nonindustrial private forest land; and

“(vi) other agricultural land (including cropland, woodland, marshes, and agricultural land used for the production of livestock), as determined by the Secretary. 

“SEC. 2101. CONSERVATION STEWARDSHIP PROGRAM

“SEC. 1215D. DEFINITIONS.

“(a) REVISION OF CURRENT PROGRAM.—

“(2) by striking paragraph (2) and inserting the following:

“(A) T REES, W INDBREAKS, S HELTERBELTS,

“(B) SKIDS, AND WILDLIFE CORRIDORS.—Section 1234(c) of the Food Security Act of 1985 (16 U.S.C. 3834(c)) is amended—

“(3) by redesignating clause (iii) as clause (iv) and inserting the following:

“(4) Grazing-related activities, such as fencing and livestock watering.

“(d) RESOURCE CONSERVING USE.—

“(1) in paragraph (2), by inserting ‘’, practices to improve the condition of resources on the land,” after ‘operator’; and

“(2) by adding at the end the following:

“(B) INCLUSIONS.—

“(1) cropland; 

“(ii) grassland; 

“(iii) rangeland; 

“(iv) pastureland; 

“(v) nonindustrial private forest land; and

“(vi) other agricultural land (including cropland, woodland, marshes, and agricultural land used for the production of livestock), as determined by the Secretary.

“(2) the activities carried out under paragraph (1).”

“SEC. 2005. PAYMENTS.


“(1) in title preceding paragraph (A), by striking ‘‘DUTIES’’ and all that follows through period '\n

“(1) in title preceding paragraph (A), by striking ‘‘DUTIES’’ and all that follows through period ‘‘.’’; and

“(2) in paragraph (1)—

“(A) IN GENERAL.—The term ‘eligible land’ includes—

“(i) private and tribal land on which agricultural commodities, livestock, or forest-related products are produced; and

“(ii) land associated with the land described in clause (1) on which priority resource concerns could be addressed through a contract under the program.

“(B) INCLUSIONS.—The term ‘conservation activities’ includes—

“(1) structural measures, vegetative measures, and land management measures, including agriculture drainage management systems, as determined by the Secretary; and

“(2) includes conservation activities to be implemented, managed, or improved; and

“(D) describes conservation activities to be implemented, managed, or improved; and

“(B) describes conservation activities to be implemented, managed, or improved; and

“(D) includes a schedule and evaluation plan for the planning, installation, and management of the new and existing conservation activities.

“(4) ELIGIBLE LAND.—

“(A) IN GENERAL.—The term ‘eligible land’ means—

“(i) cropland; 

“(ii) grassland; 

“(iii) rangeland; 

“(iv) pastureland; 

“(v) nonindustrial private forest land; and

“(vi) other agricultural land (including cropland, woodland, marshes, and agricultural land used for the production of livestock), as determined by the Secretary.

“SEC. 2006. CONTRACT REQUIREMENTS.

“Section 1235F of the Food Security Act of 1985 (16 U.S.C. 3835F) is amended—

“(1) in paragraph (1)—

“(A) in the matter preceding subparagraph (A), by striking ‘‘DUTIES’’ and all that follows through period ‘‘.’’; and

“(B) establishes benchmark data and conservation objectives; 

“(C) describes conservation activities to be implemented, managed, or improved; and

“(D) includes a schedule and evaluation plan for the planning, installation, and management of the new and existing conservation activities.

“(4) ELIGIBLE LAND.—

“(A) IN GENERAL.—The term ‘eligible land’ means—

“(i) private and tribal land on which agricultural commodities, livestock, or forest-related products are produced; and

“(ii) land associated with the land described in clause (1) on which priority resource concerns could be addressed through a contract under the program.

“(B) INCLUSIONS.—The term ‘eligible land’ includes—

“(i) cropland; 

“(ii) grassland; 

“(iii) rangeland; 

“(iv) pastureland; 

“(v) nonindustrial private forest land; and

“(vi) other agricultural land (including cropland, woodland, marshes, and agricultural land used for the production of livestock), as determined by the Secretary.

“SEC. 2007. CONVERSION OF LAND SUBJECT TO CONTRACT TO OTHER CONSERVING USES.

“Section 1235A of the Food Security Act of 1985 (16 U.S.C. 3835A) is repealed.

“SEC. 2008. EFFECTIVE DATE.

“(a) IN GENERAL.—The amendments made by this subtitle take effect on October 1, 2013, except, the amendment made by section 2001(d), which shall take effect on the date of enactment of this Act.

“(b) EFFECT ON EXISTING CONTRACTS.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this subtitle shall not affect the validity or terms of any contract under section 1233A of the Food Security Act of 1985 (16 U.S.C. 3833 et seq.) before October 1, 2013, or any payments required to be made in connection with the contract.

“(2) UPDATING OF EXISTING CONTRACTS.—The Secretary shall permit an owner or operator with a contract entered into under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3833 et seq.) before October 1, 2013, to update the contract to reflect the activities and uses of land under contract permitted under the terms and conditions of paragraphs (1) and (2) of section 1233(b) of that Act (as amended by section 2004).
"(5) Priority resource concern.—The term 'priority resource concern' means a natural resource concern or problem, as determined by the Secretary.

"(A) Regional situations.—(i) A situation that affects the national, State or local level, as a priority for a particular area of the State;

"(B) represents a significant concern in a State or region; and

"(C) is likely to be addressed successfully through the implementation of conservation activities under this program.

"(6) Program.—The term 'program' means the conservation stewardship program established by this subchapter.

"(7) Stewardship threshold.—The term 'stewardship threshold' means the level of management required, as determined by the Secretary, to conserve and improve the quality and condition of a natural resource.

"Sec. 1238E. Conservation stewardship programs.—

"(1) Establishment and purpose.—During each of fiscal years 2014 through 2018, the Secretary shall carry out a conservation stewardship program to encourage producers to address priority resource concerns and improve and conserve the quality and condition of natural resources in a comprehensive manner—

"(I) by undertaking additional conservation activities; and

"(II) by improving, maintaining, and managing existing conservation activities.

"(b) Exclusions.—

"(1) Land enrolled in other conservation programs.—Subject to paragraph (2), the following land (even if covered by the definition of eligible land) is not eligible for enrollment in the program:

"(A) enrolled in the conservation reserve program;

"(B) enrolled in the Agricultural Conservation Easement Program in a wetland conservation unit;

"(C) enrolled in the conservation security program.

"(2) Conversion to cropland.—Eligible land used for crop production after October 1, 2013, that had not been planted, considered to be planted, or devoted to crop production for at least 4 of the 6 preceding years shall be eligible for enrollment in the program.

"(3) Land enrolled in the conservation reserve program.

"(b) Required provisions.—The conservation stewardship program contract shall—

"(1) Term.—A conservation stewardship contract shall be for a term of 5 years.

"(2) Required provisions.—The conservation stewardship contract of a producer shall—

"(A) state the amount of the payment the Secretary agrees to make to the producer for each year of the conservation stewardship contract under section 1286G(d);

"(B) require the producer—

"(i) to implement a conservation stewardship plan that describes the program purposes to be achieved through 1 or more conservation activities;

"(ii) to maintain and supply information as required by the Secretary to determine compliance with the conservation stewardship plan and any other requirements of the program; and

"(iii) not to conduct any activities on the agricultural operation that would tend to defeat the purposes of the program;

"(C) permit all economic uses of the eligible land that—

"(i) maintain the agricultural nature of the land; and

"(ii) are consistent with the conservation purposes of the conservation stewardship contract;

"(D) include a provision to ensure that a producer shall not be considered in violation of the contract for failure to comply with the contract due to circumstances beyond the control of the producer, including a disaster or related condition, as determined by the Secretary;

"(E) include provisions where upon the violation does not warrant termination of the contract, to refund or accept adjustments to the payments provided to the producer, as the Secretary determines to be appropriate;

"(F) include provisions in accordance with paragraphs (3) and (4) of this section; and

"(G) include any additional provisions the Secretary determines are necessary to carry out the program.

"(3) Change of interest in land subject to a contract.—

"(A) In general.—At the time of application, a producer shall have control of the eligible land to be enrolled in the program. Except as provided in subparagraph (B), a change in the interest of a producer in eligible land covered by a contract under the program shall result in the termination of the contract with regard to that land.

"(B) Transfer of duties and rights.—Subparagraph (A) shall not apply if—

"(i) within a reasonable period of time as determined by the Secretary, if the change in interest is in all or a portion of the land covered by a contract, the Secretary notifies the transferee of the change in interests and provides written notice to the Secretary that duties and rights under the contract have been transferred, and assumed by, the transferee for the portion of the land transferred;

"(ii) the transferee meets the eligibility requirements of the program; and

"(iii) the Secretary approves the transfer of all duties and rights under the contract.

"(4) Modification and termination of contracts.—

"(a) Voluntary modification or termination.—The Secretary may modify or terminate a contract with a producer if—

"(i) the producer agrees to the modification or termination; and

"(ii) the Secretary determines that the modification or termination is in the public interest.

"(b) Involuntary termination.—The Secretary may terminate a contract if the Secretary determines that the producer violated the contract.

"(c) Repayment.—If a contract is terminated, the Secretary may, consistent with the purposes of the program—

"(1) allow the producer to retain payments already received under the contract; or

"(2) require repayment, in whole or in part, of payments received and assess liquidated damages.

"(d) Contract renewal.—At the end of the initial 5-year contract period, the Secretary may allow the producer to renew the contract for 1 additional 5-year period if the producer—

"(1) demonstrates compliance with the terms of the existing contract;

"(2) agrees to adopt and continue to integrate conservation activities across the entire agricultural operation as determined by the Secretary; and

"(3) agrees, at a minimum, to meet or exceed the stewardship threshold for at least 2 priority resource concerns on the agricultural operation by the end of the contract period.
Section 1238G, Duties of the Secretary.

(a) In General.—To achieve the conservation goals of a contract under the conservation stewardship program, the Secretary shall—

(1) make the program available to eligible producers on a continuous enrollment basis with 1 or more ranking periods, 1 of which shall occur in the first quarter of each fiscal year;

(2) identify not less than 5 priority resource concerns in a particular watershed or other appropriate region or area within a State; and

(3) establish a science-based stewardship threshold for each priority resource concern identified under subparagraph (2).

(b) Allocation to States.—The Secretary shall allocate acres to States for enrollment, based—

(1) primarily on each State’s proportion of eligible land to the total acreage of eligible land in all States; and

(2) also on consideration of—

(A) the extent and magnitude of the conservation needs associated with agricultural production in each State;

(B) the degree to which implementation of the program in the State is, or will be, effective in helping producers address those needs; and

(C) other considerations to achieve equitable geographic distribution of funds, as determined by the Secretary.

(c) Acreage Enrollment Limitation.—During the period beginning on October 1, 2013, and ending on September 30, 2022, the Secretary shall, to the maximum extent practicable—

(1) enroll in the program an additional 10,048,000 acres in each fiscal year; and

(2) manage the program to achieve a national average rate of $18 per acre, which shall include the costs of all financial assistance, technical assistance, and any other expenses associated with enrollment or participation in the program.

(d) Conservation Stewardship Payments.—

(1) Availability of Payments.—The Secretary shall provide annual payments under the program to compensate the producer for—

(A) the design, construction, or maintenance of animal waste storage or treatment facilities or associated waste transport or transfer devices for animal feeding operations; and

(B) conservation activities for which there is no cost incurred or income forgone to the producer.

(2) Determination of Payments.—In making stewardship payments, the Secretary shall, to the extent practicable—

(A) prorate conservation performance over the term of the contract to accommodate, to the extent practicable, producers earning equal annual stewardship payments in each fiscal year; and

(B) make stewardship payments as soon as practicable after October 1 of each fiscal year for activities carried out in the previous fiscal year.

(e) Supplemental Payments for Resource-Conserving Crop Rotations.—

(1) Availability of Payments.—The Secretary shall provide additional payments to producers that, in participating in the program, agree to adopt resource-conserving crop rotations to achieve beneficial crop rotations as appropriate for the eligible land of the producers:

(2) Beneficial Crop Rotations.—The Secretary shall determine whether a resource-conserving crop rotation is a beneficial crop rotation eligible for additional payments under paragraph (1), based on whether the resource-conserving crop rotation is designed to provide natural resource conservation and production benefits.

(3) Eligibility.—To be eligible to receive a payment described in paragraph (1), a producer shall agree to adopt and maintain the resource-conserving crop rotations for the term of the contract.

(4) Resource-Conserving Crop Rotation.—In this term ‘resource-conserving crop rotation’ means a crop rotation that—

(A) includes at least 1 resource conserving crop (as defined by the Secretary);

(B) reduces erosion;

(C) improves soil fertility and tilth;

(D) interrupts pest cycles; and

(E) in applicable areas, reduces depletion of soil moisture or otherwise reduces the need for irrigation.

(f) Payment Limitations.—A person or legal entity may directly or indirectly, payments under the program that, in the aggregate, exceed $200,000 under all contracts entered into during fiscal years 2014 through 2022, including payments with Indian tribes, regardless of the number of contracts entered into under the program by the person or legal entity.

(g) Specialty Crop and Organic Producers.—The Secretary shall ensure that outreach and technical assistance are available, and program specifications are appropriate to enable specialty crop and organic producers to participate in the program.

(h) Coordination with Organic Certification.—The Secretary shall establish—

(1) in paragraph (3)—

(A) the design, construction, or maintenance of animal waste storage or treatment facilities or associated waste transport or transfer devices for animal feeding operations; and

(B) effective date.—The amendment made by this section shall take effect on October 1, 2013.

(c) Effect on Existing Contracts.—

SEC. 1240. PURPOSES.

Section 1240 of the Food Security Act of 1985 (16 U.S.C. 3893x) is amended—

(1) in paragraph (3) by striking “and” at the end;

(B) by redesignating subparagraph (B) as subparagraph (C) and, in subparagraph (C), by inserting “and” after the semicolon; and

(C) by inserting after subparagraph (A) the following:

(4) DELIVERY OF PAYMENTS.—In making supplemental payments under this section, the Secretary shall—

(4) DELIVERY OF PAYMENTS.—In making supplemental payments under this section, the Secretary shall—

(a) in subparagraph (A), by striking “and” at the end;

(b) by redesignating subparagraph (B) as subparagraph (C) and, in subparagraph (C), by inserting “and” after the semicolon; and

(c) by inserting after subparagraph (A) the following:

(1) develop and improve wildlife habitat; and

(2) in paragraph (4), by striking “;” and

(3) by striking paragraph (5).

SEC. 1202. DEFINITIONS.

Section 1204 of the Food Security Act of 1985 (16 U.S.C. 3893x–1) is amended—

(1) by striking paragraph (2) and redesignating paragraphs (3) through (6) as paragraphs (2) through (5), respectively; and

(2) in paragraph (2) (as so redesignated), by inserting “established under the Organic Foods Production Act of 1990 (7 U.S.C. 6001 et seq.)” after “national organic program”.

SEC. 2203. ESTABLISHMENT AND ADMINISTRATION.

Section 2201 of the Food Security Act of 1985 (16 U.S.C. 3893x–2) is amended—

(1) by striking paragraph (3) and inserting—

(1) by striking paragraph (3) and inserting—

(A) soil health;

(B) water quality and quantity improvement;

(C) nutrient management;

(D) pest management;

(E) air quality improvement;

(F) wildlife habitat development, including pollinator habitat;

(G) invasive species management; and

(H) other resource issues of regional or national significance, as determined by the Secretary.

(B) In paragraph (4) (as so redesignated)—

(i) by striking paragraph (A) in the matter preceding clause (i), by inserting “; veterans or ranchers” after “each landlord”;

(2) in subsection (a), by striking “2014” and inserting “2018”;

(3) in subsection (b), by striking paragraph (2) and inserting the following:

(2) Term.—A contract under the program shall have a term that does not exceed 10 years.

(3) in subsection (d)—

(A) in paragraph (3), by striking subparagraphs (A) through (G) and inserting the following:

(A) soil health;

(B) water quality and quantity improvement;

(C) nutrient management;

(D) pest management;

(E) air quality improvement;

(F) wildlife habitat development, including pollinator habitat;

(G) invasive species management; and

(H) other resource issues of regional or national significance, as determined by the Secretary.

(B) In paragraph (4) (as so redesignated)—

(i) by striking paragraph (A) in the matter preceding clause (i), by inserting “; veterans or ranchers” after “each landlord”;

(2) by redesignating subparagraph (B) as subparagraph (C) and, in subparagraph (C), by inserting “and” after the semicolon; and

(3) by inserting after subparagraph (A) the following:

(4) Advance Payments.—The Secretary shall provide, in amounts not in excess of 30 percent of the amount determined under subparagraph (A), as may be provided in advance for the
purpose of purchasing materials or contracting. ‘’(ii) RETURN OF FUNDS.—If funds provided in advance are not expended during the 90-day period beginning on the date of receipt of the funds, the funds shall be returned within a reasonable time frame, as determined by the Secretary.’’; (4) Rate or local subsection (f) and inserting the following: ‘’(f) ALLOCATION OF FUNDING.— ‘’(1) ALLOCATION.—For each of fiscal years 2014 through 2018, at least 60 percent of the funds made available for payments under the program shall be targeted at practices benefitting habitat under subsection (g);’’; and (5) by striking subsection (g) and inserting the following: ‘’(g) WILDLIFE HABITAT INCENTIVE PRACTICE.—The Secretary shall provide payments under the program for conservation practices that are to— (1) enhance, develop, and improve wildlife habitat on eligible land, including— (1) upland wildlife habitat; (2) wetland wildlife habitat; (3) habitat for threatened and endangered species; (4) riparian habitat; (5) habitat on pivot corners and other regular areas of a field; and (6) other types of wildlife habitat, as determined by the Secretary.’’. SEC. 2204. EVALUATION OF APPLICATIONS. Section 1240(b) of the Food Security Act of 1985 (16 U.S.C. 3839aa–3(b)) is amended— (1) in paragraph (1), by striking ‘‘environmental conservation’’ and inserting ‘‘purposes of the program’’; and (2) in paragraph (3), by striking ‘‘of the environmental quality incentives program specified in section 1240(1)’’ and inserting ‘‘purposes of the program’’.

SEC. 2205. DUTIES OF PRODUCERS. Section 1240(d)(2) of the Food Security Act of 1985 (16 U.S.C. 3839aa–4(d)) is amended by striking ‘‘farm, ranch, or forest’’ and inserting ‘‘enrolled’’.

SEC. 2206. LIMITATION ON PAYMENTS. Section 1240(l) of the Food Security Act of 1985 (16 U.S.C. 3839aa–7) is amended— (1) in subsection (a) — (A) by striking ‘‘by the person or entity during the six-year period, and’’; and (B) by inserting ‘‘during fiscal years 2014 through 2018;’’; and (2) by striking ‘‘federally recognized’’ and all that follows through the period and inserting ‘‘Indian tribes under section 1244(1);’’; and (2) in subsection (b)(2), by striking ‘‘any six-year period’’ and inserting ‘‘fiscal years 2014 through 2018’’.

SEC. 2207. CONSERVATION INNOVATION GRANTS AND PAYMENTS. Section 1240H of the Food Security Act of 1985 (16 U.S.C. 3839aa–6) is amended— (1) in subsection (b)(2), by striking ‘‘2012’’ and inserting ‘‘2018’’; and (2) by adding at the end the following: ‘’(c) Requiring.—Not later than December 31, 2014, and every 2 years thereafter, the Secretary shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives a report on the status of projects funded under this section, including— (1) the amount funded; (2) project results; and (3) incorporation of project findings, such as new technology and innovative approaches, into the conservation efforts implemented by the Secretary.’’.

SEC. 2208. EFFECTIVE DATE. (a) IN GENERAL.—The amendments made by this subtitle shall take effect on October 1, 2013. (b) EFFECT ON EXISTING CONTRACTS.—The amendments made by this title shall not affect the validity or terms of any contract entered into by the Secretary of Agriculture under chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.), before October 1, 2013, or any payments required to be made in connection with the contract.

Subtitle D—Agricultural Conservation Easement Program

SEC. 2201. AGRICULTURAL CONSERVATION EASEMENT PROGRAM. (a) ESTABLISHMENT.—Title XII of the Food Security Act of 1985 is amended by adding at the end the following: ‘’Subtitle H—Agricultural Conservation Easement Program’’.

SEC. 1265. ESTABLISHMENT AND PURPOSES. (a) ESTABLISHMENT.—The Secretary shall establish an Agricultural Conservation Easement Program for the conservation of eligible land and natural resources through easements or other interests in land.

(b) PURPOSES.—The purposes of the program are— (1) to combine the purposes and coordinate the functions of the wetlands reserve program established under section 1237, the Grassland Reserve Program established under section 1238N, and the Farmland Protection Program established under section 1238L; (2) to restore, protect, and enhance wetland on eligible land; (3) to protect the agricultural use, viability, and related conservation values of eligible land by limiting nonagricultural uses of that land; and (4) to protect grazing uses and related conservation values by restoring and conserving eligible land.

SEC. 1265A. DEFINITIONS. (a) IN GENERAL.—The term ‘‘eligible land’’ means an easement or other interest in eligible land that— (1) is enrolled in the conservation reserve program; (2) has the highest wetland functions and values; and (3) is likely to be successfully restored in a cost effective manner; and (b) the Secretary, together with the State or local policy consistent with the purposes of the program; and (c) other wetland of an owner that would not otherwise be eligible if the Secretary determines that the inclusion of such wetland in such easement would add to the functional value of the easement; and (d) that is incidental to eligible land if the Secretary determines that it is necessary for the efficient administration of the easements under this program.

(b) PROGRAM.—The term ‘‘program’’ means the Agricultural Conservation Easement Program established by this subtitle.

(c) AVAILABILITY OF ASSISTANCE.—The Secretary shall facilitate and provide funding under— (1) the purchase by eligible entities of agricultural land easements and other interests in eligible land; and (2) the provision of technical assistance to provide for the conservation of natural resources pursuant to an agricultural land easement plan.
(b) Cost-Share Assistance.—

(1) In General.—The Secretary shall provide cost-share assistance to eligible entities for purchasing agricultural land easements to promote the agricultural use, including grazing, and related conservation values of eligible land.

(2) Scope of Assistance Available.—

(A) Subject to subparagraph (C), an agreement described in paragraph (4) shall provide for a Federal share determined by the Secretary of an amount not to exceed the fair market value of the agricultural land easement or other interest in land, as determined by the Secretary using—

(i) Uniform Standards of Professional Appraisal Practices;

(ii) an area-wide market analysis or survey; or

(iii) another industry approved method.

(B) Non-Federal Share.—

(i) In General.—Subject to subparagraph (C), under the agreement, the eligible entity shall provide a share that is at least equivalent to that provided by the Secretary.

(ii) Source of Contribution.—An eligible entity may include as part of its share a charitable donation or qualified conservation contribution determined by the Secretary under section 170(h) of the Internal Revenue Code of 1986 from the private landowner if the eligible entity contributes cash resources in an amount that is at least 50 percent of the amount contributed by the Secretary.

(C) Waiver Authority.—In the case of a proposal that is determined by the Secretary of an amount not to exceed the fair market value of the agricultural land easement or other interest in land, as determined by the Secretary, the Secretary may provide up to 75 percent of the amount that is at least 50 percent of the amount contributed by the Secretary.

(3) Evaluation and Ranking of Applications.—

(A) Criteria.—The Secretary shall establish criteria for determining the degree of benefit that could be derived from the acquisition of an easement and for determining the best use of the Federal share.

(B) Considerations.—In establishing the criteria, the Secretary shall emphasize support for—

(i) protecting agricultural uses and related conservation values of the land; and

(ii) protecting the long-term viability of areas devoted to agricultural use.

(C) Bidding Down.—If the Secretary determines that 2 or more applications for cost-share assistance are comparable in achieving the purpose of the program, the Secretary shall not assign a higher priority to any of those applications solely on the basis of lesser cost to the program.

(4) Agreements with Eligible Entities.—

(A) In General.—The Secretary shall enter into agreements with eligible entities to stimulate the establishment of agricultural land easements.

(B) Duration.—An agreement shall provide for a Federal share determined by the Secretary of an amount not to exceed the fair market value of the agricultural land easement or other interest in land, as determined by the Secretary using—

(i) Uniform Standards of Professional Appraisal Practices;

(ii) an area-wide market analysis or survey; or

(iii) another industry approved method.

(C) Minimum Terms and Conditions.—An eligible entity shall enter into an agreement to use its own terms and conditions for agricultural land easements so long as the Secretary determines such terms and conditions—

(i) are consistent with the purposes of the program; and

(ii) are permanent or for the maximum duration allowed under applicable State law; and

(iii) are enforceable and enforceable by the entity under applicable law; and

(iv) demonstrate to the Secretary that the entity will maintain, at a minimum, for the duration of the agreement, and requires, at the option of the Secretary, the entity to—

(A) certifies the entity, or the certified entity does not meet such criteria.

(B) Source of Certification.—

(i) are consistent with the purposes of the program.

(ii) include a review of eligible entities certified under paragraph (A) every 3 years to ensure that such entities are meeting the criteria established under subparagraph (B).

(iii) Revocation.—If the Secretary finds that the certified entity no longer meets the criteria established under subparagraph (B), the Secretary may—

(A) deny the certified entity a specified period of time, at a minimum 180 days, during which to take such actions as may be necessary to meet the criteria; and

(B) revoke the certification of the entity, if after the specified period of time, the certified entity does not meet such criteria.

(C) Technical Assistance.—The Secretary may provide technical assistance, if requested, to—

(i) compliance with the terms and conditions of easements; and

(ii) implementation of an agricultural land easement plan.

SEC. 1265C. WETLAND EASEMENTS.

(a) Availability of Assistance.—The Secretary shall provide assistance to owners of eligible land to restore, protect, and enhance wetland through—

(1) easements and related wetland easement plans; and

(2) technical assistance.

(b) Easements.—

(1) Method of Enrollment.—The Secretary shall enroll eligible land through the use of—

(A) 30-year easements;

(B) permanent easements;

(C) easements for the maximum duration allowed under applicable State laws; or

(D) as an option for Indian tribes only, 30-year contracts.

(2) Limitations.—

(A) Ineligible Land.—The Secretary may not acquire easements on—

(i) land established to trees under the conservation reserve program, except in cases where the Secretary determines it would further the purposes of the program; and

(ii) farmed wetland or converted wetland where the conversion was not commenced prior to December 23, 1985.

(B) Changes in Ownership.—No easement shall be placed on land that has changed ownership before the expiration of the 24-month period unless—

(i) the new ownership was acquired by will or succession as a result of the death of the previous owner;

(ii) the ownership change occurred because of foreclosure on the land; and

(iii) the previous owner or successor in interest transfers the property to the Secretary.

(C) Technical Assistance.—When evaluating offers from landowners, the Secretary may consider—

(i) the conservation benefits of obtaining an easement or 30-year contract, including the potential environmental benefits if the land was removed from agricultural production;

(ii) the cost-effectiveness of each easement or 30-year contract, so as to maximize the environmental benefits per dollar expended;

(iii) whether the landowner or another person is offering to contribute financially to the cost of the easement or 30-year contract to leverage Federal funds; and

(iv) such other factors as the Secretary determines are necessary to carry out the purposes of the subpart.

(C) Limited Priority.—The Secretary shall place priority on acquiring easements based on the value of the easement for protecting and enhancing wetland for migratory birds and other wildlife.

(4) Agreement.—To be eligible to place eligible land into the program through a wetland easement, the owner of such land shall enter into an agreement with the Secretary to—

(A) grant an easement on such land to the Secretary or its designee.

(B) authorize the implementation of a wetland easement plan;
“(C) create and record an appropriate deed restriction in accordance with applicable State law to reflect the easement agreed to; 

“(D) provide a written statement of consent to the easement signed by those holding a security interest in the land; 

“(E) comply with the terms and conditions of the easement and any related agreements; and 

“(F) permanently retire any existing crop, land base and allotment history for the land on which the easement has been obtained.

“(g) expiration of the easement.—

“(A) IN GENERAL.—A wetland easement shall include terms and conditions that—

“(i) repairs, improvements, and inspections on the land that are necessary to maintain existing public drainage systems; and

“(ii) provide for public access on the easement areas while identifying access routes to be used for restoration activities and management and easement monitoring;

“(h) prohibit—

“(i) the alteration of wildlife habitat and other natural features of such land, unless specifically authorized by the Secretary; 

“(ii) the spraying of such land with chemicals or the mowing of such land, except where such spraying or mowing is authorized by the Secretary or is necessary to comply with Federal or State noxious weed control laws; 

“(bb) to comply with a Federal or State emergency pest treatment program; or

“(cc) to meet habitat needs of specific wildlife species; 

“(III) any activities to be carried out on the owner's or successor's land that is immediately adjacent to, and functionally related to, the land that is subject to the easement if such activities will alter, degrade, or otherwise diminish the functional value of the eligible land; and

“(IV) the adoption of any other practice that would tend to defeat the purposes of the program, as determined by the Secretary; 

“(iii) provide for the effective and efficient establishment of wetland functions and values; and

“(iv) include such additional provisions as the Secretary determines are desirable to carry out the program or facilitate the practical administration thereof.

“(B) Exception.—Notwithstanding the violation of the terms or conditions of the easement, the easement shall remain in force and the Secretary shall pay an amount that is not less than 75 percent, but not more than 100 percent, of the payment obligation incurred by the Secretary, who is entitled to a payment dies, becomes incapacitated, or is otherwise unable to receive such payment, or is succeeded by another person or entity who renders or completes the required performance, the Secretary shall make such payment. In accordance with regulations prescribed by the Secretary and without regard to any other provision of law, in such manner as the Secretary determines is fair and reasonable in light of all of the circumstances.

“SEC. 1285D. ADMINISTRATION.

“(a) INELIGIBLE LAND.—The Secretary may not acquire an easement under the program on—

“(1) land owned by an agency of the United States, other than land held in trust for Indian tribes; 

“(2) land owned in fee title by a State, including an agency or a subdivision of a State, or a unit of local government; 

“(3) land subject to an easement or deed restriction which, as determined by the Secretary, provides similar protection as would be provided by enrollment in the program; and

“(4) land where the purposes of the program would be undermined due to on-site or off-site conditions, such as risk of hazardous substances, proposed or existing rights of way, infrastructure development, or adjacent land uses.

“(b) PRIORITY.—In evaluating applications under the program, the Secretary may give priority to land that is currently enrolled in the conservation reserve program or to a contract that is set to expire within 1 year and—

“(1) in the case of a cultural or agricultural land easement, is grassland that would benefit from protection under a long-term easement; and

“(2) the case of a wetland easement, is a wetland or related area with the highest functions and values; and

“(c) SUBORDINATION, EXCHANGE, MODIFICATION, AND TERMINATION.—

“(1) IN GENERAL.—The Secretary may subordinate, exchange, terminate, or modify any interest in land, or portion of such interest, administered by the Secretary, either directly or on behalf of a financial institution or other conservancy organization if the Secretary determines that—

"
“(A) it is in the Federal Government’s interest to subordinate, exchange, modify or terminate the interest in land;

(B) the subordination, exchange, modification, or termination action will result in comparable conservation value and equivalent or greater economic value to the United States.

(2) CONSULTATION.—The Secretary shall work with the current owner, and eligible entity if applicable, to address any subordination, exchange, termination, or modification of the interest, or portion of such interest in land.

(3) NOTICE.—At least 90 days before taking any termination action described in paragraph (1), the Secretary shall provide written notice of such action to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

SEC. 2401. REGIONAL CONSERVATION PARTNERSHIP PROGRAM.

(a) IN GENERAL.—Title XII of the Food Security Act of 1985 is amended by inserting after subtitle H as added by section 2301 the following:

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(a) IN GENERAL.—Title XII of the Food Security Act of 1985 is amended by inserting after subtitle H as added by section 2301 the following:

“Subtitle E—Regional Conservation Partnership Program

SEC. 2401. REGIONAL CONSERVATION PARTNERSHIP PROGRAM.

(a) IN GENERAL.—Title XII of the Food Security Act of 1985 is amended by inserting after subtitle H as added by section 2301 the following:

“Subtitle E—Regional Conservation Partnership Program

SEC. 2401. REGIONAL CONSERVATION PARTNERSHIP PROGRAM.
"(2) CRITERIA USED.—In carrying out the process described in paragraph (1), the Secretary shall make public the criteria used in evaluating applications.

"(3) APPLICATION.—An application to the Secretary shall include a description of—

"(A) the scope of the project as described in subsection (c)(1)(A);

"(B) the plan for monitoring, evaluating, and reporting on progress made towards achieving the project’s objectives;

"(C) the program resources requested for the project, including the covered programs to be used and estimated funding needed from the Secretary;

"(D) the partners collaborating to achieve project objectives, including their roles, responsibilities, capabilities, and financial contribution; and

"(E) any other elements the Secretary considers necessary to adequately evaluate and competitively select applications for funding under the program.

"(4) APPLICATION SELECTION.—

"(A) PRIORITY TO CERTAIN APPLICATIONS.—The Secretary shall give a higher priority to applications that—

"(i) assist producers in meeting or avoiding the need for a natural resource regulatory requirement;

"(ii) significantly leverage non-Federal financial and technical resources and coordinate with other local, State, regional, or national efforts;

"(iii) deliver high percentages of applied conservation to address conservation priorities or local, State, regional, or national conservation initiatives; or

"(iv) provide innovation in conservation methods and delivery, including outcome-based payment incentives and methods.

"(B) OTHER APPLICATIONS.—The Secretary may give priority to applications that—

"(i) have a high percentage of producers in the area that agree to the agreement; or

"(ii) meet other factors that are important for achieving the purposes of the program, as determined by the Secretary.

"SEC. 1271C. ASSISTANCE TO PRODUCERS.

"(a) IN GENERAL.—The Secretary shall enter into contracts to provide financial and technical assistance to—

"(1) producers participating in a project with an eligible partner as described in section 1271B; or

"(2) producers that fit within the scope of a project described in section 1271F to carry out existing critical conservation area designated pursuant to section 1271F, but who are seeking to implement an eligible activity independent of a partner;

"(b) TERMS AND CONDITIONS.—

"(1) CONSISTENCY WITH PROGRAM RULES.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall ensure that the terms and conditions of a contract under this section are consistent with the applicable rules of the covered programs to be used in the project, as described in the application under section 1271B(d)(3)(C).

"(B) ADJUSTMENTS.—Except for statutory program requirements governing appeals, payment limitations, and conservation compliance, the Secretary may adjust the regulatory program rules of a covered program—

"(i) to provide a simplified application and evaluation process; and

"(ii) to better reflect unique local circumstances and purposes if the Secretary determines that the adjustments are necessary to achieve the purposes of the program.

"(2) ALTERNATIVE FUNDING ARRANGEMENTS.—

"(a) IN GENERAL.—For the purposes of providing assistance for land described in subsection (a) and section 1271F, the Secretary may enter into alternative funding arrangements with a multistate water resource agency or authority if—

"(i) the Secretary determines that the goals and objectives of the program will be met by the alternative funding arrangements;

"(ii) the agency or authority certifies that the limitations established under this section on agreements with individual producers will not be exceeded; and

"(iii) all participating producers meet applicable program requirements.

"(b) CONDITIONS.—As a condition on receipt of funding under subparagraph (a), the multistate water resource agency or authority shall agree—

"(i) to submit an annual independent audit to the Secretary that describes the use of funds under this paragraph;

"(ii) to provide any data necessary for the Secretary to issue a report on the use of funds under this paragraph; and

"(iii) not to use any funds for administration or contracting with another entity.

"(c) LIMITATION.—The Secretary may enter into not more than 10 alternative funding arrangements under this paragraph.

"(d) PAYMENTS.—

"(1) IN GENERAL.—In accordance with statutory requirements of the covered programs described in paragraph (2), the Secretary may make payments to a producer in an amount determined by the Secretary to be necessary to achieve the purposes of the program.

"(2) PAYMENTS TO CERTAIN PRODUCERS.—The Secretary may provide payments for a period of 5 years—

"(A) to producers participating in a project that addresses water quality concerns and in an amount sufficient to encourage conversion from irrigated to dryland farming; and

"(B) to producers participating in a project that addresses water quantity concerns and in an amount sufficient to encourage adoption of conservation practices and systems that improve nutrient management.

"(e) WAIVER AUTHORITY.—To assist in the implementation of the program, the Secretary may waive the applicability of the limitation in section 1001D(b)(2) of this Act for participating producers if the Secretary determines that the waiver is necessary to fulfill the objectives of the program.

"SEC. 1271D. FUNDING.

"(a) AVAILABILITY OF FUNDS.—The Secretary shall use $100,000,000 of the funds of the Commodity Credit Corporation for each of fiscal years 2014 through 2018 to carry out the program established under this section.

"(b) DURATION OF AVAILABILITY.—Funds made available under subsection (a) shall remain available until expended.

"(c) ADDITIONAL FUNDING AND ACRES.—

"(1) IN GENERAL.—In addition to the funds made available under subsection (a), the Secretary shall reserve 8 percent of the funds and acres made available for a covered program for each of fiscal years 2014 through 2014 in order to ensure additional resources are available to deliver assistance under this program.

"(2) UNUSED FUNDS AND ACRES.—Any funds or acres reserved under paragraph (1) for a fiscal year from a covered program that are not obligated by April 1 of that fiscal year shall be returned for use under the covered program.

"(d) ALLOTMENTS.—Of the funds and acres made available for the program under subsections (a) and (c), the Secretary shall allocate—

"(1) 25 percent of the funds and acres to projects based on a State competitive process administered by the State conservationist, with the advice of the State technical advisory committee;

"(2) 40 percent of the funds and acres to projects based on a national competitive process to be established by the Secretary; and

"(3) 35 percent of the funds and acres to projects for the critical conservation areas designated in section 1271B(d)(3), the Secretary shall make publicly available information on projects selected through the competitive process described in section 1271B(d)(3), and the Secretary shall submit to the Committee on Agriculture, the Committee on Energy and Natural Resources, the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on the status of projects funded under the program, including—

"(i) the number and types of partners and producers participating in the partnership agreements selected;

"(ii) the number of producers receiving assistance;

"(iii) total funding committed to projects, including Federal and non-Federal resources; and

"(iv) a description of how the funds under section 1271(b)(3) are being administered, including—

"(A) any oversight mechanisms that the Secretary has implemented;

"(B) the process through which the Secretary is resolving appeals by program participants; and

"(C) the means by which the Secretary is tracking adherence to any applicable provisions for payment eligibility.

"SEC. 1271F. CRITICAL CONSERVATION AREAS.

"(a) IN GENERAL.—When administering the funding described in section 1271(d)(3), the Secretary shall select applications for partnership agreements and producer contracts within designated critical conservation areas.

"(b) CRITICAL CONSERVATION AREA DESIGNATIONS.—

"(1) IN GENERAL.—The Secretary shall designate up to 6 geographical areas as critical conservation areas based on the degree to which an area—

"(A) includes multiple States with significant agricultural production;

"(B) is covered by an existing regional, State, binational, or multistate agreement or plan that has established objectives, goals and work plans and is adopted by a Federal, State, or regional authority;

"(C) has water quality concerns, including concerns for reducing erosion, promoting sediment control, and addressing nutrient management activities affecting large bodies of water of regional, national, or international significance;

"(D) has water quantity concerns, including—

"(i) concerns for groundwater, surface water, aquifer, or other water sources; or

"(ii) to promote water retention and flood prevention; or

"(E) is subject to regulatory requirements that could reduce the economic scope of agricultural operations within the area.

"(2) EXPIRATION.—Critical conservation area designations under this section shall expire after 5 years, subject to redesignation, or the Secretary may withdraw designation from an area if the Secretary finds the area no longer meets the conditions described in paragraph (1).

"(c) ADMINISTRATION.—

"(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall administer
any partnership agreement or producer contract under this section in a manner that is consistent with the terms of the program.

(2) RELATIONSHIP TO EXISTING ACTIVITY.— The Secretary shall, to the maximum extent practicable, ensure that eligible activities carried out in critical conservation areas designated under this section complement and are consistent with other Federal, State, and local programs and water quality and quantity strategies.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

Subtitle F—Other Conservation Programs

SEC. 2501. CONSERVATION OF PRIVATE GRAZING LAND.

Section 1240M(e) of the Food Security Act of 1985 (16 U.S.C. 3839bb(b)(2)) is amended by inserting “and $30,000,000 for each of fiscal years 2014 through 2018” before the period at the end.

SEC. 2502. GRASSROOTS SOURCE WATER PROTECTION PROGRAM.

Section 1240M(b) of the Food Security Act of 1985 (16 U.S.C. 3839bb–2(b)) is amended by inserting “and $15,000,000 for each of fiscal years 2014 through 2018” before the period at the end.

SEC. 2503. VOLUNTARY PUBLIC ACCESS AND HABITAT INCENTIVE PROGRAM.

(a) FUNDING.—Section 1240M(1) of the Food Security Act of 1985 (16 U.S.C. 3839bb–5(f)(1)) is amended—

(1) in the heading, by striking “FISCAL YEAR 2013” and inserting “MANDATORY FUNDING”;

and

(2) by inserting “and $40,000,000 for the period of fiscal years 2014 through 2018” before the period at the end.

(b) REPORT ON PROGRAM EFFECTIVENESS.—

Not later than 2 years after the date of enactment of this Act, the Secretary of Agriculture shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate a report evaluating the effectiveness of the voluntary public access and habitat incentive program established by section 1240M of the Food Security Act of 1985 (16 U.S.C. 3839bb–5), including—

(1) identifying cooperating agencies;

(2) identifying the number of land holdings and total acres enrolled by States; and

(3) evaluating the potential improved access on eligible land, improved wildlife habitat, and related economic benefits; and

(4) any other relevant information and data necessary to evaluate the program that would be helpful to such Committees.

(c) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

SEC. 2504. AGRICULTURE CONSERVATION EXPERIENCED SERVICES PROGRAM.

(a) FUNDING.—Section 1240M of the Food Security Act of 1985 (16 U.S.C. 3839bb–5) is amended by striking subsection (c) and inserting the following:

“(c) FUNDING.—

“(1) IN GENERAL.—The Secretary may carry out the ACES program using funds made available to carry out each program under this title.

“(2) EXCLUSION.—Funds made available to carry out the conservation reserve program may not be used to carry out the ACES program.

SEC. 2505. SMALL WATERSHED REHABILITATION PROGRAM.


SEC. 2506. TERMINAL LAKES ASSISTANCE.

Section 2507 of the Food Security, and Rural Investment Act of 2002 (43 U.S.C. 2211 note; Public Law 107-171) is amended as follows:

(1) IN GENERAL.—The term “eligible land means an agricultural land (including land in which a State has a property interest as a result of state water law) that—

(A) that a landowner voluntarily agrees to sell to a State; and

(B) either—

(i) is eligible for enrollment as a wetland easement established under the Agricultural Conservation Easement Program under subtitle H of the Food Security Act of 1985; or

(ii) is not ineligible for enrollment as a wetland easement because of an applicable Federal program; and

(C) for which the Secretary provides financial assistance in accordance with subsection (d).

(2) RELATIONSHIP TO EXISTING ACTIVITY.—The term “eligible land” includes—

(I) to produce crops or hay;

(II) to maintain ownership of the eligible land in perpetuity; and

(III) to pay (from funds other than grant or loan funds) with the purchase of eligible land under this section, including surveys and legal fees;

and

IV) to keep eligible land in a conserving use, as defined by the Secretary.

(3) ELIGIBLE LAND.—The term “eligible land” includes—

(I) land that is—

(aa) an average depth of at least 6.5 feet; or

(bb) a level below which the State determines the management of the water level is beyond the control of the State or landowner;

and

(II) is inaccessible for agricultural use due to the flooding of adjoining property (such as islands of agricultural land created by flooding);

(III) is located within a watershed with water rights available for lease or purchase; and

(IV) has been used during at least 5 of the immediately preceding 30 years—

(A) to produce crops or hay;

(B) to maintain ownership of the eligible land in perpetuity;

(C) to pay (from funds other than grant or loan funds) with the purchase of eligible land under this section, including surveys and legal fees; and

(D) not to be transferred to a non-Federal use.

(4) IN GENERAL.—The term “eligible land” includes—

(I) land that is—

(aa) an average depth of at least 6.5 feet; or

(bb) a level below which the State determines the management of the water level is beyond the control of the State or landowner;

and

(II) is inaccessible for agricultural use due to the flooding of adjoining property (such as islands of agricultural land created by flooding);

(III) is located within a watershed with water rights available for lease or purchase; and

(IV) has been used during at least 5 of the immediately preceding 30 years—

(A) to produce crops or hay;

(B) to maintain ownership of the eligible land in perpetuity;

(C) to pay (from funds other than grant or loan funds) with the purchase of eligible land under this section, including surveys and legal fees; and

(D) not to be transferred to a non-Federal use.

(5) PROHIBITION.—Any Federal rights or benefits associated with eligible land prior to purchase by a State may not be transferred to any other land or person in anticipation of or as a result of such purchase.

(6) WATER ASSISTANCE.—

(1) IN GENERAL.—The Secretary of the Interior, acting through the Commissioner of Reclamation, may use the funds described in subsection (e)(2) to administer and provide financial assistance to carry out this subsection to provide water and assistance to a terminal lake described in subsection (a)(3)(B) through willing sellers or willing participants only—

(A) to lease water;

(B) to purchase land, water appurtenant to the land, and related interests; and

(C) to carry out research, support and conservation activities for associated fish, wildlife, plant, and habitat.

(2) EXCLUSIONS.—The Secretary of the Interior may not use this subsection to deliver assistance to the Great Salt Lake in Utah, and any funds otherwise available for other lakes that do not meet the purposes of this section, as determined by the Secretary of the Interior.

(3) TRANSITIONAL PROVISION.—

(A) IN GENERAL.—Notwithstanding any other provision of this section, any funds made available before the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013 under a provision of law described in subparagraph (B) shall remain available using the provisions of law (including regulations) in effect on the day before the date of enactment of that Act.

(B) DESCRIBED LAWS.—The provisions of law described in this section are—

(i) section 2507 of the Farm Security and Rural Investment Act of 2002 (43 U.S.C. 2211 note; Public Law 107-171) (as in effect on the day before the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013);

(ii) section 307 of the Energy and Water Development Appropriations Act, 2003 (Public Law 108-7; 117 Stat. 146);

(iii) section 308 of the Energy and Water Development Appropriations Act, 2006 (Public Law 109-105; 119 Stat. 2268, 123 Stat. 2356); and


(5) Paragraph (A) of subsection (a) of section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) is amended—

(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out subsection (c) $250,000,000, to remain available until expended.

(2) COMMODITY CREDIT CORPORATION.—As soon as practicable after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, the Secretary shall transfer to the Bureau of Reclamation Water and Related Resources Account $150,000,000 from the funds of the Commodity Credit Corporation to carry out subsection (d), to remain available until expended.

Subtitle G—Funding and Administration

SEC. 2601. FUNDING.

(a) In General.—Section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) is amended by striking subsection (a) and inserting the following:

``(a) ANNUAL FUNDING.—For each of fiscal years 2014 through 2018, the Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out the programs under this title (including the provision of technical assistance).''

(b) The conservation reserve program under subchapter B of chapter 1 of subtitle D, including, to the maximum extent practicable—

``(A) $6,100,000,000 for the period of fiscal years 2014 through 2018 to provide payments under paragraph (3) of section 1234(b) in connection with thinning activities conducted on land described in subparagraph (B)(iii) of that provision;''

``(B) $5,000,000,000 for the period of fiscal years 2014 through 2018 to carry out section 1235(f) to facilitate the transfer of land subject to conservation reserve program contracts from retired or retiring owners and operators to beginning farmers or ranchers and socially disadvantaged farmers or ranchers;''

``(2) The Agricultural Conservation Easement Program under subtitle H using the maximum extent practicable—

``(A) $232,000,000 for fiscal year 2014;''

``(B) $244,000,000 for fiscal year 2015;''

``(C) $500,000,000 for fiscal year 2016;''

``(D) $525,000,000 for fiscal year 2017;''

``(E) $550,000,000 for fiscal year 2018;''

``(3) The conservation security program under subchapter A of chapter 2 of subtitle D, using such sums as are necessary to administer contracts entered into before September 30, 2008.''

``(4) The conservation stewardship program under subchapter B of chapter 2 of subtitle D.''

``(5) The environmental quality incentives program under chapter 4 of subtitle D, using, to the maximum extent practicable—

``(A) $45,000,000 for fiscal year 2014;''

``(B) $1,645,000,000 for fiscal year 2015;''

``(C) $1,650,000,000 for each of fiscal years 2016 through 2018.''

``(b) GUARANTEED AVAILABILITY OF FUNDS.—Section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) is amended—

(1) by redesignating subsections (b) through (f) as subsections (c) through (f), respectively; and

(b) by inserting after subsection (a) the following:

``(b) AVAILABILITY OF FUNDS.—Amounts made available by subsection (a) shall be used by the Secretary to carry out the programs specified in such subsection for fiscal years 2014 through 2018 and shall remain available until expended. Amounts made available for the programs specified in such subsection during a fiscal year through modifications, cancellations, terminations, and other related administrative actions and not obligated in that fiscal year shall remain available for the programs specified in subsection (A) or (B) of paragraph (1) for fiscal years, but shall reduce the amount of additional funds made available in the subsequent fiscal year by an amount equal to the amount remaining unobligated in that fiscal year and other related administrative actions and not obligated in that fiscal year.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2013.''

SEC. 2602. TECHNICAL ASSISTANCE.

Section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) is amended by striking subsection (c) (as redesignated by section 2601(b)(1)) and inserting the following:

``(c) TECHNICAL ASSISTANCE.—

(1) AVAILABILITY OF FUNDS.—Commodity Credit Corporation funds made available for a fiscal year for each of the programs specified in subsection (a) are—

(A) shall be available for the provision of technical assistance for the programs for which funds are made available as necessary to implement the programs effectively; and

(B) shall not be available for the provision of technical assistance for conservation programs specified in subsection (a) other than the program for which the funds were made available.

(2) Report.—Not later than December 31, 2013, the Secretary shall submit (and update as necessary in subsequent years) to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report—

``(A) detailing the amount of technical assistance funds requested and apportioned in each program specified in subsection (a) during the preceding fiscal year; and

``(B) any other data relating to this provision that would be helpful to such Committees.''.

SEC. 2603. REGIONAL EQUITY.

Section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) is amended by striking subsection (e) (as redesignated by section 2601(b)(1)) and inserting the following:

``(e) REGIONAL EQUITY.—

(1) EQUITABLE DISTRIBUTION.—When determining funding allocations each fiscal year, the Secretary shall, after considering available funds necessary to implement programs under this title for each State, provide a distribution of funds for conservation programs under subtitle D (excluding the conservation reserve program under chapter 2 of subtitle D, subtitle E (excluding wetland easements under section 1265C), and subtitle I to ensure equitable program participation proportional to historical funding allocations and usage by all States.

(2) MINIMUM PERCENTAGE.—In determining the specific funding allocations under paragraph (1), the Secretary shall—

``(A) ensure that the first quarter of each fiscal year each State has the opportunity to establish that the State can use an aggregate allocation amount of at least 0.6 percent of the aggregate amount of funds available for those conservation programs; and

``(B) for each State that can so establish, provide an aggregate amount of at least 0.6 percent of the aggregate amount of funds available for those conservation programs.''.

SEC. 2604. RESERVATION OF FUNDS TO PROVIDE ASSISTANCE TO CERTAIN FARMERS OR OTHERS FOR CONSERVATION ACCESS.

Subsection (b) of section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) (as redesignated by section 2601(b)(1)) is amended—

(1) in paragraph (1) by striking “2012” and inserting “2013”; and

(2) by inserting after the preceding paragraph (4) the following:

``(4) PREFERENCE.—In providing assistance under paragraph (1), the Secretary shall give preference to a veteran farmer or rancher (as defined in section 2501(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2277(e))) that qualifies under subsection (b)(1) and (B) of paragraph (1).''

SEC. 2605. ANNUAL REPORT ON PROGRAM ENROLLMENTS AND ASSISTANCE.

Subsection (i) of section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) is amended—

(1) in paragraph (1), by striking “wetlands reserve program” and inserting “agricultural conservation easement program”;

(2) by striking paragraphs (2) and (3) and redesignating paragraphs (4), (5), and (6) as paragraphs (2), (3), and (4), respectively; and

(3) by inserting in section 2601(b)(1) and inserting—

``(A) by striking “agricultural water enhancement program” and inserting “regional conservation partnership program”; and

``(B) by striking “section 1290(f)(5) and inserting “section 1271C(o)(5)”; and

``(4) by adding at the end the following:

``(5) Payments made under the conservation stewardship program.

``(6) Waivers granted by the Secretary under section 1265B(b)(2)(C).''.

SEC. 2606. ADMINISTRATIVE REQUIREMENTS FOR CONSERVATION PROGRAMS.

Section 1241 of the Food Security Act of 1985 (16 U.S.C. 3844) is amended—

(1) in subsection (a)(2), by adding at the end the following:

``(E) Veteran farmers or ranchers (as defined in section 2501(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2277(e)));''

``(2) in subsection (d), by inserting “, H, and I” before the end of the subsection;

``(3) in subsection (f) (A) in paragraph (B), by striking “country” and inserting “county”; and

``(B) in paragraph (3), by striking “subsection (c)(2)(B) or (C)(4)” and inserting “subsection (c)(2)(A)(ii) or (C)(4)”;

``(4) by striking subsection (i) and inserting the following:

``(i) CONSERVATION APPLICATION PROCESS.—

``(1) INITIAL APPLICATION.—

``(A) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall establish a single, simplified application for eligible entities to use in initially requesting assistance under any conservation program administered by the Secretary (referred to in this subsection as the ‘initial application’).

``(B) REQUIREMENTS.—To the maximum extent practicable, the Secretary shall ensure that—

``(1) a conservation program applicant is not required to provide information that is duplicative of information or resources already available to the Secretary for that applicant and the specific operation of the applicant; and

``(ii) the initial application process is streamlined to minimize complexity and reduce bureaucracy.

``(2) REVIEW OF APPLICATION PROCESS.—

``(A) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall review the application process for each conservation program administered by the Secretary, including the forms and processes used to receive application requests from eligible program participants.

``(B) REQUIREMENTS.—In carrying out the review, the Secretary shall determine what steps, if any, are required to be submitted during the application process, including—

``(i) identification information for the applicant;

``(ii) identification and location information for the land parcel or tract of concern;
“(iii) a general statement of the need or resource concern of the applicant for the land parcel or tract; and

(iv) the minimum amount of other information the Secretary considers to be essential for the applicant to provide personally.

(3) REVISION AND STREAMLINE.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall carry out a revision of the application forms and processes for each conservation program administered by the Department for the purpose of maximizing the use of information technology to incorporate appropriate data and information concerning the conservation needs and solutions appropriate for the land area identified by the applicant.

(B) GOAL.—The goal of the revision shall be to streamline the application process to minimize the burden placed on applicants.

(4) CONSERVATION PROGRAM APPLICATION.—

(A) IN GENERAL.—Once the needs of an applicant have been adequately assessed by the Secretary, or a third party provider under section 1232, based on the initial application, in order to determine the 1 or more programs under this title that best match the needs of the applicant, with the approval of the applicant, the Secretary may convert the initial application into the specific application for assistance for the relevant conservation program.

(B) SECRETARIAL BURDEN.—To the maximum extent practicable, the Secretary shall—

(i) complete the specific application for conservation program assistance for each applicant; and

(ii) request only that specific further information from the applicant that is not already available to the Secretary.

(5) IMPLEMENTATION AND NOTIFICATION.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall submit to the Committees on Agriculture, Nutrition, and Forestry of the Senate written notification that:

(A) the Secretary shall adopt such regulations as are necessary to implement programs under this title, including such regulations as the Secretary determines to be necessary to ensure a fair and reasonable application of the limitations established under paragraph (1);

(B) RULEMAKING PROCEDURE.—The promulgation of regulations and administration of programs under this title—

(1) shall be carried out without regard to—

(A) the Statement of Policy of the Secretary effective July 24, 1971 (36 Fed. Reg. 13803), relating to notices of proposed rulemaking and public participation in rulemaking; and

(B) chapter 35 of title 44, United States Code (commonly known as the Paperwork Reduction Act); and

(2) shall be made as an interim rule effective on publication with an opportunity for notice and comment.

(c) CONGRESSIONAL REVIEW.—In promulgating regulations under this section, the Secretary shall use the authority under section 808 of title 5, United States Code.

SEC. 2608. STANDARDS FOR STATE TECHNICAL COMMITTEES.

Section 1261(b) of the Food Security Act of 1985 (16 U.S.C. 3866(b)) is amended by striking “Not later than 180 days after the date of enactment of the Food, Conservation, and Energy Act of 1985 (the Secretary shall develop and insert” and inserting “The Secretary shall review and update as necessary”.

SEC. 2609. HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION FOR CROP INSURANCE.

(a) HIGHLY ERODIBLE LAND PROGRAM INELIGIBILITY.—

(1) IN GENERAL.—Section 1221(a)(1) of the Food Security Act of 1985 (16 U.S.C. 3811(a)(1)) is amended—

(A) in subparagraph (C), by striking “or” at the end;

(B) in subparagraph (D), by adding “or” at the end; and

(C) by adding at the end the following:

“(E) any portion of premium paid by the Federal Crop Insurance Corporation for a plan or policy of insurance under the Federal Crop Insurance Corporation, 7 U.S.C. 1501 et seq.”.

(2) EXEMPTIONS.—Section 1221(a)(2) of the Food Security Act of 1985 (16 U.S.C. 3812(a)(2)) is amended—

(A) in the first sentence, by striking “(2) If,” and inserting the following:

“(2) ELIGIBILITY BASED ON COMPLIANCE WITH CONSERVATION PLAN.—

(A) IN GENERAL.—If,

(B) in the second sentence, by striking “In carrying” and inserting the following:

“(B) MINIMIZATION OF DOCUMENTATION.—In carrying”;

and

(C) by adding at the end the following:

“(C) CROP INSURANCE.—In the case of payments that are subject to section 1221 for the first time due to the amendment made by section 2669(a) of the Agriculture Reform, Food, and Jobs Act of 2013, any person who produces an agricultural commodity on the land area in question if the payments shall have until January 1 of the fifth year after the date on which the payments become subject to section 1221 to develop and comply with an erosion control plan.

(b) WETLAND CONSERVATION PROGRAM INELIGIBILITY.—Section 1221(b) of the Food Security Act of 1985 (16 U.S.C. 3821) is amended by adding at the end the following:

“(4) Any portion of premium paid by the Federal Crop Insurance Corporation for a plan or policy of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) is exempt from the prohibition made by subsection (a) of section 1221 of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.).

Subtitle H—Repeal of Superseded Program Authorities and Transitional Provisions

SEC. 2701. COMPREHENSIVE CONSERVATION ENHANCEMENT PROGRAM.

Section 1230 of the Food Security Act of 1985 (16 U.S.C. 3830) is repealed.

SEC. 2702. EMERGENCY FOREST CONSERVATION RESERVE PROGRAM.

(a) REPEAL.—Section 1231A of the Food Security Act of 1985 (16 U.S.C. 3831a) is repealed.

(b) TRANSITIONAL PROVISIONS.—

(1) EFFECT ON EXISTING CONTRACTS.—The amendment made by this section shall not affect the validity or terms of any contract entered into by the Secretary of Agriculture under subsection 1231A of the Food Security Act of 1985 (16 U.S.C. 3831a) before October 1, 2013, or any payments required to be made in connection with the contract.

(2) FUNDING.—The Secretary may use funds made available to carry out the emergency forest conservation reserve program under subchapter B of chapter 1 of subtitle D of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.) to provide assistance specified to in paragraph (1) using the provisions of law and regulation applicable to such contracts as in existence on September 30, 2013.

(3) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

SEC. 2703. WETLANDS RESERVE PROGRAM.

(a) REPEAL.—Subchapter C of chapter 1 of subtitle D of the Food Security Act of 1985 (16 U.S.C. 3837 et seq.) is repealed.

(b) TRANSITIONAL PROVISIONS.—

(1) EFFECT ON EXISTING CONTRACTS AND EASEMENTS.—The amendment made by this section shall not affect the validity or terms of any contract or easement entered into by the Secretary of Agriculture under subchapter C of chapter 1 of subtitle D of the Food Security Act of 1985 (16 U.S.C. 3837 et seq.) before October 1, 2013, or any payments required to be made in connection with the contract or easement.

(2) FUNDING.—

(A) USE OF PRIOR YEAR FUNDS.—Notwithstanding the repeal of subchapter C of chapter 1 of subtitle D of the Food Security Act of 1985 (16 U.S.C. 3837 et seq.), any funds made available to the USDA Farm Credit Corporation to carry out the wetlands reserve program under that subchapter for fiscal years 2009 through 2013 shall be made available to carry out contracts or easements referred to in paragraph (1) that were entered into prior to October 1, 2013 including the provision of technical assistance, and with the appropriate contract or easement is modified so as to increase the amount of the payment received.

(B) OTHER.—The Secretary may use funds made available under the wetlands conservation easement program under subchapter H of title XII of the Food Security Act of 1985, as added by section 2301, to continue any contract or easement referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts and easements as in existence on September 30, 2013.

(c) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

SEC. 2704. FARMLAND PROTECTION PROGRAM AND FARM VIABILITY PROGRAM.

(a) REPEAL.—Subchapter C of chapter 2 of subtitle B of the Food Security Act of 1985 (16 U.S.C. 3838h et seq.) is repealed.
(b) TRANSITIONAL PROVISIONS.—

(1) EFFECT ON EXISTING AGREEMENTS AND EASEMENTS.—The amendment made by this section shall not affect the validity or terms of any contract or easement entered into by the Secretary of Agriculture under subchapter C of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838n et seq.), any agreements, and easements referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts, agreements, and easements as in existence on September 30, 2013.

(2) FUNDING.—

(A) USE OF PRIOR YEAR FUNDS.—Notwithstanding the repeal of subparagraph C of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838n et seq.), any agreements, and easements referred to in paragraph (1) that were entered into prior to October 1, 2013 (including the provision of technical assistance).

(B) OTHER.—On exhaustion of funds made available under subparagraph A, the Secretary may use funds made available to carry out the agricultural conservation easement program under subchapter H of title XII of the Food Security Act of 1985, as added by section 2401, to continue to carry out contracts and agreements referred to in paragraph (1) that were entered into prior to October 1, 2013 (including the provision of technical assistance).

(c) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

SEC. 2706. AGRICULTURAL WATER ENHANCEMENT PROGRAM.

(a) REPEAL.—Section 1240I of the Food Security Act of 1985 (16 U.S.C. 3839aa–9) is repealed.

(b) TRANSITIONAL PROVISIONS.—

(1) EFFECT ON EXISTING CONTRACTS AND AGREEMENTS.—The amendment made by this section shall not affect the validity or terms of any contract or agreement entered into by the Secretary of Agriculture under section 1240I of the Food Security Act of 1985 (16 U.S.C. 3839aa–9) before October 1, 2013, or any payments required to be made in connection with the contract or agreement.

(2) FUNDING.—

(A) USE OF PRIOR YEAR FUNDS.—Notwithstanding the repeal of section 1240I of the Food Security Act of 1985 (16 U.S.C. 3839aa–9), any funds made available from the Commodity Credit Corporation to carry out the agricultural water enhancement program under that section for fiscal years 2009 through 2013 shall be made available to carry out contracts and agreements referred to in paragraph (1) that were entered into prior to October 1, 2013 (including the provision of technical assistance).

(2) OTHER.—On exhaustion of funds made available under subparagraph A, the Secretary may use funds made available to carry out the agricultural conservation easement program under subchapter I of title XII of the Food Security Act of 1985 (16 U.S.C. 3839bb–4), any funds made available from the Commodity Credit Corporation to carry out the regional conservation partnerships program under subtitle I of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa–9), any funds made available from the Commodity Credit Corporation to carry out the Chesapeake Bay watershed program under that section for fiscal years 2009 through 2013 shall be made available to carry out contracts and agreements referred to in paragraph (1) that were entered into prior to October 1, 2013 (including the provision of technical assistance).

(c) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

SEC. 2707. WILDLIFE HABITAT INCENTIVE PROGRAM.

(a) REPEAL.—Section 1240N of the Food Security Act of 1985 (16 U.S.C. 3839bb–1) is repealed.

(b) TRANSITIONAL PROVISIONS.—

(1) EFFECT ON EXISTING CONTRACTS.—The amendment made by this section shall not affect the validity or terms of any contract entered into by the Secretary of Agriculture under section 1240N of the Food Security Act of 1985, as added by section 2401, to continue to carry out contracts and agreements referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts and agreements as in existence on September 30, 2013.

(2) FUNDING.—

(A) USE OF PRIOR YEAR FUNDS.—Notwithstanding the repeal of section 1240N of the Food Security Act of 1985 (16 U.S.C. 3839bb–1), any funds made available from the Commodity Credit Corporation to carry out the wildlife habitat incentive program under that section for fiscal years 2009 through 2013 shall be made available to carry out contracts and agreements referred to in paragraph (1) which were entered into prior to October 1, 2013 (including the provision of technical assistance).

(B) OTHER.—On exhaustion of funds made available under subparagraph A, the Secretary may use funds made available to carry out the Chesapeake Bay watershed program under that section for fiscal years 2009 through 2013 shall be made available to carry out contracts and agreements referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts and agreements as in existence on September 30, 2013.

(c) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

SEC. 2710. COOPERATIVE CONSERVATION PARTNERSHIP INITIATIVE.

(a) REPEAL.—Section 1243 of the Food Security Act of 1985 (16 U.S.C. 3843) is repealed.

(b) TRANSITIONAL PROVISIONS.—

(1) EFFECT ON EXISTING CONTRACTS AND AGREEMENTS.—The amendment made by this section shall not affect the validity or terms of any contract entered into by the Secretary of Agriculture under section 1243 of the Food Security Act of 1985 (16 U.S.C. 3843) before October 1, 2013, or any payments required to be made in connection with the contract or agreement.

(2) FUNDING.—

(A) USE OF PRIOR YEAR FUNDS.—Notwithstanding the repeal of section 1243 of the Food Security Act of 1985 (16 U.S.C. 3843), any funds made available from the Commodity Credit Corporation to carry out the cooperative conservation partnership initiative under that section for fiscal years 2009 through 2013 shall be made available to carry out contracts and agreements referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts and agreements as in existence on September 30, 2013.

(B) OTHER.—On exhaustion of funds made available under subparagraph A, the Secretary may use funds made available to carry out the Chesapeake Bay watershed program under that section for fiscal years 2009 through 2013 shall be made available to carry out contracts and agreements referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts and agreements as in existence on September 30, 2013.

(c) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.
SEC. 3001. SET-ASIDE FOR SUPPORT FOR ORGANIZATIONS THROUGH WHICH NON-EMERGENCY ASSISTANCE IS PROVIDED.

Effective October 1, 2013, section 202(c)(1) of the Food for Peace Act (7 U.S.C. 1722(h)) is amended—
(1) in the matter preceding paragraph (1), by striking “13 percent” and inserting “15 percent”; and
(2) in subparagraph (A), by striking “new” and inserting “and enhancing”.

SEC. 3002. FOOD AID QUALITY.

Section 202(b) of the Food for Peace Act (7 U.S.C. 1722(b)) is amended—
(1) by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—The Administrator shall use funds made available for fiscal year 2014 and subsequent fiscal years to carry out this title—
“(A) to assess the types and quality of agricultural commodities and products donated for food aid;
“(B) to adjust products and formulations, including potential introduction of new fortifying and products, as necessary to cost-effectively meet nutrient needs of target populations;
“(C) to test food prototypes;
“(D) to adopt new specifications or improve existing specifications for micronutrient fortified food aid products, based on the latest scientific data in food and nutrition science, and in coordination with other international partners;
“(E) to develop new program guidance to facilitate the selection of products to purposes having nutritional, in coordination with other international partners;
“(F) to develop improved guidance for implementing partners on how to address nutritional deficiencies that emerge among recipients for whom food assistance is the sole source of dietary programs that extend beyond 1 year, in coordination with other international partners; and
“(G) to evaluate, in appropriate settings and as necessary, the performance and cost-effectiveness of new or modified specialized food products and program approaches designed to meet the nutritional needs of the most vulnerable groups, such as pregnant and lactating mothers, and children under the age of 5; and
(2) in paragraph (3), by striking “2011” and inserting “2018”.

SEC. 3003. MINIMUM LEVELS OF ASSISTANCE.

Section 204(a) of the Food for Peace Act (7 U.S.C. 1724(a)) is amended—
(1) in paragraph (1), by striking “2012” and inserting “2018”; and
(2) in paragraph (2), by striking “2012” and inserting “2018”.

SEC. 3004. REAUTHORIZATION OF FOOD AID CONSULTATIVE GROUP.

Section 205(f) of the Food for Peace Act (7 U.S.C. 1725(f)) is amended by striking “2012” and inserting “2018”.

SEC. 3005. OVERSIGHT, MONITORING, AND EVALUATION OF FOOD FOR PEACE ACT PROGRAMS.

Section 207(f) of the Food for Peace Act (7 U.S.C. 1726a(f)) is amended—
(1) by striking paragraph (4) and redesignating paragraphs (5) and (6) as paragraphs (4) and (5), respectively; and
(2) in subparagraph (A) of paragraph (5) (as so redesignated), by striking “2012” and inserting “2018”; and
(3) by striking “during fiscal year 2009” and inserting “during the period of fiscal years 2014 through 2018”.

SEC. 3006. ASSISTANCE FOR STOCKPILING AND RAPID TRANSPORTATION, DELIVERY, AND DISTRIBUTION OF SHELF-STABLE PREPACKAGED FOODS.

Section 238(f) of the Food for Peace Act (7 U.S.C. 1726c(f)) is amended by striking “2012” and inserting “2018”.

SEC. 3007. LIMITATION ON TOTAL VOLUME OF COMMODITIES MONETIZED.

Section 239 of the Food for Peace Act (7 U.S.C. 1733) is amended by adding at the end the following:

“(m) LIMITATION ON MONETIZATION OF COMMODITIES.—

“(1) LIMITATION.—

“(A) IN GENERAL.—Unless the Administrator grants a waiver under paragraph (2), no commodity may be made available under this Act unless the rate of return for the commodity (as determined under subparagraph (B)) is at least 70 percent.

“(B) RATE OF RETURN.—For purposes of subparagraph (A), the rate of return shall be equal to the proportion that—

“(i) the proceeds the implementing partners generate through monetization; bears to
“(ii) the cost to the Federal Government to procure and ship the commodities to a recipient country for monetization.

“(2) WAIVER AUTHORITY.—The Administrator may waive the application of the limitation in paragraph (1) with regard to a commodity for a recipient country if the Administrator determines that it is necessary to achieve the purposes of this Act in the recipient country.

“(3) REPORT.—Not later than 90 days after a waiver is granted under paragraph (2), the Administrator shall prepare, publish in the Federal Register, and submit to the Committees on Foreign Affairs, Agriculture, and Appropriations of the House of Representatives, and the Committees on Appropriations, Foreign Relations, and Agriculture, Nutrition, and Forestry of the Senate a report that—

“(A) contains the reasons for granting the waiver and the actual rate of return for the commodity; and
“(B) includes for the commodity the costs of baggage processing, ocean transportation, inland transportation in the recipient country, storage costs, and any other information that the Administrator determines to be necessary.”.

SEC. 3008. FLEXIBILITY.

Section 406 of the Food for Peace Act (7 U.S.C. 1736f) is amended by striking “To the maximum;” and inserting “To the maximum,”.

SEC. 3009. PROCUREMENT, TRANSPORTATION, TESTING, AND STORAGE OF AGRICULTURAL COMMODITIES FOR PREPOSITIONING IN THE UNITED STATES AND FOREIGN COUNTRIES.

Section 407 of the Food for Peace Act (7 U.S.C. 1736a) is amended—
(1) in subparagraph (c)(4)(A)—
“(A) by striking “2012” and inserting “2018”; and
(2) by striking “for each such fiscal year not more than $10,000,000 of such funds” and inserting “for each of fiscal years 2001 through 2012 not more than $5,000,000 of such funds and for each of fiscal years 2014 through 2018 not more than $15,000,000 of such funds”; and
(3) by adding at the end the following:

“(g) FUNDING FOR TESTING OF FOOD AID SHIPMENTS.—Funds made available for agricultural products acquired under this Act and section 3017(d) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o-1) may be used for the testing of those agricultural products.

SEC. 3010. DEADLINE FOR AGREEMENTS TO FINANCE SALES OR TO PROVIDE OTHER ASSISTANCE.

Section 408 of the Food for Peace Act (7 U.S.C. 1736b) is amended by striking “2012” and inserting “2018”.

SEC. 3011. MINIMUM LEVEL OF NONEMERGENCY FOOD ASSISTANCE.

Section 412 of the Food for Peace Act (7 U.S.C. 1736) is amended by striking subsection (e) and inserting the following:

“(e) MINIMUM LEVEL OF NONEMERGENCY FOOD ASSISTANCE.—

“(1) IN GENERAL.—Subject to paragraph (2), of the amounts made available to carry out emergency and nonemergency food assistance programs under title II, not less than 20 nor more than 30 percent for each of fiscal years 2014 through 2018 shall be expended for nonemergency food assistance programs under title II.

“(2) MINIMUM LEVEL.—The amount made available to carry out nonemergency food assistance programs under title II shall not be less than $275,000,000 for any fiscal year.”.

SEC. 3012. COORDINATION OF FOREIGN ASSISTANCE PROGRAMS REPORT.

Section 413 of the Food for Peace Act (7 U.S.C. 1736c) is amended—
(1) by striking “(a) IN GENERAL.—To the maximum;” and inserting “To the maximum;” and
(2) by striking subsection (b).

SEC. 3013. MICRONUTRIENT FORTIFICATION PROGRAMS.

(a) ELIMINATION OF OBSOLETE REFERENCE TO STUDY.—Section 415(a)(2)(B) of the Food for Peace Act (7 U.S.C. 1736g–2(a)(2)(B)) is amended by striking “, using recommendations and all that follows through “quality enhancements”.

(b) EXTENSION.—Section 415(c) of the Food for Peace Act (7 U.S.C. 1736g–2(c)) is amended by striking “2012” and inserting “2018”.

SEC. 3014. JOHN OGONOWSKI AND DOUG BEREUER FARMER-TO-FARMER PROGRAM.

Section 501 of the Food for Peace Act (7 U.S.C. 1737) is amended—
(1) in subsection (d)—
“(A) by striking “0.5 percent” and inserting “0.6 percent”; and
“(B) by striking “2012” and inserting “2018”; and
(2) in subsection (e)(1), by striking “2012” and inserting “2018”.

SEC. 3015. PROHIBITION ON ASSISTANCE TO NORTH KOREA.

(a) IN GENERAL.—No amounts may be obligated or expended to provide assistance under title II of the Food for Peace Act (7 U.S.C. 1737) for intergovernmental agencies or organizations.”.

SEC. 3016. MODIFICATION OF EXISTING AUTHORITY TO MAKE ASSISTANCE AVAILABLE TO NORTH KOREA.

Section 502 of the Food for Peace Act (7 U.S.C. 1738) is amended—
(1) in subsection (b)—
“(A) by striking “North Korea.” and inserting “North Korea.”; and
“(B) by inserting “North Korea.” after “North Korea.”.

SEC. 3017. CONGRESSIONAL RECORD — SENATE

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SEC. 3101. EXPORT CREDIT GUARANTEE PROGRAMS.

Section 211 of the Agricultural Trade Act of 1978 (7 U.S.C. 5722(a)) is amended by striking subsection (c) and inserting the following:

"(b) EXPORT CREDIT GUARANTEE PROGRAM.—The Commodity Credit Corporation shall make available for each of fiscal years 2014 through 2018 credit guarantees under section 202(a) in an amount equal to not more than $4,500,000,000 in credit guarantees."

SEC. 3102. FUNDING FOR MARKET ACCESS PROGRAM.

Section 211(c)(1)(A) of the Agricultural Trade Act of 1978 (7 U.S.C. 5722(a)) is amended by striking "2012" and inserting "2018".

SEC. 3103. FOREIGN MARKET DEVELOPMENT CO-OPERATOR PROGRAM.

Section 211 of the Agricultural Trade Act of 1978 (7 U.S.C. 5722(a)) is amended by striking "2012" and inserting "2018".

SEC. 3104. TECHNICAL ASSISTANCE FOR SPECIFIC CROPS.

There is authorized to be appropriated to the Administrator of the Agency for International Development.

SEC. 3105. BILLY EMERSON HUMANTARIAN TRUST.

Section 3202 of the Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f-1) is amended—

(1) in subsection (b)(2)(B), by striking "2012" both places it appears and inserting "2018"; and

(2) in subsection (h), by striking "2012" and inserting "2018".

SEC. 3205. MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM.

(a) AUTHORIZATION.—Section 3107(l)(2) of the Food Security and Rural Investment Act of 2002 (2 U.S.C. 5580(b)(2)) is amended by striking "re-lated barriers to trade" and inserting "technical barriers to trade".

(b) FUNDING.—Section 3205(e)(2) of the Food Security and Rural Investment Act of 2002 (7 U.S.C. 5580(e)(2)) is amended—

(1) by inserting "and" at the end of subparagraph (C); and

(2) by striking subparagraphs (D) and (E) and inserting the following new subparagraph:

"(D) $9,000,000 for each of fiscal years 2011 through 2013."

SEC. 3206. GLOBAL CROP DIVERSITY TRUST.

Section 3202(c) of the Food, Conservation, and Energy Act of 2008 (Public Law 110-236; 22 U.S.C. 2232a note) is amended by striking "2008 through 2012" and inserting "2014 through 2018."

SEC. 3207. LOCAL AND REGIONAL FOOD AID PROGRAM.

(a) DEFINITIONS.—In this section:

(1) (b) STUDY: FIELD-BASED PROJECTS.—and all that follows through (2) FIELD-BASED PROJECTS.—and inserting the following:

"(B) FIELD-BASED PROJECTS.—;

(2) by redesigning subparagraphs (A) and (B) as paragraphs (1) and (2), respectively, and inserting appropriate reference to the Committees on Foreign Affairs, Agriculture, and Appropriations of the House of Representatives, and the Committees on Appropriations, Foreign Relations, Nutrition, and Forestry of the Senate a report that—

"(A) contains the reasons for granting the waiver and the actual rate of return for the eligible commodity; and

"(B) includes for the commodity the costs of bagging or further processing, ocean transportation, inland transportation in the recipient country, storage costs, and any other information that the Secretary determines to be necessary."

SEC. 3209. LOCAL AND REGIONAL FOOD AID PROGRAM.

(a) DESCRIPTION.—In this section:

(1) (b) STUDY: FIELD-BASED PROJECTS.—and all that follows through (2) FIELD-BASED PROJECTS.—and inserting the following:

"(B) FIELD-BASED PROJECTS.—;"
(A) Ethiopia; (B) Somalia; (C) Djibouti; (D) Eritrea; (F) South Sudan; (G) Uganda across programs; (H) such other countries as the Administrator determines to be appropriate after providing notification to the appropriate congressional committees.

5. RESILIENCE.—The term ‘resilience’ means—

(A) the capacity to mitigate the negative impacts of crisis (including natural disasters, conflicts, and economic shocks) in order to reduce loss of life and depletion of productive assets;

(B) the capacity to respond effectively to crises, ensuring basic needs are met in a way that is integrated with long-term development efforts; and

(C) the capacity to recover and rebuild after crises so that future shocks can be absorbed with less need for ongoing external assistance.

(b) PURPOSE.—The purpose of this section is to establish a pilot program to effectively integrate all United States-funded emergency and long-term development activities that help to improve food security in the Horn of Africa, building resilience so as—

(i) to reduce the impacts of future crises;

(ii) to enhance local capacity for emergency responses;

(iii) to enhance sustainability of long-term development programs targeting poor and vulnerable households; and

(iv) to reduce the need for repeated costly emergency operations.

(c) STUDY.—

(1) IN GENERAL.—Not later than 30 days after enactment of this Act, the Administrator shall initiate a study of prior programs to support resilience in the Horn of Africa conducted by—

(A) other donor countries; (B) private voluntary organizations; (C) the World Food Program of the United Nations; and (D) multilateral institutions, including the World Bank.

(2) REQUIREMENTS.—The study shall—

(A) include all programs implemented through emergency funds for International Development, the Department of Agriculture, the Department of Treasury, the Millennium Challenge Corporation, the Peace Corps, and other relevant Federal agencies;

(B) evaluate how well the programs described in subparagraph (A) work together to provide grants to, or enter into cooperative agreements with, the appropriate committees of Congress; and

(C) include recommendations for how full potential of projects, including projects located in—

(i) areas most prone to repeated crises;

(ii) areas with effective existing resilience programs that can be scaled; and

(iii) areas in all countries of the Horn of Africa.

(2) PRIORITY.—In selecting proposals for field-based projects under clause (i), the Administrator shall ensure that the selected proposals are for field-based projects that—

(I) effectively integrate emergency and long-term development programs to improve sustainability;

(II) demonstrate the potential to reduce the need for future emergency assistance; and

(III) build targeted productive safety nets, in coordination with host country governments, through food for work, cash for work, and other proven program methodologies.

(b) AVAILABILITY.—The Administrator shall not award a grant or cooperative agreement or approve a field-based project under this subsection until the date on which the Administrator promulgates regulations or issues guidelines under subsection (e).

(e) REGULATIONS; GUIDELINES.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall promulgate regulations or issue guidelines to carry out field-based projects under this section.

(2) REQUIREMENTS.—In promulgating regulations or issuing guidelines under paragraph (1), the Administrator shall—

(A) take into consideration the results of the study described in subsection (c); and

(B) provide an opportunity for public review and comment.

(c) IMPLEMENTATION.—In implementing the study under this section, the Secretary—

(1) in recognition of the importance of agricultural exports to the farm economy and the economy of the United States, may include a recommendation for the establishment of an Under Secretary for Trade and Foreign Agricultural Affairs;

(2) may take into consideration how the Under Secretary described in paragraph (1) would serve as a multiagency coordinator of sanitary and phytosanitary issues and non-tariff trade barriers in agriculture with respect to imports and exports of agricultural products; and

(3) shall take into consideration all implications of a reorganization described in subsection (b) on domestic programs and operations of the Department of Agriculture.

(d) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report that—

(A) addresses each factor described in paragraph (2); and

(B) is conducted in accordance with this section.

(2) REQUIRED FACTORS.—The report shall include baseline and end-of-project data that measures—

(A) the prevalence of moderate and severe hunger so as to provide an accurate accounting of project impact on household access to and consumption of food during every month of the year;

(B) household ownership of and access to productive assets, including at a minimum land, livestock, homes, equipment, and other materials assets needed for income generation;

(C) household incomes, including informal sources of employment; and

(D) the productive assets of women using the Women’s Empowerment in Agriculture Index.

3. PUBLIC ACCESS TO RECORDS AND REPORTS.—Not later than 90 days after the date on which the report is submitted under paragraph (1), the Administrator shall provide public access to the report.

4. AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2014 through 2016.

SEC. 3209. AGRICULTURAL TRADE ENHANCEMENT STUDY.

(a) DEFINITION OF AGRICULTURE COMMITTEES AND SUBCOMMITTEES.—In this section, the term ‘agriculture committees and subcommittees’ means—

(1) the Committee on Agriculture of the House of Representatives;

(2) the Committee on Agriculture, Nutrition, and Forestry of the Senate; and

(3) the subcommittees on agriculture, rural development, food and drug administration, and related agencies of the Committees on Appropriations of the House of Representatives and the Senate.

(b) DEVELOPMENT.—The Secretary, in consultation with the agriculture committees and subcommittees, shall develop a study that takes into consideration on a reorganization of international trade functions for imports and exports at the Department of Agriculture.

(c) IMPLEMENTATION.—In implementing the study under this section, the Secretary—

(1) in recognition of the importance of agricultural exports to the farm economy and the economy of the United States, may include a recommendation for the establishment of an Under Secretary for Trade and Foreign Agricultural Affairs;

(2) may take into consideration how the Under Secretary described in paragraph (1) would serve as a multiagency coordinator of sanitary and phytosanitary issues and non-tariff trade barriers in agriculture with respect to imports and exports of agricultural products; and

(3) shall take into consideration all implications of a reorganization described in subsection (b) on domestic programs and operations of the Department of Agriculture.

(d) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report describing the results of the study under this section.

TITLE IV—NUTRITION

Subtitle A—Supplemental Nutrition Assistance Program

SEC. 4001. FOOD DISTRIBUTION PROGRAM ON INDIAN RESERVATIONS.


SEC. 4002. STANDARD UTILITY ALLOWANCES BASED ON THE RECEIPT OF ENERGY ASSISTANCE PAYMENTS.

(a) STANDARD UTILITY ALLOWANCES IN THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.—Section 6(e)(6)(C) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(e)(6)(C)) is amended—

(1) in clause (i), by inserting ‘‘, subject to clause (iv)’’ after ‘‘Secretary’’; and

(2) in clause (iv)(1), by striking ‘‘the household’s eligible utility expenses for the year’’ and inserting ‘‘such expenses for the year afler the date on which the report is submitted under paragraph (1), the Administrator shall provide public access to the report.’’
behalf of, the household exceeds $10 or a higher amount annually, as determined by the Secretary.

(b) **CONFORMING AMENDMENT.—**Section 605(d) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 6824(d)(2)(A)) is amended by inserting before the semicolon at the end of subsection (a) the following: "and the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), such payments or allowances exceed $10 or a higher amount annually, as determined by the Secretary of Agriculture in accordance with section 3(e)(6)(C)(iv)(i) of that Act (7 U.S.C. 2014(a))".

(c) **EFFECTIVE AND IMPLEMENTATION DATE.—**

(1) **IN GENERAL.—**Except as provided in paragraph (2), this section and the amendments made by this section shall take effect beginning on October 1, 2013, for all certification periods beginning after that date.

(2) **STATE OPTION TO DELAY IMPLEMENTATION FOR CURRENT RECIPIENTS.—**A State may, at the option of the State, implement a policy that eliminates or minimizes the effect of the amendments made by this section for households that receive a standard utility allowance as of the date of enactment of this Act for not more than a 180-day period beginning on the date on which the amendments made by this section would otherwise affect the benefits received by a household.

**SEC. 4003. ELIGIBILITY DISQUALIFICATIONS.**

Section 6(i) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(e)(3)(B)) is amended by striking "section" and inserting the following:

"(1) IN GENERAL.—Any household in which the head meets the allowable financial resources and other limits determined by the State to determine whether individuals participating in the supplemental nutrition assistance program have received substantial lottery or gambling winnings, as determined by the Secretary, shall lose eligibility for benefits immediately upon receipt of the winnings.

(2) **DURATION OF INELIGIBILITY.—**A household described in paragraph (1) shall remain ineligible for participation until the household would be ineligible for benefits under sections 6(b), 6(d), and 6(h) if it included the individual who received the winnings.

**SEC. 4004. ENDING SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS FOR LOTTERY OR GAMBLING WINNINGS.**

(a) **IN GENERAL.—**Section 6 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015) is amended by adding at the end the following:

"(1) by striking paragraph (2) and inserting the following:

"(1) **IN GENERAL.—**Any household in which the head meets the allowable financial resources and other limits determined by the State to determine whether individuals participating in the supplemental nutrition assistance program have received substantial lottery or gambling winnings, as determined by the Secretary, shall lose eligibility for benefits immediately upon receipt of the winnings.

(2) **DURATION OF INELIGIBILITY.—**A household described in paragraph (1) shall remain ineligible for participation until the household would be ineligible for benefits under sections 6(b), 6(d), and 6(h) if it included the individual who received the winnings.

(b) **CONFORMING AMENDMENTS.—**Section 6(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(a)) is amended in the second sentence of subparagraph (a)(6)(G) and inserting "sections (b), (d)(2), (g), and (r) of section 6."
for electronic benefit transfer transactions, if the retail food stores—

(i) establish recipient protections regarding privacy, ease of use, access, and support similar to the protections provided for transactions made in retail food stores;

(ii) bear the costs of obtaining, installing, and maintaining mobile technologies, including those needed to process EBT cards and transaction fees;

(iii) demonstrate the foods purchased with benefits issued under this section throughout the States are purchased at a price not higher than the price of the same food purchased by other methods used by the retail food store, as determined by the Secretary;

(iv) provide adequate documentation for each authorized transaction, as determined by the Secretary; and

(v) meet other criteria as established by the Secretary.

(2) PROVISION OF DATA.—To be eligible to participate in a demonstration project under clause (i), a retail food store shall submit to the Secretary for approval a plan that includes—

(i) a description of the technology;

(ii) the manner by which the retail food store will provide proof of the transaction to households;

(iii) the provision of data to the Secretary, consistent with requirements established by the Secretary, in a manner that allows the Secretary to evaluate the impact of the demonstration on participant access, ease of use, and program integrity; and

(iv) such other criteria as the Secretary may require.

(3) DATE OF COMPLETION.—The demonstration projects under this subparagraph shall be completed and final reports submitted to the Secretary by not later than July 1, 2015.

(C) REPORT TO CONGRESS.—The Secretary shall—

(i) by not later than January 1, 2016, authorize implementation of subparagraph (A) in all States, unless the Secretary makes a finding, based on the data provided under subparagraph (B), that implementation in all States is not in the best interest of the supplemental nutrition assistance program; and

(ii) if the determination made in clause (i) is not to implement subparagraph (A) in all States, submit a report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate that includes the basis of the finding.

(b) ACCEPTANCE OF BENEFITS THROUGH ON-LINE TRANSACTIONS.—

(1) IN GENERAL.—Section 7 of the Food and Nutrition Act of 2008 (7 U.S.C. 2019) is amended in the following:

(A) IN GENERAL.—If, on the day before the date of enactment of this subsection, a State authorized to accept and redeem benefits through on-line transactions shall be authorized to accept benefits prior to the delivery of food if the delivery occurs within a reasonable time period determined by the Secretary, after “food so purchased.”

(b) ACCEPTANCE OF BENEFITS THROUGH ON-LINE TRANSACTIONS.—

(1) IN GENERAL.—If, on the day before the date of enactment of this subsection, a State

(A) establish recipient protections regarding privacy, ease of use, access, and support similar to the protections provided for transactions made in retail food stores;

(B) ensure benefits are not used to pay delivery, ordering, convenience, or other fees or charges;

(C) clearly notify participating households at the time of purchase of—

(i) any delivery, ordering, convenience, or other fee or charge associated with the food purchase; and

(ii) the fact that such fees cannot be paid with benefits provided under this Act;

(D) ensure the security of on-line transactions is not compromised by ineffective technology available that the Secretary considers appropriate and cost-effective and that is compatible to the security of transactions made as described in paragraph (2); and

(E) meet other criteria as established by the Secretary.

(2) STATE AGENCY ACTION.—Each State agency shall ensure that recipients of supplemental nutrition assistance can use benefits on-line as described in this subsection as appropriate.

(3) DEMONSTRATION PROJECTS.—To be eligible to participate in a demonstration project under clause (i), a retail food store shall submit to the Secretary for approval a plan that includes—

(A) IN GENERAL.—Before the Secretary authorizes implementation of paragraph (1) in all States, the Secretary shall carry out a number of demonstration projects as determined by the Secretary to test the feasibility of allowing retail food stores to accept benefits through on-line transactions.

(B) DEMONSTRATION PROJECTS.—To be eligible to participate in a demonstration project under paragraph (A), a retail food store shall submit to the Secretary for approval a plan that includes—

(i) a method of ensuring that benefits may be used to purchase only eligible items under this Act;

(ii) a description of the method of educating participating households about the availability and operation of on-line purchasing;

(iii) adequate testing of the on-line purchasing option prior to implementation;

(iv) the provision of data as requested by the Secretary for purposes of analyzing the impact of the project on participant access, ease of use, and program integrity;

(v) reports on progress, challenges, and results, as determined by the Secretary; and

(vi) such other criteria, including security criteria, as established by the Secretary.

(4) DATE OF COMPLETION.—The demonstration projects under this paragraph shall be completed and final reports submitted to the Secretary by not later than July 1, 2015.

(5) REPORT TO CONGRESS.—The Secretary shall—

(A) by not later than January 1, 2016, authorize implementation of paragraph (1) in all States, unless the Secretary makes a finding, based on the data provided under paragraph (2), that implementation in all States is not in the best interest of the supplemental nutrition assistance program; and

(B) if the determination made in clause (i) is not to implement paragraph (A) in all States, submit a report to the Committee on Agriculture of the House of Representatives, the Committee on Agriculture, Nutrition, and Forestry of the Senate that includes the basis of the finding.

(c) STATE AGENCY ACTION.—Each State agency shall—

(1) establish recipient protections regarding privacy, ease of use, access, and support similar to the protections provided for transactions made in retail food stores;

(2) in paragraph (23), by striking the period ending “and” and inserting “; and”;

(3) in paragraph (24), by striking the period ending “or” and inserting “; or”;

(4) in paragraph (47), by striking the period ending “; or” and inserting “; and”;

(5) in subsections (3) and (4), by striking “such other criteria as the Secretary determines” and inserting “such other criteria, including security criteria, as established by the Secretary.”

(d) REPORT TO CONGRESS.—The Secretary shall—

(1) by not later than January 1, 2016, authorize implementation of paragraph (1) in all States, unless the Secretary makes a finding, based on the data provided under paragraph (2), that implementation in all States is not in the best interest of the supplemental nutrition assistance program; and

(2) if the determination made in clause (i) is not to implement subparagraph (A) in all States, submit a report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate that includes the basis of the finding.

(e) CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Subject to paragraph (2), no private establishment that contracts with a State agency to offer meals at concessional prices as described in paragraphs 3, 4, and 9 of section 3(k) may be authorized to accept and redeem benefits unless the Secretary determines that the participation of the private establishment is required to meet a documented need in accordance with section 11(e)(2)(B).

(2) EXISTING CONTRACTS.—

(A) IN GENERAL.—If, on the day before the date of enactment of this subsection, a State

(i) establish recipient protections regarding privacy, ease of use, access, and support similar to the protections provided for transactions made in retail food stores;
has entered into a contract with a private es-
establishment described in paragraph (1) and
the Secretary has not determined that the par-
ticipation of the private establishment is neces-
sary. (b) The Secretary shall determine, pur-
suant to section 11(e)(2)(D), whether the par-
ticipation of the private establishment is neces-
sary in order to provide a benefit to the pub-
lc under this Act. (c) The Secretary shall not di-
rectly transfer funds to a private establishment.

SEC. 4011. MAINTENANCE OF FUNDING.
(a) The Food and Nutrition Act of 2008 (7 U.S.C. 2015(b)(1)) is amended by striking paragraph (1), by redesignating paragraph (2) as paragraph (1), and by inserting “2012” in the proviso following the last sentence.

(b) The Food and Nutrition Act of 2008 (7 U.S.C. 2015(b)(1)) is amended by striking paragraph (1), by redesignating paragraph (2) as paragraph (1), and by inserting “2012” in the proviso following the last sentence.

SEC. 4012. AUTHORIZATION OF APPROPRIATIONS.
(a) Section 19(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2032(a)) is amended by striking “a per-sonal check drawn on a depository institu-
tion” and inserting “a personal check drawn on a depository institu-
tion or a money order”.

(b) Section 20(a) of the Food and Nutri-
tion Act of 2008 (7 U.S.C. 2032(a)) is amended by striking “a per-
sonal check drawn on a depository institu-
tion” and inserting “a personal check drawn on a depository institu-
tion or a money order”.

(c) The Secretary shall maintain a record of the funds transferred under paragraph (1) for a period of not less than 3 years.

SEC. 4013. ROYALTY.
(1) The Secretary shall make an amount of not less than $5,000,000 available to States in each fiscal year for the purposes of this section.

(2) The Secretary shall use the funds transferred under paragraph (1) to supplement other Federal funding available to States for the purposes of this section.

SEC. 4014. MAINTENANCE OF FUNDING.

(b) Sections 19(a) and 20(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 1942(a) and 2032(a)) are amended by striking “a personal check drawn on a depository institution” and inserting “a personal check drawn on a depository institution or a money order”.

(c) The Secretary shall maintain a record of the funds transferred under paragraph (1) for a period of not less than 3 years.


SEC. 4015. MAINTENANCE OF FUNDING.

(b) Sections 19(a) and 20(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 1942(a) and 2032(a)) are amended by striking “a personal check drawn on a depository institution” and inserting “a personal check drawn on a depository institution or a money order”.

(c) The Secretary shall maintain a record of the funds transferred under paragraph (1) for a period of not less than 3 years.


SEC. 4016. ROYALTY.
(1) The Secretary shall make an amount of not less than $5,000,000 available to States in each fiscal year for the purposes of this section.

(2) The Secretary shall use the funds transferred under paragraph (1) to supplement other Federal funding available to States for the purposes of this section.

(3) The Secretary shall maintain a record of the funds transferred under paragraph (1) for a period of not less than 3 years.

SEC. 4017. TECHNICAL AND CONFORMING AMENDMENTS.
(a) Section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(b)) is amended—

(1) by striking “subsection (g)”, by striking “coupon.” and inserting “coupon”;

(2) in subsection (k)(7), by striking “or and inserting “and”;

(3) by striking subsection (l); (4) by redesignating subsections (m) through (t) as subsections (l) through (s), respectively; and

(5) by inserting after subsection (a) (as so redesignated) the following:

“(t) ‘Supplemental nutrition assistance program’ means the program operated pursuant to this Act.”

(b) Section 4(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(e) is amended in the last sentence by striking “benefits” and inserting “Benefits”.

(c) Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(e) is amended—

(1) in the last sentence of subsection (a) (as so redesignated) by striking “and other Federal assistance programs” and inserting “and other Federal assistance programs”; and

(2) in subsection (b)(4), by striking “subsection (g)” and inserting “subsection (g)”. (b) Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 1941(b) is amended—

(1) in subsection (a), by striking “subsection (a)” and inserting “subsection (a)”; (2) by redesignating paragraphs (b) through (t) as paragraphs (a) through (s), respectively; and

(3) by striking paragraph (1); (4) by redesignating subsections (m) through (t) as subsections (l) through (s), respectively; and

(5) by inserting after subsection (a) (as so redesignated) the following:

“(t) ‘Supplemental nutrition assistance program’ means the program operated pursuant to this Act.”

(c) Section 4(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(e) is amended in the last sentence by striking “benefits” and inserting “Benefits”.

(d) Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(e) is amended—

(1) in the last sentence of subsection (a) (as so redesignated) by striking “and other Federal assistance programs” and inserting “and other Federal assistance programs”; and

(2) in subsection (b)(4), by striking “subsection (g)” and inserting “subsection (g)”. (b) Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 1941(b) is amended—

(1) in subsection (a), by striking “subsection (a)” and inserting “subsection (a)”; (2) by redesignating paragraphs (b) through (t) as paragraphs (a) through (s), respectively; and

(3) by striking paragraph (1); (4) by redesignating subsections (m) through (t) as subsections (l) through (s), respectively; and

(5) by inserting after subsection (a) (as so redesignated) the following:

“(t) ‘Supplemental nutrition assistance program’ means the program operated pursuant to this Act.”

(c) Section 4(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(e) is amended in the last sentence by striking “benefits” and inserting “Benefits”.

(d) Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(e) is amended—

(1) in the last sentence of subsection (a) (as so redesignated) by striking “and other Federal assistance programs” and inserting “and other Federal assistance programs”; and

(2) in subsection (b)(4), by striking “subsection (g)” and inserting “subsection (g)”. (b) Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 1941(b) is amended—

(1) in subsection (a), by striking “subsection (a)” and inserting “subsection (a)”; (2) by redesignating paragraphs (b) through (t) as paragraphs (a) through (s), respectively; and

(3) by striking paragraph (1); (4) by redesignating subsections (m) through (t) as subsections (l) through (s), respectively; and

(5) by inserting after subsection (a) (as so redesignated) the following:

“(t) ‘Supplemental nutrition assistance program’ means the program operated pursuant to this Act.”

(c) Section 4(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(e) is amended in the last sentence by striking “benefits” and inserting “Benefits”.

(d) Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(e) is amended—

(1) in the last sentence of subsection (a) (as so redesignated) by striking “and other Federal assistance programs” and inserting “and other Federal assistance programs”; and

(2) in subsection (b)(4), by striking “subsection (g)” and inserting “subsection (g)”. (b) Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 1941(b) is amended—

(1) in subsection (a), by striking “subsection (a)” and inserting “subsection (a)”; (2) by redesignating paragraphs (b) through (t) as paragraphs (a) through (s), respectively; and

(3) by striking paragraph (1); (4) by redesignating subsections (m) through (t) as subsections (l) through (s), respectively; and

(5) by inserting after subsection (a) (as so redesignated) the following:

“(t) ‘Supplemental nutrition assistance program’ means the program operated pursuant to this Act.”
first sentence by striking "2012" and inserting "2018".

SEC. 4102. COMMODITY SUPPLEMENTAL FOOD PROGRAM.
Section 5 of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612e note; Public Law 93-86) is amended—
(1) in paragraphs (1) and (2)(B) of subsection (a), each place it appears and inserting "2018";
(2) in the first sentence of subsection (d)(2), by striking "2012" and inserting "2018";
(3) by striking subsection (g) and inserting the following:

"(g) ELIGIBILITY.—Except as provided in subsections (b) and (c), the Secretary shall only provide assistance under the commodity supplemental food program to low-income persons aged 60 and older; and

(4) by striking the last sentence of the following:

"(m) PHASE-OUT.—Notwithstanding any other provision of law, an individual who receives assistance under the commodity supplemental food program on the day before the date of enactment of this subsection shall continue to receive that assistance until the date on which the individual is no longer eligible for assistance under the eligibility requirements for the program in effect on the day before the date of enactment of this subsection.

SEC. 4103. DISTRIBUTION OF SURPLUS COMMODITIES TO SPECIAL NUTRITION PROJECTS.
Section 114(a)(2)(A) of the Agriculture and Food Act of 1981 (7 U.S.C. 1431s(2)(A)) is amended in the first sentence by striking "2012" and inserting "2018".

SEC. 4104. TECHNICAL AND CONFORMING AMENDMENTS.
Section 3 of the Commodity Distribution Reform Act and WIC Amendments of 1987 (7 U.S.C. 1529 note; Public Law 100-217) is amended—
(1) in subsection (a)—
(A) in paragraph (2), by striking subparagraph (B) and inserting the following:

"(B) the program established under section 4(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b));"; and
(B) in paragraph (3)(D), by striking "the Committee on Education and Labor" and inserting "the Committee on Education and the Workforce";
(3) in subsection (c)(3)(D)(iii), by striking "the Workforce of the House of Representatives"; or
(4) in subsection (k), by striking "the Committee on Education and Labor" and inserting "the Committee on Education and the Workforce".

Subtitle C—Miscellaneous

SEC. 4201. PURCHASE OF FRESH FRUITS AND VEGETABLES FOR DISTRIBUTION TO SCHOOLS AND SERVICE INSTITUTIONS.
Section 1006(b) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1438c(b)) is amended by striking "2012" and inserting "2018".

SEC. 4202. SCHOOLS' FARMERS' MARKET NUTRITION PROGRAM.
Section 4002(a) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1438c(a)) is amended by striking "2012" and inserting "2018".

SEC. 4203. NUTRITION INFORMATION AND AWARENESS PILOT PROGRAM.
Section 3 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 3175aa) is amended—
(1) by striking paragraph (a) and inserting the following:

"(a) IN GENERAL.—In each of the years specified in subsection (d), the Secretary shall make grants to eligible entities in accordance with paragraph (2)."

(2) by striking paragraph (b) and inserting the following:

"(b) FEDERAL SHARE.—The Federal share of the cost of carrying out an activity under this subsection shall not exceed 50 percent of the total cost of the activity."

(3) by striking paragraph (c) and inserting the following:

"(c) NON-FEDERAL SHARE.—In the case of a for-profit entity, the non-Federal share described in clause (i) shall not include services of an employee, including salaries paid or expenses covered by the employer."

(4) by striking paragraph (d) and inserting the following:

"(d) ELIGIBILITY.—A non-Federal entity that meets the eligibility requirements set forth by the Secretary; and

(5) by striking paragraph (e) and inserting the following:

"(e) PRIORITY.—In making grants under this subsection, the Secretary shall give priority to projects that—

(1) have the support of the State agency;

(2) would increase the purchase of fruits and vegetables by low-income consumers participating in the supplemental nutrition assistance program by providing incentives at the point of purchase;

(3) agrees to participate in the evaluation described in paragraph (4); and

(4) ensures that the funds are used for incentive programs that connect low-income consumers to fresh fruits and vegetables; or

(5) are located in underserved communities or underserved populations.

SEC. 4204. WHOLE GRAIN PRODUCTS.
Section 4005 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 1755a) is amended—
(1) by striking "2005" and inserting "2015";
(2) by striking subsection (d) and inserting the following:

"(d) IN GENERAL.—On October 1, 2013, out of any funds in the Treasury not otherwise appropriated, the Secretary shall transfer to the Secretary to carry out this section $10,000,000 for the period of fiscal years 2014 through 2015.

(2) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out this section the funds transferred under paragraph (1), without further appropriation.

SEC. 4205. HUNGER-FREE COMMUNITIES.
Section 4405 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7517) is amended—
(1) in subsection (a)—
(A) by striking paragraph (1) and inserting the following:

"(1) ELIGIBLE ENTITY.—In subsection (b), the term ‘eligible entity’ means a public or private organization that—

(iv) demonstrates the capacity to develop a workforce of the House of Representatives to implement the program described in this subsection; and

(v) has a history of working with the underserved community.

(2) FUNDING.—

"(a) IN GENERAL.—In each of the years specified in subsection (d), the Secretary shall make grants to eligible entities for the purpose of carrying out grants under this subsection.

"(B) the Workforce of the House of Representatives; or

(4) by striking the last sentence of the following:

"(m) PHASE-OUT.—Notwithstanding any other provision of law, an individual who receives assistance under the commodity supplemental food program on the day before the date of enactment of this subsection shall continue to receive that assistance until the date on which the individual is no longer eligible for assistance under the eligibility requirements for the program in effect on the day before the date of enactment of this subsection."

SEC. 4206. TECHNICAL AND CONFORMING AMENDMENTS.
Section 114(a)(2)(A) of the Agriculture and Food Act of 1981 (7 U.S.C. 1431s(2)(A)) is amended—
(1) in subsection (a)—
(A) by striking paragraph (1) and inserting the following:

"(A) COLLABORATIVE GRANTS.—In subsection (b), the term ‘eligible entity’ means a public or private organization or association, including an emergency feeding organization, that has collaborated or will collaborate with 1 or more local partners to achieve at least 1 hunger-free communities goal.

(B) ELIGIBLE PERSON.—In subsection (c), the term ‘eligible entity’ means a nonprofit organization, including an emergency feeding organization, an agricultural cooperative, producer network or association, community health organization, public benefit corporation, economic development corporation, farmers’ market, community-supported agriculture, food bank, supermarket, food bank, retail food store, and any other entity the Secretary designates.

(3) APPLICABILITY.—

"(C) no limitation on benefits.—A grant made available under this subsection shall—

(i) make the funds transferred under paragraph (1) available only to purchase fresh fruits and vegetables;

(ii) limit the use of benefits under the Food and Nutrition Act of 2008 (7 U.S.C. 2034)."

"(c) HUNGER-FREE COMMUNITIES INCENTIVE GRANTS.—

(1) AUTHORIZATION.—

"(A) IN GENERAL.—In each of the years specified in subsection (d), the Secretary shall make grants to eligible entities in accordance with paragraph (2).

(B) FEDERAL SHARE.—The Federal share of the cost of carrying out an activity under this subsection shall not exceed 50 percent of the total cost of the activity.

(2) REQUIREMENT.—In the case of a for-profit entity, the non-Federal share described in clause (i) shall not include services of an employee, including salaries paid or expenses covered by the employer.

(3) CRITERIA.—

"(A) IN GENERAL.—For purposes of this subsection, an eligible entity is a governmental agency or nonprofit organization that—

(i) meets the application criteria set forth by the Secretary; and

(ii) proposes a project that, at a minimum—

(I) has the support of the State agency;

(II) would increase the purchase of fruits and vegetables by low-income consumers participating in the supplemental nutrition assistance program by providing incentives at the point of purchase;

(III) agrees to participate in the evaluation described in paragraph (4); and

(IV) ensures that the funds are used for incentive programs that connect low-income consumers to fresh fruits and vegetables; or

(V) are located in underserved communities or underserved populations.

"(B) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to projects that—

(i) maximize the share of funds used for direct incentives to participants;

(ii) use direct-to-consumer sales marketing;

(iii) demonstrate a track record of designing and implementing successful nutrition incentive programs that connect low-income consumers and agricultural producers;

(iv) provide locally or regionally produced fruits and vegetables;

(v) are located in underserved communities or underserved populations; or

(vi) address other criteria as established by the Secretary.

(4) APPLICABILITY.—

"(A) IN GENERAL.—The value of any benefit provided to a participant in any activity funded under this subsection shall not be considered income or resources for any purpose under any Federal, State, or local law.

"(B) LIMITATION ON COLLECTION OF SALES TAXES.—Each State shall ensure that no State or local tax is collected on a purchase of fresh fruits and vegetables under this subsection.

"(C) NO LIMITATION ON BENEFITS.—A grant made available under this subsection shall not be used to carry out any project that limits the use of benefits under the Food and Nutrition Act of 2008 (7 U.S.C. 2034) or any other Federal nutrition law.
"(D) HOUSEHOLD ALLOTMENT.—Assistance provided under this subsection to households receiving benefits under the supplemental nutrition assistance program shall not—
(i) be part of the supplemental nutrition assistance program benefits of the household; or
(ii) be used in the collection or disposition of claims under section 13 of the Food and Nutrition Act of 2008 (7 U.S.C. 2022).

"(4) EVALUATION.—
(A) INDEPENDENT EVALUATION.—The Secretary shall provide for an independent evaluation of projects selected under this subsection that measures the impact of each project on—
(i) improving the nutrition and health status of participating households receiving incentives under this subsection; and
(ii) increasing fruits and vegetable purchases in participating households.

(B) REQUIREMENT.—The independent evaluation under subparagraph (A) shall use rigorous methodologies capable of producing scientifically valid information regarding the effectiveness of a project.

(C) COSTS.—The Secretary may use funds not to exceed 10 percent of the funding provided under section 242 of this Act to pay for technical assistance associated with administering, monitoring, and evaluating each project.

"(5) TREASURY.—
(A) IN GENERAL.—The term ‘‘national fund manager’’ means a community development financial institution that is—
(i) in existence on the date of enactment of this section; and
(ii) to provide financial and technical assistance to eligible projects; and

(B) REQUIREMENT.—The term ‘‘quality job’’ means a job that provides wages and other benefits comparable to, or better than, similar positions in existing businesses of similar size in similar local economies.

"(6) STAPLE FOOD.—
(A) IN GENERAL.—The term ‘‘staple food’’ means food that is a basic dietary item.

(B) INCLUSION.—The term ‘‘staple food’’ includes—
(i) bread;
(ii) flour;
(iii) fruits;
(iv) vegetables; and
(v) meat.

(C) INITIATIVE.—
(I) ESTABLISHMENT.—The Secretary shall establish an initiative to achieve the purpose described in subsection (a) in accordance with this subsection.

(II) INDEPENDENT EVALUATION.—The Secretary shall provide for an independent evaluation of the results of the evaluation.

(III) To provide technical assistance to funded projects and entities seeking Initiative funding; and

(IV) to cover administrative expenses of the national fund manager in an amount not to exceed 10 percent of the Federal funds provided.

(B) ELIGIBLE PROJECTS.—Subject to the approval of the Secretary, the national fund manager shall establish eligibility criteria for projects under the Initiative, which shall include the existence or planned execution of agreements—
(i) to expand or preserve the availability of staple foods offered by eligible projects to households with moderate- and low-income populations by maintaining or increasing the number of retail outlets that offer an assortment of perishable food staple items, as determined by the Secretary, in those areas; and

(ii) to accept benefits under the supplemental nutrition assistance program established under subsection (a) of section 6 of title II of the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.).

(C) PRIORITIES.—In carrying out the Initiative, priority shall be given to projects that—
(i) are located in severely distressed low-income communities, as defined by the Community Development Financial Institutions Fund of the Department of the Treasury; and
(ii) include 1 or more of the following characteristics—
(I) the project will create or retain quality jobs for low-income residents in the community.

(II) The project supports regional food systems and locally grown foods, to the maximum extent possible.

(III) In areas served by public transit, the project is accessible by public transit.

"(IV) The project involves women- or minority-owned businesses.

(V) The project receives funding from other sources, including other Federal agencies.

(VI) The project anywhere provides for an independent evaluation of the results of the evaluation.

There is authorized to be appropriated to the Secretary to carry out this section $125,000,000, to remain available until expended.

(b) CONFORMING AMENDMENT.—Section 296(b) of the Department of Agriculture Reorganization Act of 1993 (as amended by section 169(d)) is amended—
(1) in paragraph (7), by striking ‘‘or’’ at the end;
(2) in paragraph (8), by striking the period at the end and inserting ‘‘; or’’; and
(3) by adding at the end the following:

(9) the authority of the Secretary to establish and carry out the Health Food Financing Initiative under section 242.

SEC. 4207. PULSE CROP PRODUCTS.

(a) PURPOSE.—The purpose of this section is to encourage greater awareness and interest in the number and variety of pulse crop products available to schoolchildren, as recommended by the most recent Dietary Guidelines for Americans published under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5311).

(b) DEFINITIONS.—In this section:

(1) ELIGIBLE PULSE CROP.—The term ‘‘eligible pulse crop’’ means dry beans, dry peas, lentils, and chickpeas.

(2) PULSE CROP PRODUCT.—The term ‘‘pulse crop product’’ means a food product derived in whole or in part from an eligible pulse crop.

(3) PURCHASE OF PULSE CROPS AND PULSE CROP PRODUCTS.—In addition to the commodities delivered under section 8 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1755), the Secretary shall purchase eligible pulse crops and pulse crop products for use in—

(1) the school lunch program established under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.); and

(2) the school breakfast program established under section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773).

(d) EVALUATION.—Not later than September 30, 2016, the Secretary shall conduct an evaluation of the activities conducted under subsection (c), including—

(1) an evaluation of whether children participating in the school lunch and breakfast programs described in subsection (c) increased overall consumption of eligible pulse crops as a result of the activities;

(2) an evaluation of which eligible pulse crops and pulse crop products are most acceptable for use in the school lunch and breakfast programs;

(3) any recommendations of the Secretary regarding the integration of the use of pulse crop products in carrying out the school lunch and breakfast programs;

(4) an evaluation of any change in the nutrient composition in the school lunch and breakfast programs due to the activities; and

(5) an evaluation of any other outcomes determined to be appropriate by the Secretary.

(e) REPORT.—As soon as practicable after the completion of the evaluation under subsection (d), the Secretary shall submit to the Committee on Agriculture and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Education and the Workforce of the House of Representatives a report describing the results of the evaluation.
**Title V—Credit**

Subtitle A—Farmer Loans, Servicing, and Other Assistance Under the Consolidated Farm and Rural Development Act

The Consolidated Farm and Rural Development Act (as amended by section 3001) is amended by inserting after paragraph 2 of section 3002 the following:

"Chapter 1—Farm Ownership Loans"

"Sec. 3101. Farm Ownership Loans."

(a) In General.—The Secretary may make or guarantee a direct farm ownership loan under this chapter to an eligible farmer.

(b) Eligibility.—A farmer shall be eligible under subsection (a) only if —

(1) if the farmer is an individual, the farm is not larger than a family farm; and

(2) in the case of a lessee-operator of a farm located in the State of Hawaii, if the Secretary determines that—

(A) the farm is not larger than a family farm; or

(B) the lessee-operator has a direct or indirect ownership interest in the farm; or

"Sec. 3102. Purposes of Loans."

(a) Allowed Purposes.—

(1) Direct Loans.—A farmer may use a direct loan made under this chapter only—

(A) to acquire or enlarge a farm; or

(B) to make capital improvements to a farm; or

(C) to pay loan closing costs related to acquiring, enlarging, or improving a farm; or

(D) to pay for activities to promote soil and water conservation and protection described in section 3103 on a farm; or

(E) to refinance indebtedness.

(b) Preferences.—In making or guaranteeing a loan under this section, the Secretary shall give preference to a farmer who—

(1) has a dependent family; or

(2) is an owner of livestock or farm equipment that is necessary to successfully carry out farming operations.

"Sec. 3103. Conservation Loan and Loan Guarantee Program."

(a) In General.—The Secretary may make or guarantee qualified conservation loans to eligible borrowers under this section.

(b) Definitions.—In this section:

(1) Conservation Plan.—The term ‘‘conservation plan’’ means a plan, approved by the Secretary, that, for a farming operation, identifies the conservation activities that will be addressed with loan funds provided under this section.

(2) Eligible Farmer.—The term ‘‘eligible farmer’’ means a farmer who is an individual who—

(A) has a direct or indirect ownership interest in the farm; or

(B) is a farmer that owns a specified percentage of the farm.

(c) Conservation Trust Fund.—The Secretary may establish a conservation trust fund for the purposes of this section.

(d) Agriculture Credit Corporation.—The term ‘‘Agriculture Credit Corporation’’ means a corporation established by the Secretary.

(e) Authority of the Secretary.—The Secretary shall make or guarantee conservation loans to eligible borrowers under this section.

(f) Management of the Fund.—The Secretary shall—

(1) designate the organizations that are eligible to receive grants from the Fund; and

(2) establish and maintain a fund to be known as the ‘‘Conservation Loan Fund’’.

(g) Use of the Fund.—The Secretary shall use the Fund to—

(1) make or guarantee conservation loans to eligible farmers; and

(2) establish and maintain a fund to be known as the ‘‘Conservation Loan Fund’’.

(h) Administration.—The Secretary shall administer the Fund in a manner consistent with this section.

(i)gpu

"Sec. 3104. Planning Assistance Under the Consolidated Farm and Rural Development Act."

The Consolidated Farm and Rural Development Act (as amended by section 3001) is amended by inserting after section 3002 the following:

"Chapter 1—Planning Assistance"

"Sec. 3201. Planning Assistance."

(a) In General.—The Secretary may make or guarantee a planning assistance loan under this chapter to an eligible farmer.

(b) Eligibility.—A farmer shall be eligible under subsection (a) only if —

(1) if the farmer is an individual, the farm is not larger than a family farm; and

(2) in the case of a lessee-operator of a farm located in the State of Hawaii, if the Secretary determines that—

(A) the farm is not larger than a family farm; or

(B) the lessee-operator has a direct or indirect ownership interest in the farm; or

"Sec. 3202. Purposes of Loans."

(a) Allowed Purposes.—

(1) Direct Loans.—A farmer may use a direct loan made under this chapter only—

(A) to acquire or enlarge a farm; or

(B) to make capital improvements to a farm; or

(C) to pay loan closing costs related to acquiring, enlarging, or improving a farm; or

(D) to pay for activities to promote soil and water conservation and protection described in section 3103 on a farm; or

(E) to refinance indebtedness.

(b) Preferences.—In making or guaranteeing a loan under this section, the Secretary shall give preference to a farmer who—

(1) has a dependent family; or

(2) is an owner of livestock or farm equipment that is necessary to successfully carry out farming operations.

"Sec. 3203. Conservation Loan and Loan Guarantee Program."

(a) In General.—The Secretary may make or guarantee qualified conservation loans to eligible borrowers under this section.

(b) Definitions.—In this section:

(1) Conservation Plan.—The term ‘‘conservation plan’’ means a plan, approved by the Secretary, that, for a farming operation, identifies the conservation activities that will be addressed with loan funds provided under this section.

(2) Eligible Farmer.—The term ‘‘eligible farmer’’ means a farmer who is an individual who—

(A) has a direct or indirect ownership interest in the farm; or

(B) is a farmer that owns a specified percentage of the farm.

(c) Conservation Trust Fund.—The Secretary may establish a conservation trust fund for the purposes of this section.

(d) Agriculture Credit Corporation.—The term ‘‘Agriculture Credit Corporation’’ means a corporation established by the Secretary.

(e) Authority of the Secretary.—The Secretary shall make or guarantee conservation loans to eligible borrowers under this section.

(f) Management of the Fund.—The Secretary shall—

(1) designate the organizations that are eligible to receive grants from the Fund; and

(2) establish and maintain a fund to be known as the ‘‘Conservation Loan Fund’’.

(g) Use of the Fund.—The Secretary shall use the Fund to—

(1) make or guarantee conservation loans to eligible farmers; and

(2) establish and maintain a fund to be known as the ‘‘Conservation Loan Fund’’.

(h) Administration.—The Secretary shall administer the Fund in a manner consistent with this section.

(i)gpu
(c) the installation of water conservation measures;

(d) the installation of waste management systems;

(e) the establishment or improvement of permanent pasture;

(f) compliance with section 1212 of the Food Security Act of 1985 (16 U.S.C. 3812);

(g) other purposes consistent with the plan, including the adoption of any other emerging or existing conservation practices, technologies, or technologies approved by the Secretary.

(2) QUALIFIED CONSERVATION LOAN.—The term ‘qualified conservation loan’ means a loan, the proceeds of which are used to cover the costs to the borrower of carrying out a qualified conservation project.

(3) QUALIFIED CONSERVATION PROJECT.—The term ‘qualified conservation project’ means conservation measures that address provisions of a conservation plan of the eligible borrower.

(4) DELINQUENCY.—

(a) IN GENERAL.—The Secretary may make or guarantee loans to farmers.

(b) REQUIREMENTS.—To be eligible for a loan under this section, applicants shall meet the citizenship and training and experience requirements of section 3101(b).

(c) PAYMENT OF CHARGES.—A borrower of a loan made under this section shall not exceed 8 percent of the principal amount of the loan.

(d) ADMINISTRATIVE PROVISIONS.—The Secretary shall make or guarantee loans under this section.

(e) LIMITATIONS APPLICABLE TO LOAN GUARANTEES.—The portion of a loan that the Secretary may guarantee under this section shall not exceed 75 percent of the principal amount of the loan.

(f) ADMINISTRATIVE PROVISIONS.—The Secretary shall make conservation structures or establish conservation practices to comply with section 1212 of the Food Security Act of 1985 (16 U.S.C. 3812).

(g) CREDIT ELIGIBILITY.—The provisions of paragraphs (f) and (g) of section 3406(a) shall not apply to loans made or guaranteed under this section.

(h) AUTHORIZATION OF APPROPRIATIONS.—For each of fiscal years 2014 through 2018, there are authorized to be appropriated to the Secretary such sums as are necessary to carry out this section.

SEC. 3108. LOAN MAXIMUMS.

(a) MAXIMUM.—

(1) IN GENERAL.—The Secretary shall make or guarantee no loan under sections 3101, 3102, 3103, 3106, and 3107 that would cause the unpaid indebtedness under those sections of any 1 borrower to exceed the lesser of—

(A) the value of the farm or other security, or

(B) $700,000, in the case of a loan made by the Secretary, $300,000; or

(ii) in the case of a loan guaranteed by the Secretary, $700,000 (as modified under paragraph (2)).

(2) MODIFICATION.—The amount specified in paragraph (1)(B)(ii) shall be—

(A) increased, beginning with fiscal year 2000, by the inflation percentage applicable to the fiscal year in which the loan is guaranteed; and

(B) reduced by the amount of any unpaid indebtedness of the borrower on loans under chapter 2 that are guaranteed by the Secretary.

(b) DETERMINATION OF VALUE.—In determining the value of the farm, the Secretary shall consider appraisals made by competent appraisers under rules established by the Secretary.

(c) INFLATION PERCENTAGE.—For purposes of this section, the inflation percentage applicable to a fiscal year is the percentage (if any) by which—

(1) the average of the Prices Paid By Farmers Index (as compiled by the National Agricultural Statistics Service of the Department of Agriculture) for the 12-month period ending on August 31 of the immediately preceding fiscal year, exceeds

(2) the average of that index (as so defined) for the 12-month period ending on August 31, 1996.

SEC. 3105. REPAYMENT REQUIREMENTS FOR LOANS.

(a) PERIOD FOR REPAYMENT.—The period for repayment of a loan under this chapter shall not exceed 48 years.

(b) INTEREST RATES.—

(1) IN GENERAL.—Except as otherwise provided in this title, the interest rate on a loan under this chapter shall be determined by the Secretary at a rate that is—

(A) increased, beginning with fiscal year 2001, by the amount not to exceed 1 percent per year, as the Secretary determines is appropriate; and

(B) not less than 5 percent per year.

(2) LOW INCOME FARM OWNERSHIP LOANS.—Except as provided in paragraph (3), the interest rate on a loan other than a guaranteed loan under this section shall be determined by the Secretary as a rate that is—

(A) not greater than the sum obtained by adding—

(I) an amount not to exceed ½ of the current average market yield on outstanding marketable obligations of the United States with maturities of 5 years; and

(II) an amount not to exceed 1 percent per year, as the Secretary determines is appropriate; and

(B) not less than 5 percent per year.

(3) JOINT FINANCING ARRANGEMENT.—If a loan is made under this chapter as a joint financing arrangement and the amount of the direct farm ownership loan does not exceed 50 percent of the principal amount of the total amount of the loan under the arrangement, the interest rate on the direct farm ownership loan shall be at least 4 percent annually.

(c) INTEREST RATES.—The interest rate on a loan made under this chapter as a guaranteed loan shall be such rate as may be agreed on by the borrower and the lender, but not in excess of any rate determined by the Secretary.

(d) PAYMENT OF CHARGES.—If a loan is guaranteed under this chapter, the Secretary may require, and prepay to the Secretary, any other charges as the Secretary may require, on such terms and conditions as the Secretary may prescribe.

(e) SECURITY.—

(1) IN GENERAL.—The Secretary shall take as security for a loan obligation entered into in connection with a loan, a mortgage on a farm with respect to which the loan is made or such other security as the Secretary may require.

(2) LIENS TO UNITED STATES.—An instrument for security under paragraph (1) may constitute a lien on real property located in the United States and security for the loan for the purposes of the Federal Acquisition Regulation in the same manner as a mortgage or deed of trust on real property located in the United States.

(3) MULTIPLE LOANS.—A borrower may use the same collateral to secure 2 or more loans made or guaranteed under this chapter except that the outstanding amount of the loans may not exceed the total value of the collateral.

(f) MINERAL RIGHTS AS COLLATERAL.—The term ‘loan’ includes any farm ownership loan made after December 23, 1985, unless appraised values of the rights to oil, gas, or other minerals are specifically included as part of the appraised value of collateral securing the loan, the rights to oil, gas, or other minerals located under the property shall not be considered part of the collateral securing the loan.

(g) COMPENSATORY PAYMENTS.—Nothing in this subsection prevents the inclusion of, as part of the collateral securing the loan, any payment or other compensation the borrower may receive for damages to the surface of the collateral real estate resulting from the exploration for or recovery of minerals.

(h) ADDITIONAL COLLATERAL.—The Secretary may not—

(1) require any borrower to provide additional collateral to secure the loan, any payment or other compensation to the borrower may receive for damages to the surface of the collateral real estate resulting from the exploration for or recovery of minerals.

(2) make or guarantee a limited-resource loan for any of the purposes specified in sections 3102(a) or 3103(a) to a farmer in the United States who—

(I) in the case of an entity, all members, stockholders, or partners are eligible under section 3103(b);

(II) has a low income; and

(III) demonstrates a need to maximize the income of the farmer from farming operations.

(3) make or guarantee a limited-resource loan for any of the purposes specified in sections 3102(a) or 3103(a) to a farmer in the United States who—

(I) in the case of an entity, all members, stockholders, or partners are eligible under section 3103(b);

(II) has a low income; and

(III) demonstrates a need to maximize the income of the farmer from farming operations.

(4) installments.—A loan made or guaranteed under this chapter shall be repayable in such installments as the Secretary determines, including the initial repayment period of the loan and larger payments during the remainder of the repayment period of the loan.

(5) guarantee.—A guarantee provided for under section 3105(b)(3) and in section 3204(b)(3), the interest rate on loans (other than guaranteed loans) under this section shall not be—

(1) greater than the sum obtained by adding—

(I) an amount that does not exceed ½ of the current average market yield on outstanding marketable obligations of the United States with maturities of 5 years; and

(II) an amount not to exceed 1 percent per year, as the Secretary determines is appropriate; and

(2) less than 5 percent per year.

(6) COORDINATION.—The Secretary shall be the coordinating agency for the administration of the programs established under this section, in consultation

SEC. 3107. DOWNPAYMENT LOAN PROGRAM.

(a) IN GENERAL.—The Secretary shall establish, under the farm ownership loan program established under this chapter, a program under which loans shall be made under this section to a qualified beginning farmer or a socially disadvantaged farmer for a downpayment loan on a farm ownership loan.

(b) ESTABLISHMENT.—Notwithstanding any other provision of this chapter, the Secretary shall establish an loan program established under this section, in consultation
with a commercial or cooperative lender and, if applicable, a contracting credit counseling service selected under section 3420(c).''

(b) LOAN TERMS.

(1) IN GENERAL.—Each loan made under this section shall be in an amount that does not exceed 45 percent of the lesser of—

(A) the purchase price of the farm to be acquired; or

(B) the appraised value of the farm to be acquired; or

(2) INTEREST RATE.—The interest rate on any loan made by the Secretary under this section shall be a rate equal to the greater of—

(A) the difference between—

(1) 4 percent; and

(ii) the interest rate for farm ownership loans under this chapter; or

(B) 1.5 percent; or

(3) DURATION.—Each loan under this section shall be made for a period of 20 years or less, at the option of the borrower.

(4) REPAYMENT.—Each borrower of a loan under this section shall repay the loan to the Secretary in equal annual installments.

(i) SELECTION OF PLAN.—The Secretary shall make or guarantee an operating loan under this section in accordance with the loan terms and conditions set forth in subsection (a).

(ii) the interest rate for farm ownership loans under this chapter; or

(iii) a standard guarantee plan, which is owned, in whole or in part, by one or more entities, may not be larger than a family farm; and

(iv) if the farmer and each individual that holds a majority interest in the farm is unable to obtain credit elsewhere.

(5) NATURE OF RETAINED SECURITY INTEREST.—The Secretary shall retain an interest in each farm acquired with a loan made under this section that—

(A) be secured by the farm;

(B) be junior only to such interests in the farm as may be conveyed at the time of acquisition (including a lien) from whom the borrower obtained a loan used to acquire the farm; and

(C) require the borrower to obtain the permission of the Secretary before the borrower may grant an additional security interest in the farm.

(c) LIMITATIONS.

(1) BORROWS REQUIRED TO MAKE MINIMUM DOWN PAYMENT.—The Secretary shall not make a loan under this section to any borrower with respect to a farm if the contribution of the borrower to the down payment on the farm will be less than 5 percent of the purchase price of the farm.

(2) PROHIBITED TYPES OF FINANCING.—The Secretary shall not make a loan under this section with respect to a farm if the farm is to be acquired with other financing that contains any of the following conditions:

(A) The land to be amortized over a period of less than 30 years.

(B) A balloon payment will be due on the financing during the 20-year period beginning on the date on which the loan is to be made by the Secretary.

(C) ADMINISTRATION.—In carrying out this section the Secretary shall, to the maximum extent practicable—

(i) facilitate the transfer of farms from retiring farmers to persons eligible for insurance under this subtitle;

(ii) make efforts to widely publicize the availability of loans under this section among—

(A) potentially eligible recipients of the loans;

(B) retiring farmers; and

(C) applicants for farm ownership loans under this chapter;

(3) encourage retiring farmers to assist in the sale of their farms to qualified beginning farmers and socially disadvantaged farmers provided under insurance financing;

(4) coordinate the loan program established by this section with State programs that provide farm ownership or operating loans to beginning farmers or socially disadvantaged farmers; and

(5) establish annual performance goals to promote the use of the down payment loan program and joint financing arrangements as the preferred choice for direct real estate loans made by any lender to a qualified beginning farmer or socially disadvantaged farmer.

SEC. 3108. BEGINNING FARMER AND SOCIALLY DISADVANTAGED FARMER CONSUMER LOAN PROGRAM.

(a) IN GENERAL.—The Secretary shall, in accordance with this section, provide a guarantee for a loan made by a qualified lender to a qualified beginning farmer or a socially disadvantaged farmer on a contract land sales basis.

(1) ELIGIBILITY.—To be eligible for a loan guarantee under subsection (a) the qualified beginning farmer or socially disadvantaged farmer shall—

(A) on the date of the contract land sale that is subject of the loan be complete, own and operate the farm that is the subject of the contract land sale;

(B) have a credit history that—

(i) includes a record of satisfactory debt repayment, as determined by the Secretary; and

(ii) is acceptable to the Secretary; and

(C) demonstrate to the Secretary that the farmer is unable to obtain sufficient credit without a guarantee to finance any actual need of the farmer at a reasonable rate or term and without a guarantee to finance a portion of the purchase price of the farm or the contract land sale;

(2) the loan shall meet applicable underwriting criteria, as determined by the Secretary.

(3) the contribution of the qualified beginning farmer or socially disadvantaged farmer to the down payment for the farm that is the subject of the contract land sale would be less than 5 percent of the purchase price of the farm or the contract land sale;

(4) the Secretary shall receive a guarantee on the loan amount provided under subsection (a) if—

(A) the purchase price of the farm to be acquired; or

(B) a standard guarantee plan, which is owned, in whole or in part, by one or more entities, may not be larger than a family farm; and

(5) the period of the guarantee under this section shall be in effect for the 10-year period beginning on the date on which the guarantee is provided.

(b) SELECTION OF PLAN.—

(1) SELECTION OF PLAN.—A private seller of a farm who makes a loan guaranteed by the Secretary under subsection (a) may select—

(A) a prompt payment guarantee plan, which shall cover—

(i) 3 amortized annual installments; or

(ii) an amount equal to 3 annual installments (including an amount equal to the total cost of any tax and insurance incurred during the period covered by the annual installments); or

(B) a standard guarantee plan, which shall cover an amount equal to 90 percent of the outstanding principal of the loan.

(2) ELIGIBILITY FOR STANDARD GUARANTEE PLAN.—To be eligible for a standard guarantee plan referred to in paragraph (1)(B), a private seller shall—

(A) a commercial lending institution or similar entity, as determined by the Secretary, to serve as an escrow agent; or

(B) in cooperation with the farmer, use an appropriate alternate arrangement, as determined by the Secretary.

CHAPTER 2—OPERATING LOANS

SEC. 3201. OPERATING LOANS.

(a) IN GENERAL.—The Secretary may make or guarantee an operating loan under this chapter to an eligible farmer in the United States.

(b) ELIGIBILITY.—A farmer shall be eligible under subsection (a) only if—

(1) the farmer, or an individual holding a majority interest in the farmer—

(A) is a qualified beginning farmer; and

(B) has training or farming experience as defined by the Secretary;

(2) the farmer has an ownership or operator interest—

(A) the entire interest is held by individuals who are related by blood or marriage, as defined by the Secretary; or

(B) the interest is held by an individual whose need of the farmer at a reasonable rate or term and without a guarantee to finance a portion of the purchase price of the farm or the contract land sale; and

(C) has not received a previous direct operating loan made under this chapter during each of 4 or more previous years, the borrower shall be eligible to receive a direct operating loan under this chapter during 3 additional years after April 4, 1996.

(4) WAIKES.—

(A) FARMS OPERATING ON TRIBAL LAND.—The Secretary shall waive the limitation under paragraph (1)(C) or (3) for a direct loan made under this chapter for a total of 7 years, less 1 year for every 3 consecutive years the farmer did not receive a direct operating loan after the year in which the borrower initially received a direct operating loan under this chapter, as determined by the Secretary.

(B) OTHER FARM OPERATIONS.—On a case-by-case determination not subject to administrative appeal, the Secretary may grant a blanket operating loan waiver, for a period of 2 years, of the limitation under paragraph (1)(C) or (3) for a direct operating loan if the farmer in the case of a farmer that is an individual, if the farmer becomes an owner of a farm that is not larger than a family farm.

(Y) in the case of a farmer that is a cooperative corporation, partnership, limited liability company, joint operation, or other such legal entity as the Secretary determines to be appropriate, with respect to the entity and each farm in which the entity has an ownership or operator interest—

(A) the entire interest is held by individuals who are related by blood or marriage, as defined by the Secretary;

(B) the interest is held by an individual whose need of the farmer at a reasonable rate or term and without a guarantee to finance a portion of the purchase price of the farm or the contract land sale; and

(C) has not received a previous direct operating loan made under this chapter; or

(D) has not received a direct operating loan made under this chapter during each of 4 or more previous years, the borrower shall be eligible to receive a direct operating loan under this chapter during 3 additional years after April 4, 1996.

(4) WAIKES.—

(A) FARMS OPERATING ON TRIBAL LAND.—The Secretary shall waive the limitation under paragraph (1)(C) or (3) for a direct loan made under this chapter for a total of 7 years, less 1 year for every 3 consecutive years the farmer did not receive a direct operating loan after the year in which the borrower initially received a direct operating loan under this chapter, as determined by the Secretary.

(B) OTHER FARM OPERATIONS.—On a case-by-case determination not subject to administrative appeal, the Secretary may grant a blanket operating loan waiver, for a period of 2 years, of the limitation under paragraph (1)(C) or (3) for a direct operating loan if the farmer in the case of a farmer that is an individual, if the farmer becomes an owner of a farm that is not larger than a family farm.

(Y) in the case of a farmer that is a cooperative corporation, partnership, limited liability company, joint operation, or other such legal entity as the Secretary determines to be appropriate, with respect to the entity and each farm in which the entity has an ownership or operator interest—

(A) the entire interest is held by individuals who are related by blood or marriage, as defined by the Secretary;

(B) the interest is held by an individual whose need of the farmer at a reasonable rate or term and without a guarantee to finance a portion of the purchase price of the farm or the contract land sale; and

(C) has not received a previous direct operating loan made under this chapter; or

(D) has not received a direct operating loan made under this chapter during each of 4 or more previous years, the borrower shall be eligible to receive a direct operating loan under this chapter during 3 additional years after April 4, 1996.
Borrower demonstrates to the satisfaction of the Secretary that—
(i) the borrower has a viable farm operation;
(ii) the borrower applied for commercial credit from at least 2 commercial lenders;
(iii) the borrower was unable to obtain a commercial loan (including a loan guaranteed by the Secretary);
(iv) the borrower successfully has completed, or will complete within 1 year, borrower training under section 3149 (from which requirement the Secretary shall not grant a waiver under section 3149 (f)).

(d) YOUTH LOANS.—
(1) In general.—Notwithstanding subsection (b) of section 3149 of this title, this subsection, the Secretary shall establish, within 120 days after the date of enactment of this subsection, a pilot program to make loans available to eligible entities to assist the entities in connection with the participation in a youth organization, as determined by the Secretary.

(2) Full personal liability.—A youth receiving a loan under this subsection who executes a promissory note for the loan shall incur full personal liability for the indebtedness evidenced by the note, in accordance with the terms of the note, free of any disability of minority.

(3) Cosigner.—The Secretary may accept the personal liability of a cosigner of a promissory note as fulfillment of this subsection, in addition to the personal liability of the youth borrower.

(4) Youth enterprises not farming.—The operation of an enterprise by a youth under this subsection shall not be considered the operation of a farm under this subtitle.

(e) PILOT LOAN PROGRAM TO SUPPORT HEALTHY FOODS FOR THE HUNGRY.—
(1) Definition of gleaner.—In this subsection, the term 'gleaner' means an entity that—
(A) collects edible, surplus food that would be thrown away and distributes the food to agencies or nonprofit organizations that feed the hungry; or
(B) harvests for free distribution to the needy, or for donation to agencies or nonprofit organizations for ultimate distribution to the needy, an agricultural crop that has been donated by the owner of the crop.

(2) Program.—Not later than 180 days after the date of enactment of this subsection, the Secretary shall establish, within the pilot program, established under this subsection, a pilot program under which the Secretary makes loans available to eligible entities to assist in providing hungry.

(3) Eligibility.—In addition to any other person eligible under the terms and conditions of the operating loan program established under this chapter, gleaners shall be eligible to receive loans under this subsection.

(4) Loan amount.—
(A) in general.—Each loan issued under the program shall be in an amount of not less than $500 and not more than $5,000.

(B) Redistribution.—If the eligible recipients in a State do not use the full allocation of loans that are available to eligible recipients in the State under this subsection, the Secretary may use any unused amounts to make loans available to eligible entities in other States in accordance with this subsection.

(5) Loan processing.—
(A) In general.—The Secretary shall process any loan application submitted under the program not later than 30 days after the date on which the application was submitted.

(B) Expediting applications.—The Secretary shall take any measures the Secretary determines necessary to expedite any application submitted under the program.

(6) Paperwork reduction.—The Secretary shall take measures to reduce any paperwork requirements for loans under the program.

(7) Program integrity.—The Secretary shall take such actions as are necessary to ensure the integrity of the program established under this subsection.

(8) Maximum amount.—Of funds that are made available to carry out this chapter, the Secretary shall carry out this subsection a total amount of not more than $500,000.

(9) Report.—Not later than 180 days after the mandatory use of funds are used to carry out this subsection under paragraph (8), the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the pilot program and the feasibility of expanding the program.

SEC. 3202. PURPOSES OF LOANS.

(a) Direct Loans.—A direct loan may be made under this chapter only—

(1) to pay the costs incident to reorganizing a farm for profitable operation;

(2) to purchase livestock, poultry, or farm equipment;

(3) to purchase feed, seed, fertilizer, insecticide, or farm supplies, or to meet other essential farm operating expenses, including cash rent;

(4) to finance land or water development, use, or conservation;

(5) to pay loan closing costs;

(6) to assist a farmer in changing the equipment, facilities, or methods of operation of a farm to comply with a standard promulgated under section 6 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 655) or a standard adopted by a State under a plan approved under section 18 of that Act (29 U.S.C. 667), if the Secretary determines that without assistance under this paragraph the farmer is likely to suffer substantial economic injury due to compliance with the standard;

(7) to train a borrower under section 3419; or

(8) to provide other farm or home needs, including family subsistence.

(b) Hazard Insurance Requirement.—The Secretary shall make a loan only to a borrower who has, or agrees to obtain, hazard insurance on the property to be acquired with the loan.

(2) Loan for private reserve.—Notwithstanding any other provision of this title, the Secretary may make a loan only to a borrower who has, or agrees to obtain, hazard insurance on the property to be acquired with the loan.

(c) Loan for private reserve.—The Secretary may not make a loan to a borrower under this chapter unless the farmer has, or agrees to obtain, hazard insurance on the property to be acquired with the loan.

SEC. 3203. RESTRICTIONS ON LOANS.

(a) Requirements.—
(1) In general.—The Secretary shall not make or guarantee a loan under this chapter—

(A) that would cause the total principal indebtedness outstanding at any 1 time for loans made under this chapter to any 1 borrower to exceed—

(i) in the case of a loan made by the Secretary, $300,000; or

(ii) in the case of a loan guaranteed by the Secretary, $700,000 (as modified under paragraph (2)); or

(B) for the purchasing or leasing of land other than for cash rent, or for carrying on a land leasing or land purchasing program.

(2) Modification.—The amount specified in paragraph (1)(A) shall be increased, beginning with fiscal year 2000, by the inflation percentage applicable to the fiscal year in which the loan is guaranteed; and

(3) Refinanced by the unpaid indebtedness of the borrower on loans under sections specified in section 3104 that are guaranteed by the Secretary.

(b) Inflation Percentage.—For purposes of this section, the inflation percentage applicable to a fiscal year is the percentage (if any) by which—

(1) the average of the Prices Paid by Farmers Index (as compiled by the National Agricultural Statistics Service of the Department of Agriculture) for the 12-month period ending on August 31, of the immediately preceding fiscal year, exceeds the average of the Prices Paid by Farmers Index (as compiled by the National Agricultural Statistics Service of the Department of Agriculture) for the 12-month period ending on August 31, 1996.

SEC. 3204. TERMS OF LOANS.

(a) Personal Liability.—A borrower of a loan made under this chapter shall secure the loan with the full personal liability of the borrower and such other security as the Secretary may prescribe.

(b) Interest Rates.—
(1) Maximum rate.—
(A) In general.—Except as provided in paragraph (2) and (3), the interest rate on a loan made under this chapter (other than a commercial loan) shall be determined by the Secretary at a rate not to exceed the sum obtained by adding—
“(i) the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturity of the loan; and

“(ii) an additional charge not to exceed 1 percent, as determined by the Secretary.

“(B) ADJUSTMENT.—The sum obtained under paragraph (A) shall be adjusted to the nearest ¼ of 1 percent.

“(2) GUARANTEED LOAN.—The interest rate on a guaranteed loan made under this chapter shall be such rate as may be agreed on by the borrower and the lender, but may not exceed any rate prescribed by the Secretary.

“(3) LIMITATION.—The interest rate on a direct loan made under this chapter to a low-income, limited-resource borrower shall be determined by the Secretary at a rate that is not

“(A) greater than the sum obtained by adding—

“(i) an amount that does not exceed ¼ of the current average market yield on outstanding marketable obligations of the United States with a maturity of 5 years; and

“(ii) an amount not to exceed 1 percent per year, as the Secretary determines is appropriate; or

“(B) more than 5 percent per year.

“(c) PERIOD FOR REPAYMENT.—The period for repayment of a loan made under this chapter may not exceed 7 years.

“(d) ELIGIBILITY.—(1) IN GENERAL.—A loan made or guaranteed by the Secretary under this chapter may be in the form of a line-of-credit loan.

“(2) TERM.—A line-of-credit loan under paragraph (1) shall terminate not later than 5 years after the date that the loan is made or guaranteed.

“(3) ELIGIBILITY.—For purposes of determining eligibility for an operating loan under this chapter, each year during which a borrower takes an advance or draws on a line-of-credit loan the borrower shall be considered as having received an operating loan for 1 year.

“(4) TERMINATION OF DELINQUENT LOANS.—If a borrower does not pay an installment on a line-of-credit loan on schedule, the borrower may not take an advance or draw on the line-of-credit loan, unless the Secretary determines that—

“(A) the failure of the borrower to pay on schedule was due to unusual conditions that the Secretary determines are sufficient to constitute larger than a family farm; and

“(B) the borrower will reduce the line-of-credit balance to the scheduled level at the end of—

“(i) the production cycle; or

“(ii) the marketing of the agricultural products of the borrower.

“(5) AGRICULTURAL COMMODITIES.—A line-of-credit loan shall be limited to financing the production or marketing of an agricultural commodity that is eligible for a price support program of the Department.

**SEC. 3301. EMERGENCY LOANS.**

“(a) IN GENERAL.—The Secretary shall make or guarantee an emergency loan under this chapter to an eligible farmer (including a cooperator) only to the extent and in such amounts as provided in advance in appropriation Acts.

“(b) ELIGIBILITY.—An established farmer shall be eligible under subsection (a) only—

“(1) if the farmer or individual holding a majority interest in the farmer—

“(A) is a citizen of the United States; and

“(B) has experience and resources that the Secretary determines are sufficient to ensure a reasonable prospect of success in the farming operation proposed by the farmer;

“(2) in the case of a farmer that is an individual, if the farmer is—

“(A) in the case of a loan for a purpose under chapter 1, an owner, operator, or lessee-operator described in section 310(b)(2); and

“(B) in the case of a loan for a purpose under chapter 2, an operator of a farm that is not larger than a family farm;

“(3) if the farmer or individual holding a majority interest in the farmer—

“(A) is a citizen of the United States; and

“(B) has experience and resources that the Secretary determines are sufficient to appropriate Acts.

“(4) if the entity is owned, in whole or in part, by 1 or more individuals and each individual who is an owner of the family farm involved has a direct or indirect ownership interest in each of the other entities; and

“(5) if the individual that holds a majority interest in the farmer is unable to obtain credit elsewhere; and

“(b) ELIGIBILITY.—An established farmer shall be considered as having received an operating loan for 1 year.

“(4) ADEQUATE SECURITY.—Subject to paragraph (3), the Secretary may not make or guarantee a loan under this chapter unless the security for the loan is adequate to ensure repayment of the loan.

“(5) INADEQUATE SECURITY DUE TO DISASTER.—If adequate security for a loan under this chapter is not available because of a disaster, the Secretary may not make or guarantee a loan under this chapter for a purpose described in section 310(b)(2) if the loss suffered by the borrower caused by the disaster is the result of a natural disaster or emergency.

“(6) VALUATION OF FARM ASSETS.—If a farm asset (including land, livestock, or equipment) is used as collateral to secure a loan under this chapter or the Secretary chooses to use the asset for any purpose, the Secretary shall determine the value of the asset as of the day before the disaster or emergency.

“(7) REVIEW OF LOAN.—
(1) In General.—In the case of a loan made, but not guaranteed, under section 3301, the Secretary shall review the loan 3 years after the loan is made, and every 2 years thereafter for the term of the loan.

(2) Termination of Federal Assistance.—If, based on a review under paragraph (1), the Secretary determines that the borrower shall not be an eligible farmer for production losses if a single enterprise that constitutes a basic part of the farming operation of the farmer has sustained at least a 1 percent decrease in normal per acre or per animal production, or such lesser percentage as the Secretary may determine, as a result of a disaster.

(b) Basis for Percentage.—A percentage loss under subsection (a) shall be based on the average monthly price in effect for the previous crop or calendar year, as appropriate.

(c) Amount of Loan.—A loan under subsection (a) shall be in an amount that is equal to 80 percent, or such greater percentage as the Secretary may determine, of the total calculated actual production loss sustained by the farmer.

CHAPTER 4—GENERAL FARMER LOAN PROGRAMS

SEC. 3401. AGRICULTURAL CREDIT INSURANCE FUND.

The fund established pursuant to section 11(a) of the Bankhead-Jones Farm Tenant Act (60 Stat. 1975, chapter 964) shall be known as the Agricultural Credit Insurance Fund (referred to in this section as the ‘‘Fund’’), unless the context otherwise requires.

(1) in general.—The Secretary shall make a loan under chapter 31 of title 12 to an eligible farmer for production losses if a single enterprise that constitutes a basic part of the farming operation of the farmer has sustained at least a 1 percent decrease in normal per acre or per animal production, or such lesser percentage as the Secretary may determine, as a result of a disaster.

(B) Basis for Percentage.—A percentage loss under subsection (a) shall be based on the average monthly price in effect for the previous crop or calendar year, as appropriate.

(c) Amount of Loan.—A loan under subsection (a) shall be in an amount that is equal to 80 percent, or such greater percentage as the Secretary may determine, of the total calculated actual production loss sustained by the farmer.

Chapter 4—General Farmer Loan Programs

Section 3401. Agricultural Credit Insurance Fund

The fund established pursuant to section 11(a) of the Bankhead-Jones Farm Tenant Act (60 Stat. 1975, chapter 964) shall be known as the Agricultural Credit Insurance Fund (referred to in this section as the ‘‘Fund’’), unless the context otherwise requires.

SEC. 3402. GUARANTEED FARMER LOANS.

(a) IN GENERAL.—The Secretary shall make a loan under chapter 31 of title 12 to an eligible farmer for production losses if a single enterprise that constitutes a basic part of the farming operation of the farmer has sustained at least a 1 percent decrease in normal per acre or per animal production, or such lesser percentage as the Secretary may determine, as a result of a disaster.

(b) Basis for Percentage.—A percentage loss under subsection (a) shall be based on the average monthly price in effect for the previous crop or calendar year, as appropriate.

(c) Amount of Loan.—A loan under subsection (a) shall be in an amount that is equal to 80 percent, or such greater percentage as the Secretary may determine, of the total calculated actual production loss sustained by the farmer.

SEC. 3403. PROVISION OF INFORMATION TO BORROWERS.

(a) Approval Notification.—The Secretary shall approve or disapprove an application for a loan guarantee under this subtitle, and notify the applicant of such action, not later than 60 days after the date on which the Secretary has received a complete application for the loan or loan guarantee.

(b) List of Lenders.—The Secretary shall make a loan to any farmer, on request of the borrower in the area that participated in guaranteed farmer program loan programs established under this subtitle, and other lenders in the area that express a desire to participate in the programs and that request inclusion on the list.

(c) Other Information.—

(1) IN GENERAL.—On the request of a borrower, the Secretary shall make available to the borrower—

(A) a copy of each document signed by the borrower;

(B) a copy of each appraisal performed with respect to the loan; and

(C) any document that the Secretary is required to provide to the borrower under any law in effect on the date of the request.

(2) Rule of Construction.—Paragraph (1) shall not supersede any duty imposed on the Secretary by a law in effect on January 3, 1988, unless the duty does not conflict with a duty under paragraph (1).

SEC. 3404. NOTICE OF LOAN SERVICE PROGRAMS.

(a) Requirement.—The Secretary shall provide notice by certified mail to each borrower who is at least 90 days past due on the payment of principal or interest on a loan made under this chapter, including a loan made under chapter 31 of title 12, that refinances the principal and interest due on a direct loan made under this subtitle that is outstanding on the date the loan is guaranteed.

(b) Contents.—The notice required under subsection (a) shall—

(1) include a summary of all primary loan service programs, homestead retention programs, debt settlement programs, and appeal procedures, including the eligibility criteria, and terms and conditions of the programs and procedures;

(2) include a summary of the manner in which the borrower may apply, and be considered, for all such programs, except that the Secretary may not require the borrower to select among the programs or waive any right to be considered for any program carried out by the Secretary;

(3) advise the borrower regarding all filing requirements and any deadlines that must be met for requesting loan servicing;

(4) provide any relevant forms, including applicable response forms;

(5) advise the borrower that a copy of regulations is available upon request; and

(6) be written in a form understandable and standable by the borrower.

(c) Contained in Regulations.—All notices required by this section shall be contained in the regulations issued to carry out this title.

(d) Timing.—The notice described in subsection (b) shall be provided upon request of the borrower, and—

(1) at the time an application is made for participation in a loan service program;

(2) on written request of the borrower; and

(3) before the earliest of the date of—

(A) initiating any liquidation;

(B) requesting the conveyance of security;

(C) accelerating the loan;

(D) repossessing property;

(E) foreclosing on property; or

(F) in any other case, as the Secretary determines.

(e) Consideration of Borrowers for Loan Service Programs.—

(1) In General.—The Secretary shall consider a farmer program loan borrower for all loan service programs if, not later than 60 days after receipt of the notice described in subsection (b), the borrower requests the consideration in writing.

(2) Priority.—In considering a borrower for a loan service program, the Secretary shall place the highest priority on the preservation of the farming operations of the borrower.

SEC. 3405. PLANTING AND PRODUCTION HISTORY GUIDELINES.

(a) In General.—The Secretary shall ensure that appropriate procedures, including, to the extent practicable, onsite inspections, and the use of county or State yield averages, are used in calculating future yields for an applicant for a loan, when an accurate projection cannot be made because the past production history of the farmer has been affected by a natural or major disaster or emergency.

(b) Calculation of Yields.—

(1) In General.—For the purpose of averaging the past yields of the farm of a farmer over a period of crop years to calculate the future yield of the farm under this title, the Secretary shall permit the farmer to include any crop year with a county or State yield average, or use in calculating future yields for an applicant for a loan, when an accurate projection cannot be made because the past production history of the farmer has been affected by a natural or major disaster or emergency during any period of 2 of the crop period.

(2) Affected by a Natural or Major Disaster or Emergency.—A farmer was affected by a natural or major disaster or emergency during any period of 2 of the crop period.

(a) Applicant. —In connection with a loan made or guaranteed under this subtitle, the Secretary shall require—

(1) that an applicant—

(A) certify in writing that, and the Secretary shall determine whether, the applicant is unable to obtain credit elsewhere; and

(B) furnish an appropriate written financial statement;
(2) except for a guaranteed loan, an agreement by the borrower that if at any time it appears to the Secretary that the borrower may be able to obtain a loan from a production credit bank or other responsible cooperative or private credit source (or, in the case of a borrower under section 3106, the borrower may be able to obtain a loan from a Federal land bank, or other responsible cooperative or private credit source (or, in the case of a borrower under section 3106, the borrower may be able to obtain a loan from a Federal land bank), the borrower shall notify the Secretary of the outstanding information in writing, of the outstanding information. The Secretary shall notify the applicant of any information required before a decision may be made on the application.

(3) INFORMATION NOT RECEIVED.—If, not later than 20 calendar days after the date a request for an application is made pursuant to clause (1) with respect to an application, the Secretary has not received the information requested, the Secretary shall notify the applicant and the district office that receives a request from the applicant is incomplete with respect to an application, the Secretary shall notify the applicant of any information required before a decision may be made on the application. The Secretary shall notify the applicant of any information required before a decision may be made on the application.

(4) INFORMATION INCOMPLETE.—If an application for a loan or loan guarantee under this subtitle is disapproved by the Secretary, the Secretary shall notify the applicant of the action by the Secretary not later than 15 days after the date of receipt of the application. The Secretary shall notify the applicant of any information required before a decision may be made on the application.

(5) PROVISION OF PROCEEDS.—If an application for a loan or loan guarantee under this subtitle is disapproved by the Secretary, the Secretary shall notify the applicant of the action by the Secretary not later than 15 days after the date of receipt of the application. The Secretary shall notify the applicant of any information required before a decision may be made on the application.

(6) NOTIFICATION.—Not later than 60 days after funds become available regarding each pending application, the Secretary shall notify the applicant with notice of the action not later than 15 days after the date of return of the application to the Secretary.

(7) EFFECTIVE DATE.—The Secretary, or a cooperating lender agency in connection with the loan, shall retain each pending application and report to the State office at the same time.

(8) DISAPPROVAL DUE TO LACK OF FUNDS.—If an application for a loan or loan guarantee under this subtitle is disapproved by the Secretary, the Secretary shall state the reasons for the disapproval in the notice of the action. The Secretary shall notify the applicant of the action by the Secretary not later than 15 days after the date of receipt of the application. The Secretary shall notify the applicant of any information required before a decision may be made on the application.

(3) REPORT TO CONGRESS.—Each month, the Secretary shall notify the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate, on a State-by-State basis, as to each application for an operating loan or loan guarantee on which final action had not been taken within 60 days after funds became available according to the Secretary for further consideration, the Secretary shall notify the applicant of the action not later than 15 days after the date of return of the application to the Secretary.

(4) PROVISION OF PROCEEDS.—If an application for a loan or loan guarantee under this subtitle is disapproved by the Secretary, the Secretary shall notify the applicant of the action by the Secretary not later than 15 days after the date of return of the application to the Secretary.

(5) INTEREST RATE REDUCTIONS.—To the extent necessary for the borrower to obtain a loan, guaranteed by the Secretary, from a commercial or cooperative lender, the Secretary shall provide interest rate reductions and terms for underwriting and for underwriting.

(6) TRANSITION TO PRIVATE COMMERCIAL OR OTHER SOURCES OF CREDIT.—

(1) IN GENERAL.—In making an operating or direct loan, the Secretary shall establish a plan and promulgate regulations (including performance criteria) that promote the goal of transitioning borrowers to private or other sources of credit in the shortest period of time practicable.

(7) COORDINATION.—In carrying out this section, the Secretary shall integrate and coordinate the transition policy described in subsection (a) with—

(a) the borrower training program established by section 3417;

(b) the loan assessment process established by section 3420;

(c) the supervised credit requirement established by section 3421;

(d) the market placement program established by section 3422; and

(e) other appropriate programs and authorities, as determined by the Secretary.

(c) GRADUATION OF BORROWERS WITH OPERATING LOANS OR GUARANTEES TO PRIVATE COMMERCIAL CREDIT.—The Secretary shall establish a plan, in coordination with activities under sections 3419 through 3422, to encourage each borrower with an outstanding loan under this chapter, or with respect to whose loan there is an outstanding guarantee under this chapter, to graduate to private commercial or other sources of credit.
"SEC. 3408. DEBT ADJUSTMENT AND CREDIT COUNSELING.

"(a) Sale of Property.—

"(1) In general.—Subject to this subsection and subsection (e)(1), the Secretary shall offer to sell real property that is acquired by the Secretary under this subtitle using the following order and method of sale:

"(A) Advertisement.—Not later than 15 days after acquiring real property, the Secretary shall publicly advertise the property for sale.

"(B) Qualified Beginning Farmer.—

"(i) In general.—Not later than 75 days after acquiring real property, the Secretary shall offer to sell the property to a qualified beginning farmer or a socially disadvantaged farmer at current market value based on a current appraisal.

"(ii) Random Selection.—If more than 1 qualified beginning farmer or socially disadvantaged farmer offers to purchase the property, the Secretary shall select between the qualified applicants on a random basis.

"(iii) Appeal of Random Selection.—A random selection or denial by the Secretary of a qualified beginning farmer or a socially disadvantaged farmer for farm inventory property under this subparagraph shall be final and administratively appealable.

"(C) Public Sale.—If no acceptable offer is received from a qualified beginning farmer or a socially disadvantaged farmer under subparagraph (B) not later than 15 days after acquiring the real property, the Secretary shall, not later than 30 days after the 15-day period, sell the property after public notice at a public sale, and, if no acceptable bid is received, by negotiated sale, at the best price obtainable.

"(2) Interest.—

"(A) In general.—Subject to subparagraph (B), any conveyance of real property under this subsection shall include all of the interest of the United States in the property, including any appurtenances that are not inconsistent with the conveyance.

"(B) Conservation.—The Secretary may for conservation purposes grant or sell an easement, restriction, development right, or similar interest in any real property to a State, a political subdivision of a State, or a private nonprofit organization separately from the underlying fee or other rights to the property owned by the United States.


"(4) Lease of Property.—

"(A) In general.—Subject to subparagraph (B), the Secretary may not lease any real property acquired under this subsection.

"(B) Exception.—

"(i) Except that an Indian tribe may lease or contract to sell to a qualified beginning farmer or a socially disadvantaged farmer for a credit sale or direct farm ownership loan under chapter 1 through the program established under this paragraph from a real property that is leased by the Secretary under this paragraph if the Indian tribe has jurisdiction over the reservation within which the real property is located or, if no Indian tribe has jurisdiction over the reservation, the secretarial determinations established under this paragraph.

"(ii) Priorities.—The Secretary shall give priority to an Indian tribe that has jurisdiction over the reservation within which the real property is located or, if no Indian tribe has jurisdiction over the reservation, the determinations established under this paragraph.

"(5) Use of RENTAL INCOME.—From the income generated from the lease of the transferred real property, and all other income generated from the transferred real property, the Secretary shall transfer the real property to the Secretary of the Interior for the benefit of the Indian tribe.

"(6) Responsibilities of Secretary.—If any real property is transferred to the Secretary of the Interior under subparagraph (E) the Secretary of the Interior shall have the responsibilities of the Secretary of Agriculture under this subpart.

"(i) The Secretary of Agriculture shall have no further responsibility under this title for the property.

"(ii) Collection of amounts with regard to the farm program loan that had been secured by the real property.

"(iii) Any lien arising out of the loan transaction.

"(7) U.S. government.—In this paragraph, the term 'Indian tribe' includes any Indian tribe having jurisdiction over the reservation within which the real property is located.

"(8) Effect of Title.—The provisions of this title shall apply to the Secretary of the Interior as the successor of the Secretary of Agriculture in the responsibilities set forth in this subpart.

"(9) Effective date.—This subpart shall take effect 180 days after the date of enactment of this Act.
income generated from the real property transferred to the Secretary of the Interior under that subparagraph, shall be deposited as miscellaneous receipts in the Treasury of the United States until the amount deposited is equal to the lesser of—

(i) the amount of the outstanding lien of the United States against the real property, as of the date the real property was acquired by the Secretary; or

(ii) the fair market value of the real property, as of the date of the transfer to the Secretary of the Interior under subparagraph (E), offer to pay the Secretary of the Interior the fair market value of the real property that is necessary for the borrower-owner to relinquish title.

(b) Notice of Right to Convey Property.—(i) In General.—Except as provided in paragraph (ii), the Secretary shall offer a bid for the property that is equal to the fair market value of the property or the outstanding principal and interest of the loan, whichever is higher.

(ii) Effect of Payment.—On payment of the amount, title to the real property shall be transferred to the Secretary of the Interior under subparagraph (E), offer to pay the remaining amount on the lien or the fair market value of the real property, whichever is less.

(iii) Effect of Payment.—On payment of the amount, title to the real property shall be held by the United States in trust for the tribe and the trust or restricted land that has been acquired by the Secretary under foreclosure or liquidation of a loan made or insured under this subtitle and transferred to an Indian person, entity, or tribe under this paragraph shall be considered to have never lost trust or restricted status.

(ii) IN GENERAL.—This paragraph shall apply to all land in the land inventory established under this subtitle (as of November 28, 1990) that is immediately prior to the date owned by an Indian borrower-owner described in subparagraph (A) and that is located within an Indian reservation, regardless of the date of foreclosure or acquisition by the Secretary.

(i) OPPORTUNITY TO PURCHASE OR LEASE.—The Secretary shall afford an opportunity to an Indian person, entity, or tribe to purchase or lease the real property as provided in subparagraph (C).

(ii) Transfer.—If the right is not exercised or no expression of intent to exercise the right is received within 180 days after November 28, 1990, the Secretary shall transfer the real property to the Secretary of the Interior as provided in subparagraph (E).

(iii) Additional Rights.—The rights provided in paragraph (i) shall be transferred to any right of first refusal under the law of the State in which the property is located.

(iv) Disposition of Real Property on Indian Lands Acquired After Procedures Established.—(A) IN GENERAL.—The Secretary shall dispose of or administer real property described in paragraphs (i) and (ii) only as provided in paragraph (i), as modified by this paragraph, if—

(i) the real property described in paragraph (i)(B) is located within an Indian reservation;

(ii) the borrower-owner is an Indian tribe that has jurisdiction over the reservation in

which the real property is located or the borrower-owner is a member of an Indian tribe; and

(iii) the borrower-owner has obtained a loan made or guaranteed under this title; and

(iv) the borrower-owner and the Secretary shall use all of the procedures provided for in this title to permit a borrower-owner to convey the real property.

(B) Notice of Right to Convey Property.—(i) In General.—Except as provided in paragraph (ii), the Secretary shall offer a bid for the property that is necessary for the borrower-owner to relinquish title.

(ii) Notice to Tribe.—If an Indian borrower-owner does not voluntarily convey to the Secretary the real property described in subparagraph (A), the Secretary shall offer a bid for the property.

(c) Notice of Rights and Protections.—The Secretary shall offer the borrower-owner of the real property with written notice of the rights and protections provided under this paragraph to the borrower-owner, and the Indian tribe that has jurisdiction over the reservation in which the real property is located, from foreclosure or liquidation of the real property, including written notice of—

(i) the right of the borrower-owner to voluntarily convey the real property to the Secretary; and

(ii) the fact that real property so conveyed will be placed in the inventory of the Secretary.

(d) Acceptance of Voluntary Conveyance.—(i) IN GENERAL.—Except as provided in clause (ii), the Secretary shall accept the voluntary conveyance of real property described in paragraph (A) if the Secretary offers a bid for the property that is equal to the higher of—

(i) the fair market value of the property; or

(ii) the outstanding principal and interest on the loan.

(ii) Hazardous Substances.—If a hazardous substance (as defined in section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601(14))) is located on the property and the Secretary takes remedial action to protect human health or the environment if the property is taken into inventory, clause (i) shall apply only if the Secretary determines that the conveyance is in the best interests of the Federal Government.

(iii) Detrimental Effect on Value of Area Farmland.—The Secretary shall not offer for sale or sell any farmland referred to in paragraphs (i) through (3) if placing the farmland on the market will have a detrimental effect on the value of farmland in the area.

(iv) Installment Sales and Multiple Operators.—(A) In General.—The Secretary may sell farmland administered under this title through an installment sale or similar device that contains such terms as the Secretary considers necessary to protect the investment of the Federal Government in the land.

(B) Sale of Contract.—The Secretary may subsequently sell any contract entered into to carry out subparagraph (A).

(v) Highly Erovable Land.—In the case of farmland administered under this title that is highly erodible land (as defined in section 1201 of the Food Security Act of 1985 (16 U.S.C. 3801)), the Secretary shall require the involuntarily conveyed real property to be used as rental farmland and may subsequently sell any contract entered into to carry out subparagraph (A).

(vi) Disposition of Lien.—Any lien on the real property that is involuntarily conveyed under this subsection may be extinguished in accordance with clause (i).
SEC. 3410. CONTRACTS ON LOAN SECURITY PROPERTIES.

(a) Contracts on Loan Security Properties.—Subject to subsection (b), the Secretary may enter into a contract related to real property for conservation, recreation, or wildlife purposes.

(b) Restrictions.—The Secretary may enter into a contract under subsection (a) if—

(1) the property is wetland, upland, or highly erodible land;

(2) the property is determined by the Secretary to be suitable for the purpose involved; and

(3) the property secures a loan made under a law administered by the Secretary, and the contract would better enable the qualified borrower to repay the loan in a timely manner, as determined by the Secretary.

(4) The terms and conditions specified in a contract under subsection (a) shall—

(1) specify the purposes for which the real property may be used;

(2) identify any conservation measure to be taken, and any recreational and wildlife use to be allowed, with respect to the real property; and

(3) require the owner to permit the Secretary, and any person or governmental entity designated by the Secretary, to have access to the real property for the purpose of monitoring compliance with the contract.

(5) The Secretary may enter into a contract under subsection (a) if—

(1) the delinquency shall be due to a circumstance beyond the control of the borrower, as defined in regulations issued by the Secretary, except that the regulations shall require that, if the value of the assets calculated under subsection (c)(2)(A)(ii) that may be realized through liquidation or other methods would produce enough income to make the delinquent loan current, the borrower shall not be eligible for assistance under subsection (a); and

(2) the borrower shall have acted in good faith with the Secretary in connection with the loan as defined in regulations issued by the Secretary.

In determining the net recovery from the involuntary liquidation or foreclosure on the property securing the loan, the Secretary shall calculate—

(A) in the case of a borrower to whom the Secretary has made an outstanding loan under a law administered by the Secretary, the difference between the aggregate amount of the outstanding loan that bears the same ratio to the aggregate amount as the number of acres of the real property of the borrower that are subject to the contract; bears to

(ii) the aggregate number of acres securing the loan; or

(iii) the aggregate number of acres securing the loan and interest (subject to subsections (d) and (e)), to facilitate keeping the borrower on the farm, or otherwise through assistance under primary loan service programs under this section; and

(II) not essential to the operation of the farm; and

(iii) not essential for necessary family living expenses;

(A)(i) the amount of the current appraised value of the collateral;

(II) not exempt from judgment creditors under a law administered by the Secretary that bears the same ratio to the principal amount as the number of acres of the real property of the borrower that are subject to the contract; bears to

(B) the value of the restructured loan, in accordance with paragraphs (2) and (3); and

(ii) the value of the collateral securing the loan, in accordance with paragraph (2); and

(II) the value of the collateral securing the loan, in accordance with paragraphs (2) and (3); and

(2) Maximum Canceled Amount.—The amount canceled or treated as prepaid under paragraph (1) shall not exceed—

(A) the delinquency shall be due to a circumstance beyond the control of the borrower, as defined in regulations issued by the Secretary, except that the regulations shall require that, if the value of the assets calculated under subsection (c)(2)(A)(ii) that may be realized through liquidation or other methods would produce enough income to make the delinquent loan current, the borrower shall not be eligible for assistance under subsection (a); and

(B) the value of the collateral securing the loan; and

(ii) the value of the interests of the borrower in all other assets that are—

(i) not essential for necessary family living expenses;

(ii) not essential to the operation of the farm; and

(iii) not exempt from judgment creditors under a law administered by the Secretary that bears the same ratio to the principal amount as the number of acres of the real property of the borrower that are subject to the contract; bears to

(C) to meet the necessary family living and farm operating expenses of the borrower; and

(D) to service all debts of the borrower, including restructured loans; and

(E) the loan, if restructured, shall result in a net recovery to the Federal Government, during the term of the loan as restructured, that would be more than or equal to the net recovery made under the law of the Secretary

(F) and interest (subject to subsections (d) and (e)), to facilitate keeping the borrower on the farm, or otherwise through assistance under primary loan service programs under this section; and

(G) the delinquency shall be due to a circumstance beyond the control of the borrower, as defined in regulations issued by the Secretary, except that the regulations shall require that, if the value of the assets calculated under subsection (c)(2)(A)(ii) that may be realized through liquidation or other methods would produce enough income to make the delinquent loan current, the borrower shall not be eligible for assistance under subsection (a); and

(H) the borrower shall have acted in good faith with the Secretary in connection with the loan as defined in regulations issued by the Secretary.

(II) not essential to the operation of the farm; and

(iii) not essential for necessary family living expenses;
with the borrower concerning appraisals required under this subsection.

(B) INDEPENDENT APPRAISAL.—(i) IN GENERAL.—If the borrower, based on a separation of the value of the property from the value of the debts, files a written request for another appraisal of the property of the borrower.

(ii) VALUE OF FINAL APPRAISAL.—The average of the appraisals (as modified) under the loan and to the Secretary shall give priority consideration to the use of a principal interest write-down if other creditors of the borrower (other than the Secretary or the one creditor that is represented by a substantial portion of the total debt of the borrower held by the creditors of the borrower, agree to participate in the development of the restructuring plan or mediation program.

(C) PRINCIPAL AND INTEREST WRITE-UPS.—(1) IN GENERAL.—For the purpose of calculating the present value referred to in subparagraph (A), the Secretary shall use a discount rate of not more than the current rate at the time of the calculation of 90-day Treasury bills.

(B) CASH FLOW MARGIN.—For the purpose of assessing under subparagraph (A) the ability of the borrower to meet debt obligations and continue farming operations, the Secretary shall assume that the borrower needs to amortize a recapture payment owed to the Secretary in the development of a restructuring plan or mediation program. Failure of creditors to agree to participate in a State mediation program.

(2) TERM OF REAMORTIZATION.—The term of a recapture payment under this subparagraph may not exceed 25 years from the date of the original amortization agreement.

(3) NO REDUCTION OR PRINCIPAL OR UNPAID INTEREST DUE.—A reamortization of a recapture payment under this subparagraph may not provide for reducing the outstanding principal or unpaid interest due on the recapture payment.

(4) INTEREST RATES.—Any loan for farm ownership purposes, farm operating purposes, or disaster emergency purposes, other than a guaranteed loan, that is deferred, consolidated, rescheduled, or reamortized shall, notwithstanding any other provision of this subtitle, bear interest on the balance of the original loan at a rate that is the lowest of—

(i) the rate of interest on the original loan; and

(ii) the rate being charged by the Secretary for loans, other than guaranteed loans, of the same type at the time at which the borrower applies for a deferral, consolidation, rescheduling, or reamortization.

(g) PERIOD AND EFFECT.—(1) PERIOD.—The Secretary may consolidate or reschedule outstanding loans for payment over a period not to exceed 7 years (or, in the case of loans for farm operating purposes, 15 years) from the date of the consolidation or rescheduling.

(2) EFFECT.—The amount of unpaid principal and interest of the prior loans so consolidated or rescheduled shall not create a new charge against any loan levels authorized by law.

(h) PREREQUISITES TO FORECLOSURE OR LIQUIDATION.—No foreclosure or other similar action shall be taken to liquidate any loan determined to be ineligible for restructuring by the Secretary under this section—

(i) until the borrower has been given the opportunity to appeal the decision; and

(j) NOTICE OF INELIGIBILITY FOR RESTRUCTURING.
"(1) In general.—A notice of ineligibility for restructuring shall be sent to the borrower by registered or certified mail not later than 15 days after a determination of ineligibility.

"(2) Contents.—The notice required under paragraph (1) shall contain—

(A) the determination and the reasons for the determination; and

(B) the computations used to make the determination, including the calculation of the recovery value of the collateral securing the loan.

"(C) a statement of the right of the borrower to appeal the decision to the appeals division, and to appear before a hearing officer.

"(D) Independent appraisals.—

(1) In general.—An appeal may include a request by the borrower for an independent appraisal of any property securing the loan.

(2) Process for appraisal.—On a request under paragraph (1), the Secretary shall present the borrower with a list of 3 appraisers approved by the county supervisor, from which the borrower shall select an appraiser to conduct the appraisal.

(3) Cost.—The cost of an appraisal under this section shall be paid by the borrower.

(4) Result.—The result of an appraisal under this section shall be considered in any final determination concerning the loan.

(5) Copy.—A copy of any appraisal under this subsection shall be provided to the borrower.

"(k) Partial liquidations.—If a partial liquidation of a delinquent loan is performed (with the prior consent of the Secretary) as part of loan servicing by a guaranteed lender under this title, the Secretary shall not require full liquidation of the loan for the lender to be eligible to receive payment on losses.

"(l) Only 1 write-down or net recovery buy-out for borrower for a loan made after January 6, 1988.

"(m) Liquidation of assets.—The Secretary may not use the authority provided by this section to reduce or terminate any portion of the debt of the borrower that the borrower could pay through the liquidation of assets (or through the payment of the loan value of the assets, if the loan value is greater than the loan value described in subsection (c)(2)(A)(ii))

"(n) Lifetime limitation on debt forgiveness per borrower.—The Secretary may not forgive more than $300,000 in debt forgiveness under this section.

"(o) Establishment of program.—The Secretary shall establish and carry out in accordance with this section an interest rate reduction program for any loan guaranteed under this subtitle.

"(p) Entering into contracts.—The Secretary shall enter into a contract with, and make payments to, an institution to reduce, during the term of the contract, the interest rate paid on the guaranteed loan if—

(1) the borrower—

(A) is unable to obtain credit elsewhere; or

(B) is unable to make payments on the loan in a timely manner; and

(2) during the 24-month period beginning on the date that the contract is entered into, has a total estimated cash income, including all farm and nonfarm income, that will equal or exceed the total estimated cash expenses, including all farm and nonfarm expenses, to be incurred by the borrower during the period;

(3) the term of the contract, the lender reduces the annual rate of interest payable on the loan in an amount equal to not more than 100 percent of the cost of reducing the annual rate of interest payable on the loan;

"(q) Payments.—

(1) In general.—Subject to paragraph (2), in return for a contract entered into by a lender under subsection (b) for the reduction of the interest rate paid on a loan, the Secretary shall make payments to the lender in an amount equal to not more than 100 percent of the cost of reducing the annual rate of interest payable on the loan.

(2) Limitations.—Payments under paragraph (1) may not exceed the cost of reducing the rate by more than 400 basis points.

"(r) Term.—The term of a contract entered into under this section shall be 30 years.

"(s) Condition on foreclosure.—Notwithstanding any other law, any contract of guarantee on a farm loan entered into under this subtitle shall contain a condition that the guarantee on a farm loan may not initiate a foreclosure action on the loan until 60 days after a determination is made with respect to the eligibility of the borrower to participate in the program established under this section.

"Section 3414. Homestead property.

"(a) Definitions.—In this section:

(1) Administrator.—The term "Administrator" means the Administrator of the Small Business Administration.

(2) Borrower-owner.—The term "borrower-owner" means—

(A) a borrower-owner of a loan made or guaranteed by the Secretary or the Administrator who meets the eligibility requirements of subsection (c)(1); or

(B) in a case in which an owner of homestead property pledged the property to secure the loan and the owner is different than the borrower-owner.

(3) Farm program loan.—The term "farm program loan" means a loan made by the Administrator under the Small Business Act (15 U.S.C. 631 et seq.) for any of the purposes authorized for loans under section 3413.

(4) Homestead property.—The term "homestead property" means—

(A) the principal residence, and adjoining property possessed and occupied by a borrower-owner, including a reasonable number of farm outbuildings located on the adjoining land that are useful to any occupant of the homestead; and

(B) not more than 10 acres of adjoining land that is used to maintain the family of the borrower-owner.

"(t) Retention of homestead property.—

(1) In general.—The Secretary or the Administrator shall, on application by a borrower-owner who meets the eligibility requirements of subsection (c)(1), permit the borrower-owner to retain possession and occupancy of homestead property under the terms set forth, and until the action described in this section has been completed, if—

(A) the Secretary forecloses or takes into inventory property security on a loan made under this subtitle;

(B) the Administrator forecloses or takes into inventory property security on a farm program loan made under the Small Business Act (15 U.S.C. 631 et seq.); or

(C) the borrower-owner of a loan made by the Secretary or the Administrator files a petition in bankruptcy that results in the conveyance of the homestead property to the Secretary or the Administrator, or agrees to voluntarily liquidate or convey the property in whole or in part.

(2) Period of occupancy.—Subject to subsection (c), the Secretary or the Administrator shall not grant a period of occupancy of less than 3 nor more than 5 years.

"(u) Eligibility.—

(1) In general.—To be eligible to occupy homestead property, a borrower-owner of a loan made by the Secretary or the Administrator shall—

(A) apply for the occupancy not later than 30 days after the property is acquired by the Secretary or Administrator;

(B) have received from farming operations gross farm income that is reasonably commensurate with—

(i) the size and location of the farming unit of the borrower-owner; and

(ii) local agricultural conditions (including natural and economic conditions), during the 24-month period beginning on the date of application for occupancy under this section.

(2) Period of occupancy.—Subject to subsection (c), the Secretary or the Administrator shall not grant a period of occupancy of less than 3 nor more than 5 years.

"(v) Definitions.—In this section:

(1) Administrator.—The term "Administrator" means the Administrator of the Small Business Administration.

(2) Borrower-owner.—The term "borrower-owner" means—

(A) a borrower-owner of a loan made or guaranteed by the Secretary or the Administrator who meets the eligibility requirements of subsection (c)(1); or

(B) in a case in which an owner of homestead property pledged the property to secure the loan and the owner is different than the borrower-owner.

(3) Farm program loan.—The term "farm program loan" means a loan made by the Administrator under the Small Business Act (15 U.S.C. 631 et seq.) for any of the purposes authorized for loans under section 3413.

(4) Homestead property.—The term "homestead property" means—

(A) the principal residence, and adjoining property possessed and occupied by a borrower-owner, including a reasonable number of farm outbuildings located on the adjoining land that are useful to any occupant of the homestead; and

(B) not more than 10 acres of adjoining land that is used to maintain the family of the borrower-owner.

"(w) Retention of homestead property.—

(1) In general.—The Secretary or the Administrator shall, on application by a borrower-owner who meets the eligibility requirements of subsection (c)(1), permit the borrower-owner to retain possession and occupancy of homestead property under the terms set forth, and until the action described in this section has been completed, if—

(A) the Secretary forecloses or takes into inventory property security on a loan made under this subtitle;

(B) the Administrator forecloses or takes into inventory property security on a farm program loan made under the Small Business Act (15 U.S.C. 631 et seq.); or

(C) the borrower-owner of a loan made by the Secretary or the Administrator files a petition in bankruptcy that results in the conveyance of the homestead property to the Secretary or the Administrator, or agrees to voluntarily liquidate or convey the property in whole or in part.

(2) Period of occupancy.—Subject to subsection (c), the Secretary or the Administrator shall not grant a period of occupancy of less than 3 nor more than 5 years.

"(x) Eligibility.—

(1) In general.—To be eligible to occupy homestead property, a borrower-owner of a loan made by the Secretary or the Administrator shall—

(A) apply for the occupancy not later than 30 days after the property is acquired by the Secretary or Administrator;

(B) have received from farming operations gross farm income that is reasonably commensurate with—

(i) the size and location of the farming unit of the borrower-owner; and

(ii) local agricultural conditions (including natural and economic conditions), during the 24-month period beginning on the date of application for occupancy under this section.
“(C) have received from farming operations at least 60 percent of the gross annual income of the borrower-owner and any spouse of the borrower-owner during at least 2 calendar years of the 6-year period described in subparagraph (B); and

“(D) have continuously occupied the homestead property during the 6-year period described in subparagraph (B), except that the requirement of this subparagraph may be waived if a borrower-owner, due to circumstances beyond the control of the borrower-owner, is unable to actively farm the land.

“(3) TERMINATION OF OCCUPANCY.—(A) IN GENERAL.—For purposes of paragraph (1), the term ‘termination of occupancy’ means the failure of the borrower-owner to have continuously occupied the homestead property for at least 12 months during the 6-year period described in subparagraph (B).

“(B) PROCEDURE FOR TERMINATION.—In effecting a termination under subparagraph (A), the Secretary shall—

“(i) provide written notice to the borrower-owner at least 30 days in advance of the date when the termination is to become effective; and

“(ii) allow the borrower-owner to reacquire the homestead property during at least 2 calendar years of the 6-year period described in subparagraph (B) if the borrower-owner applies for a loan under this section before the date when the termination is to become effective.

“(4) TRANSFER OF RIGHTS.—(A) IN GENERAL.—At the time a reacquisition agreement is entered into, the Secretary or the Administrator may not demand a total payment of principal that is in excess of the value of the homestead property.

“(B) DETERMINATION OF VALUE.—To the maximum extent practicable, the Secretary shall establish annual target participation rates established under section (a).

“(5) TRANSFER OF RIGHTS.—(A) IN GENERAL.—Except as provided in subparagraph (B), the right of the borrower-owner to reacquire the homestead property shall be transferable or assignable by the borrower-owner or by operation of law.

“(B) DEATH OR INCOMPETENCY.—In the case of death of the borrower-owner, the right and agreement shall be transferable or assignable by the borrower-owner if the spouse agrees to comply with any terms and conditions of the right or agreement.

“(6) NOTIFICATION.—Not later than the date of acquisition of the property securing a loan made under this title, the Secretary shall notify the borrower-owner of the property of the availability of homestead protection rights under this section.

“(7) END OF PERIOD OF OCCUPANCY.—(1) IN GENERAL.—At the time the period of occupancy of the homestead property that is the subject of the contract authorized by this section before the date when the termination is to become effective, the Secretary acquires title to the homestead property that is the subject of the contract.

“(a) ESTABLISHMENT.—(1) IN GENERAL.—The Secretary shall establish annual target participation rates, on a county-wide basis, that shall ensure that members of socially disadvantaged groups shall—

“(A) receive loans made or guaranteed under chapter 1; and

“(B) have the opportunity to purchase or lease farmland acquired by the Secretary under this Act.

“(2) GROUP POPULATION.—Except as provided in paragraph (3), in establishing the target rates, the Secretary shall take into consideration

“(A) the portion of the population of the county made up of the socially disadvantaged groups; and

“(B) the availability of inventory farmland in the county.

“(3) GENDER.—In the case of gender, target participation rates shall take into consideration the number of current and potential socially disadvantaged farmers in a State in proportion to the total number of farmers in the State.

“(4) ESTABLISHMENT AND ALLOCATION.—(A) ESTABLISHMENT.—To the maximum extent practicable, the Secretary shall reserve sufficient loan funds made available under chapter 1 for use by members of socially disadvantaged groups identified under target participation rates established under subsection (a).

“(B) ALLOCATION.—The Secretary shall allocate the loans on the basis of the proportion of members of socially disadvantaged groups in a county and the availability of inventory farmland, with the greatest amount of loan funds being distributed in the county with the greatest proportion of socially disadvantaged group members and the greatest quantity of available inventory farmland.

“(5) INDIAN RESERVATIONS.—In distributing loan funds in counties within the boundaries of an Indian reservation, the Secretary shall allocate the funds on a reservation-wide basis.

“(c) OPERATING LOANS.—(1) ESTABLISHMENT.—(A) IN GENERAL.—The Secretary shall establish annual target participation rates that shall ensure that socially disadvantaged farmers receive loans made or guaranteed under chapter 2.

“(b) CONDITIONS.—The Secretary may not transfer any property or interest in property under subsection (a) unless—

“(1) at least 2 public notices are given of the transfer;

“(2) if requested, at least 1 public meeting is held prior to the transfer; and

“(3) the Governor and at least 1 elected official of the State in which the property is located are consulted prior to the transfer.

“(2) ALLOCATION.—The Secretary shall allocate the loan funds on the basis of the proportion of members of socially disadvantaged groups in a county and the availability of inventory farmland, with the greatest amount of loan funds being distributed in the county with the greatest proportion of socially disadvantaged group members and the greatest quantity of available inventory farmland.

“(3) INDIAN RESERVATIONS.—In distributing loan funds in counties within the boundaries of an Indian reservation, the Secretary shall allocate the funds on a reservation-wide basis.

“(c) OPERATING LOANS.—(1) ESTABLISHMENT.—(A) IN GENERAL.—The Secretary shall establish annual target participation rates that shall ensure that socially disadvantaged farmers receive loans made or guaranteed under chapter 2.

“(b) CONDITIONS.—The Secretary may not transfer any property or interest in property under subsection (a) unless—

“(1) at least 2 public notices are given of the transfer;

“(2) if requested, at least 1 public meeting is held prior to the transfer; and

“(3) the Governor and at least 1 elected official of the State in which the property is located are consulted prior to the transfer.

“(2) ALLOCATION.—The Secretary shall allocate the loan funds on the basis of the proportion of members of socially disadvantaged groups in a county and the availability of inventory farmland, with the greatest amount of loan funds being distributed in the county with the greatest proportion of socially disadvantaged group members and the greatest quantity of available inventory farmland.

“(3) INDIAN RESERVATIONS.—In distributing loan funds in counties within the boundaries of an Indian reservation, the Secretary shall allocate the funds on a reservation-wide basis.

“(d) CONDUCT OF APPRAISAL.—An independent appraiser, who is a socially disadvantaged farmer, the immediate family member of the borrower-owner, or in the case of a borrower-owner who is a socially disadvantaged farmer, the immediate family member of the borrower-owner, shall have a right to reacquire the homestead property on such terms and conditions as the Secretary shall determine.

“(e) INDEPENDENT APPRAISAL.—The Secretary may not demand a payment for the homestead property that is in excess of the current market value of the homestead property as established by an independent appraisal.

“(f) DISADVANTAGED BORROWER-OWNERS.—During the period of occupancy of a borrower-owner who is a socially disadvantaged farmer, the borrower-owner or a member of the immediate family of the borrower-owner shall have a right of first refusal to reacquire the homestead property on such terms and conditions as the Secretary shall determine.

“(g) STATE LAW PREVAILS.—In the event of a conflict between this section and any State law relating to the right of a borrower-owner who is a socially disadvantaged farmer to reacquire the homestead property, the Secretary shall act in accordance with the number of socially disadvantaged farmers in a county and the availability of inventory farmland, with the greatest amount of loan funds being distributed in the county with the greatest proportion of socially disadvantaged group members and the greatest quantity of available inventory farmland.

“(h) OPERATING LOANS.—(1) ESTABLISHMENT.—(A) IN GENERAL.—The Secretary shall—

“(b) CONDITIONS.—The Secretary may not transfer any property or interest in property under subsection (a) unless—

“(1) at least 2 public notices are given of the transfer;
"(C) REALLOCATION OF UNUSED FUNDS.—Any funds reserved and allocated under this paragraph but not used within a State shall, to the extent necessary to satisfy pending applications, be available for use by socially disadvantaged farmers in other States, as determined by the Secretary, and any remaining funds shall be reallocated with respect to the loan rate.

"(d) REPORT.—The Secretary shall prepare and submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the annual target participation rates and the success in meeting the rates.

"(e) IMPLEMENTATION CONSISTENT WITH SUPREME COURT HOLDING.—Not later than 180 days after April 4, 1996, the Secretary shall ensure that the implementation of this section is consistent with the holding of the Supreme Court in Adarand Constructors, Inc. v. Federal Puerto, Secretary of Transportation.


"SEC. 3417. COMPROMISE OR ADJUSTMENT OF DEBTS OR CLAIMS BY GUARANTEED LENDER.

"(a) LOSS BY LENDER.—If the lender of a guaranteed farmer program loan takes any action described in section 3903(a)(4) with respect to the guaranty title, the lender may, for the purpose of preserving the guaranty, the lender shall be treated as having sustained a loss equal to the amount by which—

"(1) the outstanding balance of the loan immediately before the action; exceeds

"(2) the outstanding balance of the loan immediately after the action.

"(b) NET PRESENT VALUE OF LOAN.—The Secretary shall approve the taking of an action described in section 3903(a)(4) by the lender of a guaranteed farmer program loan with respect to the guaranty title if the action produces the net present value of the loan to an amount equal to not less than the greater of—

"(1) the greatest net present value of a loan the borrower could reasonably be expected to repay; and

"(2) the difference between—

"(A) the greatest amount that the lender of the loan could reasonably expect to recover from the borrower through bankruptcy, or liquidation of the property securing the loan; and

"(B) all reasonable and necessary costs and expenses that the lender of the loan could reasonably expect to incur to preserve or dispose of the loan (including all associated legal and property management costs) in the course of such a bankruptcy or liquidation.

"(c) LIMITATION ON AUTHORITY.—This section shall not limit the authority of the Secretary to enter into a shared appreciation arrangement with a borrower under section 3411(e).

"SEC. 3418. WAIVER OF MEDIATION RIGHTS BY BORROWERS.

"The Secretary may not make or guarantee a direct or guaranteed loan to a borrower on the condition that the borrower waive any right under the mediation program of any State.

"SEC. 3419. BORROWER TRAINING.

"(a) IN GENERAL.—The Secretary shall contract to provide educational training to all borrowers of direct loans made under this subtitle in farm management concepts associated with commercial farming.

"(b) CONTRACT.—(1) The Secretary may contract with a State or private provider of farm management and credit counseling services (including a community college, the extension service of a State, a State depart-

"(2) to ensure proper supervision of farmer programs:

"(2) extend or renew an existing loan for paying annual farm operating expenses; or

"(2) to ensure proper supervision of farmer programs:

"(2) extend or renew an existing loan for paying annual farm operating expenses; or

"(c) CONTRACT.—The Secretary may contract with a third party (including an entity designated by the President on or after April 4, 1996, on a loan or guarantee under this subtitle; and

"(c) GUIDELINES.—The Secretary shall issue regulations establishing guidelines and curriculum for the borrower training program established under this section.

"(d) PAYMENT.—A borrower—

"(1) shall pay for training received under this section; and

"(2) may use funds from operating loans made under chapter 2 to pay for the training.

"(e) WAIVERS.—(1) IN GENERAL.—The Secretary may waive the requirements of this section for an individual borrower on a determination that the borrower demonstrates adequate knowledge and experience in the field of farming or that the borrower approves the action described in section 3903(a)(4) with respect to the loan.

"(2) CRITERIA.—The Secretary shall establish criteria providing for the application of paragraph (1) consistently in all States.

"SEC. 3420. LOAN ASSESSMENTS.

"(a) IN GENERAL.—After an applicant is determined to be eligible for assistance under the borrower for a direct or guaranteed loan under this subtitle.

"(b) DETERMINATIONS.—In evaluating the farmer’s plan and financial situation of an applicant under this section, the Secretary shall determine—

"(1) the amount that the applicant needs to borrow to carry out the proposed farming plan;

"(2) the rate of interest that the applicant would need to borrow under section 3102; and

"(3) the goals of the proposed farming plan of the applicant.

"(c) GUIDELINES.—The Secretary shall issue guidelines that the Secretary believes has a reasonable chance of qualifying for commercial credit with a guarantee provided under this subtitle.

"SEC. 3421. SUPERVISED CREDIT.

"The Secretary shall establish a market placement program for a qualified beginning farmer and any other borrower of farmer program loans that the Secretary believes will not be cause for denial of eligibility of the borrower for a direct or guaranteed loan under this subtitle.

"SEC. 3422. MARKET PLACEMENT.

"The Secretary shall classify, by gender, records of applicants for loans and loan guar-

"SEC. 3423. RECORDKEEPING OF LOANS BY GEN-

"(a) DELINQUENT BORROWERS PROHIBITED FROM OBTAINING DIRECT OPERATING LOANS.—The Secretary shall not make a direct or guaranteed loan under this subtitle to a borrower who is delinquent in payments on a direct or guaranteed loan under this subtitle.

"(b) GUIDELINES.—The Secretary shall issue guidelines that the Secretary believes has a reasonable chance of qualifying for commercial credit with a guarantee provided under this subtitle.

"SEC. 3424. CROP INSURANCE REQUIREMENT.

"(a) IN GENERAL.—As a condition of obtaining any benefit (including a direct loan, loan guarantee, or payment) under this section, a borrower shall be required to obtain at least catastrophic risk protection insurance coverage under section 506 of the Federal Crop Insurance Act (7 U.S.C. 1508) for the crop and crop year for which the benefit is sought, if the coverage is offered by the Federal Crop Insurance Corporation.

"(b) APPLICABLE BENEFITS.—Subsection (a) shall apply to—

"(1) a farm ownership loan under section 3102;

"(2) an operating loan under section 3202; and

"(3) an emergency loan under section 3801.

"SEC. 3425. LOAN AND LOAN SERVICING LIMITA-

"(a) IN GENERAL.—The Secretary may not make a loan under this subtitle to a borrower who has

"(b) CONTRACT.—The Secretary may make a direct or guaranteed farm operating loan for paying annual farm operating expenses except as provided in section 3301.

"(c) CONTRACT.—The Secretary may contract with a third party (including an entity designated by the President on or after April 4, 1996, on a loan or guarantee under this subtitle; and

"(III) received debt forgiveness on not more than 3 occasions on or before April 4, 1996.

"(2) EXCEPTIONS.—(A) IN GENERAL.—The Secretary may extend or renew an existing loan for paying annual farm operating expenses except as provided in section 3301.

"(b) CONTRACT.—(1) The Secretary may contract with a third party (including an entity designated by the President on or after April 4, 1996, on a loan or guarantee under this subtitle; and

"(b) CONTRACT.—(1) The Secretary may contract with a third party (including an entity designated by the President on or after April 4, 1996, on a loan or guarantee under this subtitle; and

"(II) is current on payments under a reorganization plan under chapters 11, 12, or 13 of title 11 of the United States Code; or

"(III) received debt forgiveness on not more than 3 occasions on or before April 4, 1996.

"(2) EXCEPTIONS.—(A) IN GENERAL.—The Secretary may extending the determination of eligibility for the loan.

"(2) EXCEPTIONS.—(A) IN GENERAL.—The Secretary may extend or renew an existing loan for paying annual farm operating expenses except as provided in section 3301.

"(b) CONTRACT.—(1) The Secretary may contract with a third party (including an entity designated by the President on or after April 4, 1996, on a loan or guarantee under this subtitle; and

"(2) to ensure proper supervision of farmer programs:

"(3) PROBLEM ASSESSMENTS.—If a borrower is determined to be delinquent in payments on a direct or guaranteed loan made under this title, the Secretary or the contracting entity shall de-
(2) COORDINATION.—The Secretary shall operate the pilot program through and in coordination with the farmer program loans of the Farm Service Agency.

(3) USE OF FUNDS.—Of the funds deposited under subparagraph (B) in the reserve fund established for a demonstration program, the qualified entity carrying out the demonstration program—

(i) may use up to 10 percent for administrative expenses; and

(ii) shall use the remainder in making matching awards described in paragraph (4)(B)(iii)."
“(5) Term of authority.—If the Secretary approves an application to carry out a demonstration program, the Secretary shall authorize the applicant to carry out the project for a period of 2 years, plus an additional 2 years to make eligible expenditures in accordance with subsection (b)(5)(B).

“(d) Grant authority.—

“(1) In general.—The Secretary shall make a grant to a qualified entity authorized to carry out a demonstration program under this section.

“(2) Maximum amount of grants.—The aggregate amount of grant funds provided to a demonstration program carried out under this section shall not exceed $250,000.

“(3) Reports.—The Secretary shall pay the amounts awarded under a grant made under this section—

“(A) on the awarding of the grant; or

“(B) pursuant to such payment plan as the qualified entity may specify.

“(e) Reports.—

“(1) Annual progress reports.—

“(A) In general.—Not later than 60 days after the end of the calendar year in which the Secretary authorizes a qualified entity to carry out a demonstration program under this section and annually thereafter until the completion of the demonstration program, the qualified entity shall prepare an annual report that includes, for the period covered by the report—

“(i) an evaluation of the progress of the demonstration program;

“(ii) information about the demonstration program, including the eligible participants and the individual development accounts that have been established; and

“(iii) such other information as the Secretary may require.

“(B) Submission of reports.—A qualified entity shall submit each report required under subparagraph (A) to the Secretary.

“(2) Reports by the Secretary.—Not later than 60 days after the end of the calendar year, the Secretary shall—

“(A) submit to Congress a final report that describes the results and findings of all reports and evaluations carried out under this section.

“(f) Annual review.—The Secretary may conduct an annual review of the financial records of a qualified entity—

“(1) to assess the financial soundness of the qualified entity;

“(2) to determine the use of grant funds made available to the qualified entity under this section.

“(g) Regulations.—In carrying out this section, the Secretary may promulgate regulations to ensure that the program includes provisions for—

“(1) the termination of demonstration programs;

“(2) control of the reserve funds in the case of such a termination;

“(3) transfer of demonstration programs to other qualified entities; and

“(4) remissions from a reserve fund to the Secretary in a case in which a demonstration program is terminated without transfer to a new qualified entity.

“(h) Authorization of appropriations.—There is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2013 through 2018.

“SEC. 3429. FARMER LOAN PILOT PROJECTS.

“(a) In general.—The Secretary may conduct pilot projects of limited scope and duration that are consistent with this subtitle to evaluate processes and techniques that may improve the efficiency and effectiveness of the programs carried out under this subtitle and the Secretary shall—

“(1) not less than 60 days before the date on which the Secretary initiates a pilot project under subsection (a), submit notice of the proposed pilot project to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate; and

“(2) consider any recommendations or feedback provided to the Secretary in response to the notice provided under paragraph (1).

“SEC. 3430. PROHIBITION ON USE OF FUNDS FOR CERTAIN PURPOSES.

“(a) In General.—Except as provided in subsections (b) and (c), the Secretary may not—

“(1) make or guarantee a loan under this subtitle to a person who—

“(A) is not an eligible entity for purposes of this subtitle; or

“(B) has not applied for a loan from the Secretary that results in impairing or reducing the flow, circulation, or reach of water.

“(2) prior activity.—Subsection (a) does not apply in the case of—

“(I) an activity related to the maintenance of a previously converted wetland; or

“(II) an activity that had already commenced before November 29, 1990.

“(c) Exception.—This section shall not apply to a loan made or guaranteed under this subtitle for a utility line.

“SEC. 3431. AUTHORIZATION OF APPROPRIATIONS AND ALLOCATION OF FUNDS.

“(a) Authorization for loans.—

“(1) In general.—The Secretary may make or guarantee loans under chapters 1 and 2 of the Agricultural Credit Insurance Fund for not more than $1,226,000,000 for each of fiscal years 2013 through 2018, of which, for each fiscal year—

“(A) $1,200,000,000 shall be for direct loans, of which—

“(i) $350,000,000 shall be for farm ownership loans; and

“(ii) $850,000,000 shall be for operating loans; and

“(B) $2,026,000,000 shall be for guaranteed loans, of which—

“(i) $1,000,000,000 shall be for guarantees of farm ownership loans; and

“(ii) $1,026,000,000 shall be for guarantees of operating loans.

“(2) Beginning farmers.—

“(A) Direct loans.—

“(I) In general.—The Secretary may make guarantees of direct loans under this section (A) so that all guaranteed farm operating loan funds provided to qualified beginning farmers under the down payment loan program established under section 3107, if sufficient direct farm ownership loan funds are not otherwise available; and

“(ii) beginning on September 1 of each fiscal year, the Secretary shall use $1,000,000,000 to fund the credit sale of farm real estate in the inventory of the Secretary.

“(B) Supplemental appropriations.—The Secretary may request supplemental appropriations to fund the credit sale of farm real estate in the inventory of the Secretary.

“(3) Subsidized guaranteed farm operating loan funds for qualified beginning farmers.—

“(A) In general.—Subject to subparagraph (A) so that all guaranteed farm operating loan funds provided to qualified beginning farmers approved by the Secretary under this subtitle for a fiscal year will be made to the extent of available amounts.

“(B) Limitation.—The Secretary shall limit the transfer of funds under subparagraph (A) so that all guaranteed farm operating loan funds that have been approved, or will be approved, by the Secretary during the fiscal year will be made to the extent of available amounts.

“(4) Transfer for credit sales of farm inventory property.—

“(a) In general.—Subject to subparagraphs (b) and (c), beginning on September 1 of each fiscal year, the Secretary may use available funds made available under chapter 3 for the fiscal year to fund the credit sale of farm real estate in the inventory of the Secretary.

“(b) Limitation.—The Secretary shall limit the transfer of funds under subparagraph (A) so that all guaranteed farm operating loan funds that have been approved, or will be approved, by the Secretary during the fiscal year will be made to the extent of available amounts.

“(5) Availability of funds.—Funds made available to carry out this subtitle shall remain available until expended.

“(6) Reserve for emergency disaster loans.—

“(a) In general.—The Secretary shall develop long-term cost projections for loan program authorizations required under subsection (a).

“(b) Analysis.—Each projection under paragraph (1) shall include analyses of—

“(i) the long-term costs of the lending levels that the Secretary may be authorized to be under subsection (a); and

“(ii) the long-term costs for increases in lending levels beyond those requested to be authorized under subsection (a) and such other levels as the Secretary considers appropriate.

“(c) Submission to Congress.—The Secretary shall submit to the Committee on Agriculture and Appropriations of the House of Representatives and the Committees on
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Agriculture, Nutrition, and Forestry and Appropriations of the Senate reports containing the long-term cost projections for the 3-year period beginning with fiscal year 1985 and each year thereafter at the time the requests for authorizations for those periods are submitted to Congress.

"(c) Low-income, limited-resource borrowers.—

"(1) Reserve.—Notwithstanding any other provision of law, not less than 25 percent of the loans for farm ownership purposes for each fiscal year under this subtitle shall be for low-income, limited-resource borrowers.

"(2) Notification.—The Secretary shall provide notification to farm borrowers under this subtitle in a normal course of loan making and loan servicing operations, of the provisions of this subtitle relating to low-income, limited-resource borrowers and the procedures by which persons may apply for loans under the low-income, limited-resource borrower program.

Subtitle B—Miscellaneous

SEC. 5101. STATE AGRICULTURAL MEDIATION PROGRAMS.

Section 506 of the Agricultural Credit Act of 1987 (7 U.S.C. 5106) is amended by striking "2015" and inserting "2018".

SEC. 5102. LOANS TO PURCHASERS OF HIGHLY FRACTIONATED LAND.

(a) In General.—The first sentence of Public Law 112-20 (25 U.S.C. 498) is amended—

(1) in subsection (a), in the first sentence, by striking "loans from" and all that follows through "1939") and inserting "direct loans in a manner consistent with direct loans pursuant to chapter 4 of subtitle A of the Consolidated Farm and Rural Development Act";

(2) in subsection (b)(1)—

(A) by striking "pursuant to section 205(c) of the Indian Land Consolidation Act (25 U.S.C. 220(c))"; and

(B) by inserting "or to intermediaries in order to establish revolving loan funds for the purchase of highly fractionated land under that section" before the period at the end; and

(3) by adding at the end the following:

"(c) Consultation Required.—In determining regulations and procedures to define eligible purveyors of highly fractionated land under this section, the Secretary of Agriculture shall consult with the Secretary of the Interior.

SEC. 5103. REMOVAL OF DUPLICATIVE APPRAISALS.

Notwithstanding any other law (including regulations), in making loans under the first sentence of Public Law 91—229 (25 U.S.C. 488), borrowers who are Indian tribes, members of Indian tribes, or tribal corporations shall only be required to obtain 1 appraisal under an appraisal standard recognized as of the date of enactment of this Act by the Secretary or the Secretary of the Interior.

TITLE VI—RURAL DEVELOPMENT

Subtitle A—Reorganization of the Consolidated Farm and Rural Development Act

SEC. 6001. REORGANIZATION OF THE CONSOLIDATED FARM AND RURAL DEVELOPMENT ACT.

Title III of the Agricultural Act of 1961 (7 U.S.C. 1921 et seq.) is amended to read as follows:

"TITLE III—AGRICULTURAL CREDIT

SEC. 3001. SHORT TITLE; TABLE OF CONTENTS.

(a) Short Title.—This title may be cited as the "Consolidated Farm and Rural Development Act."

(b) Table of Contents.—The table of contents of this title as follows:

"TITLE III—AGRICULTURAL CREDIT

"Sec. 3001. Short title; table of contents.

"Sec. 3002. Definitions.

"Chapter 1—Farm Ownership Loans

"Sec. 3101. Farm ownership loans.

"Sec. 3102. Purposes of loans.

"Sec. 3103. Conditional loan and loan guarantee program.

"Sec. 3104. Loan maximums.

"Sec. 3105. Repayment requirements for farm ownership loans.

"Sec. 3106. Limited-resource loans.

"Sec. 3107. Downpayment loan program.

"Sec. 3108. Beginning farmer and socially disadvantaged farmer contract land sales program.

"Chapter 2—Operating Loans

"Sec. 3201. Operating loans.

"Sec. 3202. Purposes of loans.

"Sec. 3203. Restrictions on loans.

"Sec. 3204. Terms of loans.

"Chapter 3—Emergency Loans

"Sec. 3301. Emergency loans.

"Sec. 3302. Purposes of loans.

"Sec. 3303. Terms of loans.

"Sec. 3304. Production losses.

"Chapter 4—General Farmer Loan Provisions

"Sec. 3401. Agricultural Credit Insurance Fund.

"Sec. 3402. Guaranteed farmer loans.

"Sec. 3403. Provision of information to borrowers.

"Sec. 3404. Notice of loan service programs.

"Sec. 3405. Procurement of services and production history guidelines.

"Sec. 3406. Special conditions and limitations on loans.

"Sec. 3407. Graduation of borrowers.

"Sec. 3408. Debt adjustment and credit counseling.

"Sec. 3409. Security servicing.

"Sec. 3410. Contracts on loan security properties.

"Sec. 3411. Debt restructuring and loan servicing.

"Sec. 3412. Relief for mobilized military reservists from certain agricultural loan obligations.

"Sec. 3413. Interest rate reduction program.

"Sec. 3414. Homestead property.

"Sec. 3415. Transfer of inventory land.

"Sec. 3416. Target participation rates.

"Sec. 3417. Credit adjustment of debts or claims by guaranteed lender.

"Sec. 3418. Waiver of mediation rights by borrower.

"Sec. 3419. Borrower training.

"Sec. 3420. Loan assessments.

"Sec. 3421. Supervised credit.

"Sec. 3422. Market placement.

"Sec. 3423. Recording of loans by gender of borrower.

"Sec. 3424. Crop insurance requirements.

"Sec. 3425. Loan and loan servicing limitations.

"Sec. 3426. Short form certification of farm program borrower compliance.

"Sec. 3427. Unifying forms and standards.

"Sec. 3428. Beginning farmer individual development accounts pilot program.

"Sec. 3429. Farmer loan pilot projects.

"Sec. 3430. Prohibition on use of loans for certain purposes.

"Sec. 3431. Authorization of appropriations and allocation of funds.

"Subtitle B—Rural Development

"Chapter 1—Rural Community Programs

"Sec. 3501. Water and waste disposal loans, land sales program.

"Sec. 3502. Community facilities loans, loan guarantees, and grants.

"Sec. 3503. Rural Development Insurance program.

"Sec. 3504. Guaranteed rural development loan program.

"Sec. 3505. Strategic economic and community development grants.

"Sec. 3506. Local development districts; certification and administrative expenses.

"Sec. 3507. Distressed counties and areas and nondistressed counties.

"Sec. 3508. Development planning process.

"Sec. 3509. Program development criteria.

"Sec. 3510. Approval of development plans and projects.

"Sec. 3511. Consent of States.

"Sec. 3512. Annual report.

"Sec. 3513. Authorization of appropriations.

"Sec. 3514. Termination of authority.

"Chapter 2—Rural Business and Cooperative Development

"Sec. 3601. Business programs.

"Sec. 3602. Rural business investment program.

"Chapter 3—General Rural Development Provisions

"Sec. 3701. General provisions for loans and guarantees.

"Sec. 3702. Distressed counties and areas.

"Sec. 3703. Guaranteed rural development loan program.

"Sec. 3704. Rural Development Insurance Fund.

"Sec. 3705. Rural economic area partnership zones.

"Sec. 3706. Streamlining applications and improving accessibility of rural development programs.

"Sec. 3707. State Rural Development Partnership.

"Chapter 4—Delta Regional Authority

"Sec. 3801. Definitions.

"Sec. 3802. Delta Regional Authority.

"Sec. 3803. Economic and community development grants.

"Sec. 3804. Supplements to Federal grant programs.

"Sec. 3805. Local development districts; certification and administrative expenses.

"Sec. 3806. Distressed counties and areas.

"Sec. 3807. Development planning process.

"Sec. 3808. Program development criteria.

"Sec. 3809. Approval of development plans and projects.

"Sec. 3810. Consent of States.

"Sec. 3811. Records.

"Sec. 3812. Annual report.

"Sec. 3813. Authorization of appropriations.

"Sec. 3814. Termination of authority.

"Chapter 5—Northern Great Plains Regional Authority

"Sec. 3901. Definitions.

"Sec. 3902. Northern Great Plains Regional Authority.

"Sec. 3903. Interstate cooperation for economic opportunity and efficiency.

"Sec. 3904. Economic and community development grants.

"Sec. 3905. Supplements to Federal grant programs.

"Sec. 3906. Multistate and local development districts and organizations and Northern Great Plains Inland Distressed counties and areas.

"Sec. 3907. Distressed counties and areas.

"Sec. 3908. Development planning process.

"Sec. 3909. Program development criteria.

"Sec. 3910. Approval of development plans and projects.

"Sec. 3911. Consent of States.

"Sec. 3912. Records.

"Sec. 3913. Annual report.

"Sec. 3914. Authorization of appropriations.

"Sec. 3915. Termination of authority.

"Subtitle C—General Provisions

"Sec. 3916. Peace Corps.

"Sec. 3917. Loan moratorium and policy on foreclosures.

"Sec. 3918. Oil and gas royalty payments on inventory property.

"Sec. 3919. Purchase and sale of guaranteed loans.

"Sec. 3920. Approval of development plans and projects.

"Sec. 3921. Development planning process.

"Sec. 3922. Program development criteria.

"Sec. 3923. Approval of development plans and projects.

"Sec. 3924. Consent of States.

"Sec. 3925. Annual report.

"Sec. 3926. Authorization of appropriations.

"Sec. 3927. Termination of authority.

"Sec. 3928. Certified lenders program.

"Sec. 3929. Loans to renovation lenders.

"Sec. 3930. Expedited clearing of title to inventory property.
means the Department of Agriculture.

(2) AGRICULTURAL CREDIT INSURANCE FUND.—The term 'Agricultural Credit Insurance Fund' means the fund established under section 3411.

(3) APPROVED LENDER.—The term 'approved lender' means—

(A) a lender approved prior to October 28, 1982, by the Secretary under the approved lender program established by exhibit A to subpart B of part 1860 of title 7, Code of Federal Regulations (as in effect on January 1, 1991); or

(B) a lender certified under section 3909.

(4) AQUACULTURE.—The term 'aquaculture' means the culture or husbandry of aquatic animals or plants by private industry for commercial purposes, including the culture and growing of fish by private industry for the purpose of creating or augmenting publicly owned and regulated stocks of fish.

(5) BEGINNING FARMER.—The term 'beginning farmer' means the meaning given the term by the Secretary.

(B) BORROWER.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'borrower' means an individual or entity who has an outstanding obligation to the Secretary under any loan made or guaranteed under this title, without regard to whether the loan has been accelerated.

(B) EXCLUSIONS.—The term 'borrower' does not include the practices of an individual or entity all of whose loans and accounts have been foreclosed on or liquidated, voluntarily or otherwise.

(7) COUNTY COMMITTEE.—The term 'county committee' means the appropriate county committee established under section 8(b)(5) of the Soil Conservation and Domestic Allotment Act (7 U.S.C. 590h(b)(5)).

(8) DEBT FORGIVENESS.—

(A) IN GENERAL.—Except as provided in subparagraph (B) of section 3107, the term 'debt forgiveness' means reducing or terminating a loan made or guaranteed under this title, in a manner that results in a loss to the Secretary, through—

(i) writing down or writing off a loan under section 3411;

(ii) compromising, adjusting, reducing, or charging-off a debt or claim under section 3003;

(iii) paying a loss on a guaranteed loan under this title; or

(iv) discharging a debt as a result of bankruptcy.

(9) DIRECT LOAN.—The term 'direct loan' means a loan made by the Secretary from appropriated funds.

(10) DIRECT LOAN SERVICE PROGRAM.—The term 'direct loan service program' means, with respect to a farmer program loan—

(b) loan consolidation, rescheduling, or remortization;

(b) interest rate reduction, including the use of the limited resource program;

(c) loan restructuring, including deferral, slowdown, or write-down of the principal or accumulated interest charges, or both, of the loan; or

(d) any combination of actions described in subparagraphs (A) and (B).

(11) ENTITY.—The term 'entity' means a corporation, farm cooperative, partnership, joint operation, governmental entity, or other legal organization, as determined by the Secretary.

(12) FARM.—The term 'farm' means an operation involving—

(a) the production of an agricultural commodity;

(b) raising or breeding animals;

(c) aquaculture;

(13) FARMER.—The term 'farmer' means an individual or entity engaged primarily and directly in—

(a) the production of an agricultural commodity;

(b) raising or breeding animals;

(c) aquaculture.

(14) FARMER PROGRAM LOAN.—The term 'farmer program loan' means—

(A) a farm ownership loan under section 3101;

(B) a conservation loan under section 3301;

(C) an operating loan under section 3201;

(D) an emergency loan under section 3301;

(E) an economic emergency loan under section 322 of the Emergency Agricultural Credit Adjustment Act of 1978 (7 U.S.C. 3914);

(F) a loan for a farm service building under section 351 of the Housing Act of 1949 (42 U.S.C. 1437a); and

(G) an economic opportunity loan under section 402 of the Economic Opportunity Act of 1964 (Public Law 88–452; 12 U.S.C. 2942 note) (as it existed before the amendment made by section 831(a) of the Omnibus Budget Reconciliation Act of 1981 (Public Law 97–35; 95 Stat. 519);

(H) a softwood timber loan under section 608 of the Agricultural Programs Adjustment Act of 1984 (7 U.S.C. 3916 note; Public Law 98–285); or

(I) any other loan described in section 341(a)(10) of this title (as it existed before the amendment made by section 2 of the Agriculture Reform, Food, and Jobs Act of 2013) that is outstanding on the date of enactment of that Act.

(15) FARM SERVICE AGENCY.—The term 'Farm Service Agency' means the offices of the Farm Service Agency to which the Secretary delegates responsibility to carry out this title.

(16) GOVERNMENTAL ENTITY.—The term 'governmental entity' means any agency of the United States, a State, or a unit of local government of a State, or subdivision thereof.

(17) GUARANTEE.—The term 'guarantee' means providing a guarantee of the payment of a loan origination, held, and serviced by a private financial agency, or lender, approved by the Secretary.

(18) HIGHLY ERODIBLE LAND.—The term 'highly erodible land' has the meaning given the term in section 1201(a) of the Food Security Act of 1985 (16 U.S.C. 3861(a)).

(19) HOMESTEAD RETENTION.—The term 'homestead retention' means homestead retention as authorized under section 3414.

(20) INDIAN TRIBE.—The term 'Indian tribe' means a Federal and State-recognized Indian tribe or other federally recognized Indian tribal group (including a Tribal College or University, as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1064(b)).

(21) LOAN SERVICE PROGRAM.—The term 'loan service program' means, with respect to a farmer program loan borrower, a primary loan service program or a homestead retention program.

(22) NATURAL OR MAJOR DISASTER OR EMERGENCY.—The term 'natural or major disaster or emergency' means—

(A) a disaster due to nonmamnoes causes declared by the Secretary; or

(B) a major disaster or emergency designated by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

(23) PRIMARY LOAN SERVICE PROGRAM.—The term 'primary loan service program' means, with respect to a farmer program loan—

(a) loan consolidation, rescheduling, or remortization;

(b) interest rate reduction, including the use of the limited resource program;

(c) loan restructuring, including deferral, slowdown, or write-off of the principal or accumulated interest charges, or both, of the loan; or

(d) any combination of actions described in subparagraphs (A) and (B).

(24) PRIME FARMLAND.—The term 'prime farmland' means prime farmland and unique farmland (as defined in subsections (a) and (b) of title 7, Code of Federal Regulations (1980)).

(25) PROJECT.—For purposes of section 3501, the term 'project' includes a facility with the practical effect of serving an individual property, or both.

(26) QUALIFIED BEGINNING FARMER.—The term 'qualified beginning farmer' means an applicant, regardless of whether the applicant is participating in a program under section 3107, who—

(A) is eligible for assistance under this title;

(B) has not operated a farm, or has operated a farm for not more than 10 years;

(C) in the case of a cooperative, corporation, partnership, or joint operation, has members, stockholders, partners, or joint operators who are all related to each other by blood or marriage;

(D) in the case of a farmer who is the owner and operator of a farm—

(i) in the case of a loan made to an individual, individually or with the immediate family of the applicant;

(ii) materially and substantially participates in the operation of the farm; and

(II) provides substantial day-to-day labor and management of the farm, consistent with the practices in the State or county in which the farm is located or

(iii) in the case of a loan made to a cooperative, corporation, partnership, or joint operation, has members, stockholders, partners, or joint operators who materially and substantially participate in the operation of the farm; and

(II) in the case of a loan made to a corporation, has stockholders who all qualify individually as beginning farmers;

(E) in the case of an applicant seeking to become an owner and operator of a farm—

(i) in the case of a loan made to an individual, individually or with the immediate family of the applicant, will—

(i) materially and substantially participate in the operation of the farm; and

(II) provide substantial day-to-day labor and management of the farm, consistent with the practices in the State or county in which the farm is located or

(iii) in the case of a loan made to a cooperative, corporation, partnership, or joint operation, will have members, stockholders, partners, or joint operators who will materially and substantially participate in the operation of the farm; and

(II) in the case of a loan made to a corporation, will have stockholders who all qualify individually as beginning farmers;

(F) agrees to participate in such loan assessment, borrower training, and financial management programs as the Secretary may require;

(G)(1) does not own farm land; or
Secretary, but shall include hunting. (i)

The term ‘rural’ and ‘rural area’ mean any area other than—

(ii) a city or town that has a population of greater than 50,000 inhabitants; and

(iii) any urbanized area contiguous and adjacent to a city or town described in clause (i).

(B) DETERMINATION OF AREAS RURAL IN CHARACTER.

(i) IN GENERAL.—If part of an area described in subparagraph (A)(ii) was eligible under the definitions of the terms ‘rural’ and ‘rural area’ in section 343 (as in effect on the date before the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013) for community facility, water and waste disposal, and broadband programs, that area shall no longer be considered rural, based on the criteria described in clause (iii).

(ii) OTHER AREAS.—On a petition of a local government in an urbanized area described in subparagraph (A)(ii), the Secretary may determine that part of an area is rural, based on the criteria described in clause (iii).

(iii) CRITERIA.—In making a determination under clause (i), the Secretary shall consider—

(A) population density;

(B) economic conditions, favoring a rural determination for areas facing—

(aa) chronic unemployment in excess of statewide average;

(bb) sudden loss of employment from natural disaster or the loss of a significant employer in the area; or

(cc) sudden loss of employment from mining which census blocks in an urbanized area are not in a rural area as defined in this paragraph, shall exclude any cluster of census blocks that would otherwise be considered not in a rural area only because an census block is adjacent to not more than 2 census blocks that are otherwise considered not in a rural area under this paragraph.

(2) SEASONED DIRECT LOAN BORROWER.—

The term ‘seasoned direct loan borrower’ means a borrower who could reasonably be expected to qualify for commercial credit using criteria established by the Under Secretary as Secretarial criteria.

(3) SECRETARY.—The term ‘Secretary’ means the Secretary of Agriculture.

(31) SOCIALLY DISADVANTAGED FARMER.—

The term ‘socially disadvantaged farmer’ means a farmer who is a member of a socially disadvantaged group.

(32) SOCIALLY DISADVANTAGED GROUP.—

The term ‘socially disadvantaged group’ means a group whose members have been subjected to racial, ethnic, or gender prejudice because of the identity of the members, or members or members of which have been subjected to racial, ethnic, or gender prejudice because of the identity of the members.

(33) SOLAR ENERGY.—

The term ‘solar energy’ means energy derived from solar sources (other than fossil fuels) and technologies included in the Federal Nonnuclear Energy Research and Development Act of 1974 (42 U.S.C. 5801 et seq.).

(34) STATE.—The term ‘State’ means—

(A) in this title (other than subtitle A), each of the 50 States, the Commonwealth of the Northern Mariana Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau; and

(B) in subtitle A, each of the 50 States, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and, to the extent the Secretary determines it to be feasible and appropriate, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

(35) STATE BEGINNING FARMER PROGRAM.—

The term ‘State beginning farmer program’ means any program that is—

(A) carried out by, or under contract with, a State; and

(B) designed to assist qualified beginning farmers in obtaining the financial assistance necessary to enter agriculture and establish viable farming operations.

(36) VETERAN.—The term ‘veteran’ has the meaning given in section 101 of title 38, United States Code.

(37) WETLAND.—The term ‘wetland’ has the meaning given in section 301 of the Food Security Act of 1985 (16 U.S.C. 3801(a)).

(38) WILDLIFE.—The term ‘wildlife’ means fish or wildlife (as defined in section 2(a) of the Lacey Act Amendments of 1981 (16 U.S.C. 3371(a)).

(39) WATER AND WASTE DISPOSAL LOANS, LOAN GUARANTEES, AND GRANTS.—

(A) IN GENERAL.—The Secretary may make grants and loans and issue loan guarantees (including a guarantee of a loan financed by the net proceeds of a bond described in section 3371(a)) to eligible entities described in subsection (b) for projects in rural areas that primarily serve rural residents to provide for—

(i) the development, storage, treatment, purification, or distribution of water or the collection, treatment, or disposal of waste; and

(ii) financial assistance and other aid in the planning of projects for purposes described in paragraph (a).

(B) ELIGIBLE ENTITIES.—Entities eligible for assistance described in subsection (a) are—

(1) associations (including corporations not operated for profit);

(2) Indian tribes;

(3) public and quasi-public agencies; and

(4) in the case of a project to attack an individual property in a rural area to a water system to alleviate a health risk, an individual.

(C) LOAN AND LOAN GUARANTEE REQUIREMENTS.—In connection with loans made or guaranteed under this section, the Secretary shall require the applicant to—

(1) certify in writing, and the Secretary shall determine, that the applicant is unable to obtain sufficient credit elsewhere to finance the actual needs of the applicant at reasonable rates and terms, taking into consideration prevailing private and cooperative rates and terms in the community in which the project is located, or a bond of the applicant for loans for similar purposes and periods of time; and

(2) furnish an appropriate written financial statement.

(D) GRANT AMOUNTS.

(1) MAXIMUM.—Except as otherwise provided in this subsection, the amount of any grant made under this section shall not exceed 75 percent of the development cost of the project for which the grant is provided.

(2) GRANT RATE.—The Secretary shall establish the grant rate for each project in conformity with regulations issued by the Secretary that shall provide for a graduated scale of grant rates that establish higher rates and terms for projects in communities that have—

(A) lower community population;

(B) higher rates of outmigration; and

(C) lower income levels.

(3) LOCAL SHARE REQUIREMENTS.—Grants made under this section may be used to pay the local share requirements of another Federal grant-in-aid program only to the extent permitted under the law providing for the grant-in-aid program.

(E) SPECIAL GRANTS.—

(1) REVOLVING FUND LOANS FOR FINANCING WATER AND WASTEWATER PROJECTS.—

(A) IN GENERAL.—The Secretary may make grants to qualified, nonprofit entities to capitalize revolving funds for the purpose of providing financing to eligible entities for—

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(i) predevelopment costs associated with proposed water and wastewater projects or with existing water and wastewater systems; and

(ii) short-term costs incurred for replacement equipment, small-scale extension services, or other small capital projects that are not part of the regular operations and maintenance of existing water and wastewater systems.

(B) Maximum amount of financing.—The amount of financing made to an eligible entity under this paragraph shall not exceed $30,000,000 for each of fiscal years 2014 through 2018.

(i) $100,000 for costs described in subparagraph (A)(i); and

(ii) $150,000 for costs described in subparagraph (A)(ii).

(C) Term.—The term of financing provided to an eligible entity under this paragraph shall not exceed 10 years.

(D) Administration.—The Secretary shall limit the amount of grant funds that may be used by a grant recipient for administrative costs incurred under this paragraph.

(E) Annual report.—A nonprofit entity receiving a grant under this paragraph shall submit to the Secretary an annual report that shall include a description of the number and size of small communities served and the type of financing provided.

(F) Authorization of Appropriations.—There is authorized to be appropriated to carry out this paragraph $30,000,000 for each of fiscal years 2014 through 2018.

(G) Full funding.—Subject to subparagraph (F), grants under this paragraph shall be made in an amount equal to 100 percent of the costs of the projects conducted under this paragraph.

(H) Application.—

(i) Nationally competitive application process.—

(I) In general.—The Secretary shall develop a nationally competitive application process to award grants under this paragraph.

(II) Requirements.—The process shall include criteria for evaluating applications, including population, median household income, and the severity of the decline, or imminent decline, in the quantity or quality of water.

(II) Timeliness of review of applications.—

(i) Simplified application.—The application process developed by the Secretary shall include a simplified application form that will permit expedited processing.

(ii) Priority review.—In processing applications described under subclauses (III), (IV), (C), or (H) of clause (i), the Secretary shall give priority to applications from rural areas and small communities with populations that do not exceed 3,000 inhabitants.

(III) Matching requirements.—For entitlement programs described under subparagraph (B), the Secretary shall give priority in the award of grants to applicants that—

(A) are rural areas and small communities whose residents face significant health risks, as determined by the Secretary, due to the fact that a significant proportion of the residents of the community do not have access to, or are not served by, adequate affordable—

(1) water supply systems; or

(2) waste disposal facilities.

(IV) Certain areas targeted.—

(i) In general.—Loans and grants under clause (i) shall be made only if the loan or grant funds will be used primarily to provide water or waste services, or both, to residents of a county or census area—

(A) that do not exceed the Federal Financing Bank rate on loans and grants made to individuals to facilitate the use of the water supply and waste disposal systems, connecting the systems to the residences of the individuals, or installing and maintaining plumbing and fixtures within the residences of the individuals.

(B) a rural area that was recognized as a colonia as of October 1, 1991.

(C) an area described in subclause (II)(i), (II)(ii), or (VI) of clause (i).

(II) Loans and grants to individuals.—

(i) In general.—The Secretary shall make or guarantee loans and make grants to individuals who reside in a community described in subparagraph (B)(i) for the purpose of extending water supply and waste disposal systems, connecting the systems to the residences of the individuals, or installing plumbing and fixtures within the residences of the individuals.

(ii) Authorization of appropriations.—In addition to the amounts made available under clause (i), there is authorized to be appropriated $35,000,000 for each of fiscal years 2014 through 2018.

(iii) Water and waste facility loans and grants to alleviate health risks.—

(A) Definition of cooperative.—In this paragraph, the term ‘cooperative’ means a cooperative formed specifically for the purpose of the installation, expansion, improvement, or rehabilitation of water supply or waste disposal facilities or systems.

(B) Loans and grants to persons other than individuals.—

(i) In general.—The Secretary shall make or guarantee loans and make grants to provide for the conservation, development, use, and control of water (including the extension or improvement of existing water supply systems) and the installation or improvement of drainage or waste disposal facilities and essential community facilities, including—

(A) necessary related equipment, training, and technical assistance to—

(1) rural water supply corporations, cooperatives, or similar entities;

(B) Indian tribes on Federal or State reservations and other federally recognized Indian tribes;

(C) rural or native villages in the State of Alaska;

(D) native tribal health consortia;

(E) public agencies; and

(F) Native Hawaiian Home Lands.

(II) Eligible projects.—Loans and grants described in clause (i) shall be made only if the loan or grant funds will be used primarily to provide the described water and waste facilities and services to communities whose residents face significant health risks, as determined by the Secretary, due to the fact that a significant proportion of the residents of the community do not have access to, or are not served by, adequate affordable—

(1) water supply systems; or

(2) waste disposal facilities.

(III) Matching requirements.—For entitlement programs described in subclauses (III), (IV), or (VI) of clause (i) to be eligible to receive a grant for water supply systems or waste disposal facilities, the State in which the facility will occur shall provide 25 percent in matching funds from non-Federal sources.

(IV) Regulations.—The Secretary may establish regulations necessary to carry out this paragraph.

(A) Predevelopment costs associated with proposed water and wastewater projects or with existing water and wastewater systems; and

(B) short-term costs incurred for replacement equipment, small-scale extension services, or other small capital projects that are not part of the regular operations and maintenance of existing water and wastewater systems.

(2) Emergency and imminent community needs.—

(i) In general.—The Secretary shall provide grants in accordance with this paragraph to assist the residents of rural areas and small communities with populations not exceeding 3,000 inhabitants—

(A) after a significant decline in the quantity or quality of water supplied to the residents of the rural areas and small communities, or when such a decline is imminent; or

(B) when repairs, partial replacement, or significant maintenance efforts on existing water and wastewater systems are required.

(ii) Special rules.—

(A) Water and wastewater projects or facilities.—Loans and grants under this paragraph may be used—

(I) for waterline extensions from existing supplies to new residences and other small capital projects that are necessary to assist the residents of rural areas and small communities served by the Secretary.

(II) except under subparagraph (A)(i), to make or guarantee loans and make grants to individuals to facilitate the use of the water supply and waste disposal systems, connecting the systems to the residences of the individuals, or installing and maintaining plumbing and fixtures within the residences of the individuals.

(B) Grants and loans to individuals.—

(i) In general.—The Secretary shall make or guarantee loans and make grants to individuals who reside in a community described in subparagraph (B)(i) for the purpose of extending water supply and waste disposal systems, connecting the systems to the residences of the individuals, or installing and maintaining plumbing and fixtures within the residences of the individuals.

(ii) Authorization of appropriations.—In addition to the amounts made available under clause (i), there is authorized to be appropriated $35,000,000 for each of fiscal years 2014 through 2018.

(iii) Water and waste facility loans and grants to alleviate health risks.—

(A) Definition of cooperative.—In this paragraph, the term ‘cooperative’ means a cooperative formed specifically for the purpose of the installation, expansion, improvement, or rehabilitation of water supply or waste disposal facilities or systems.

(B) Loans and grants to persons other than individuals.—

(i) In general.—The Secretary shall make or guarantee loans and make grants to provide for the conservation, development, use, and control of water (including the extension or improvement of existing water supply systems) and the installation or improvement of drainage or waste disposal facilities and essential community facilities, including—

(A) necessary related equipment, training, and technical assistance to—

(1) rural water supply corporations, cooperatives, or similar entities;

(B) Indian tribes on Federal or State reservations and other federally recognized Indian tribes;

(C) rural or native villages in the State of Alaska;

(D) native tribal health consortia;

(E) public agencies; and

(F) Native Hawaiian Home Lands.

(ii) Eligible projects.—Loans and grants described in clause (i) shall be made only if the loan or grant funds will be used primarily to provide the described water and waste facilities and services to communities whose residents face significant health risks, as determined by the Secretary, due to the fact that a significant proportion of the residents of the community do not have access to, or are not served by, adequate affordable—

(1) water supply systems; or

(2) waste disposal facilities.

(iii) Matching requirements.—For entitlement programs described in subclauses (III), (IV), or (VI) of clause (i) to be eligible to receive a grant for water supply systems or waste disposal facilities, the State in which the facility will occur shall provide 25 percent in matching funds from non-Federal sources.

(iv) Certain areas targeted.—

(A) water supply systems; or

(B) waste disposal facilities.

(v) Exception.—

(A) Notice.—Notwithstanding subclause (I), loans and grants under clause (i) described in subclause (I)(ii) of clause (i) shall be made only if the loan or grant funds will be used primarily to provide water or waste services, or both, to residents of a county or census area—

(1) that do not exceed the Federal Financing Bank rate on loans and grants made to individuals to facilitate the use of the water supply and waste disposal systems, connecting the systems to the residences of the individuals, or installing plumbing and fixtures within the residences of the individuals.

(2) a rural area that was recognized as a colonia as of October 1, 1991.

(B) an area described in subclause (II)(i), (II)(ii), or (VI) of clause (i).

(C) Loans and grants to individuals.—

(i) In general.—The Secretary shall make or guarantee loans and make grants to individuals who reside in a community described in subparagraph (B)(i) for the purpose of extending water supply and waste disposal systems, connecting the systems to the residences of the individuals, or installing and maintaining plumbing and fixtures within the residences of the individuals.

(ii) Authorization of appropriations.—In addition to the amounts made available under clause (i), there is authorized to be appropriated $35,000,000 for each of fiscal years 2014 through 2018.

(iii) Water and waste facility loans and grants to alleviate health risks.—

(A) Definition of cooperative.—In this paragraph, the term ‘cooperative’ means a cooperative formed specifically for the purpose of the installation, expansion, improvement, or rehabilitation of water supply or waste disposal facilities or systems.

(B) Loans and grants to persons other than individuals.—

(i) In general.—The Secretary shall make or guarantee loans and make grants to provide for the conservation, development, use, and control of water (including the extension or improvement of existing water supply systems) and the installation or improvement of drainage or waste disposal facilities and essential community facilities, including—

(A) necessary related equipment, training, and technical assistance to—

(1) rural water supply corporations, cooperatives, or similar entities;

(B) Indian tribes on Federal or State reservations and other federally recognized Indian tribes;
(iii) Amortization.—The repayment of loans described in clause (i) shall be amortized over the expected life of the water supply or waste disposal system to which the resident is located, or whenater shall be provided.

(iv) MANNER IN WHICH LOANS AND GRANTS ARE TO BE MADE.—Loans and grants to individuals under clause (i) shall be made—

(I) jointly to the individuals by the Secretary; or

(II) to the individuals through the rural water supply corporation, cooperative, or similar or public agency, providing the water supply or waste disposal services, pursuant to regulations issued by the Secretary.

(D) PREFERENCE.—The Secretary shall give preference in the awarding of loans and grants under subparagraphs (B) and (C) to entities described in clause (i) of subparagraph (B) that propose to provide water supply or waste disposal services to the residents of Indian reservations, rural or native villages in the State of Alaska, Native Hawaiian Home Lands, and those rural subdivisions commonly referred to as colonias, that are characterized by substandard housing, inadequate drinking water, and a lack of adequate water or waste facilities.

(E) RELATIONSHIP TO OTHER AUTHORITY.—Notwithstanding any other provision of law, the head of any Federal agency may enter into interagency agreements with Federal, State, tribal, and other entities to share resources, including transferring and accepting funds, other supplies, technical assistance, and carrying out the activities described in this paragraph.

(F) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated—

(i) for grants under this paragraph, $60,000,000 for each fiscal year;

(ii) in addition to grants provided under clause (i), for grants under this section to benefit Indian tribes, $20,000,000 for each fiscal year;

(iii) solid waste management grants.

(A) IN GENERAL.—The Secretary may make grants to nonprofit organizations for the provision of regional technical assistance to local and regional governments and related agencies for the purpose of reducing or eliminating pollution of water resources and improving the planning and management of solid waste disposal facilities in rural areas.

(B) TECHNICAL ASSISTANCE GRANT AMOUNTS.—Grants made under this paragraph shall be made for 100 percent of the cost of the technical assistance.

(C) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this paragraph $10,000,000 for each of fiscal years 2014 through 2018.

(D) RURAL WATER AND WASTEWATER TECHNICAL ASSISTANCE AND TRAINING PROGRAMS.—

(A) IN GENERAL.—The Secretary may make grants to nonprofit organizations to enable the organizations to provide technical assistance and training to rural areas.

(i) to identify, and evaluate alternative solutions to problems relating to the obtaining, storage, treatment, purification, or distribution of water or the collection, treatment, or disposal of waste in rural areas;

(ii) to provide technical assistance to recipients of financial assistance for any purpose specified in subsection (a)(1) from any public or private source; and

(iii) to provide the operation and maintenance practices at any existing works for the storage, treatment, purification, or distribution of water or the collection, treatment, or disposal of waste in rural areas.

(B) AUTHORIZED ACTIVITIES.—The Secretary may make grants and loans, and guaranteeing loans, for water, wastewater, and waste disposal projects under this section, the Secretary shall give priority to projects that serve communities of less than 2,500 residents, including colonias.

(C) AUTHORIZED ACTIVITIES.—The Secretary may make grants or loans, and guaranteeing loans, for water, wastewater, and waste disposal projects under this section, the Secretary shall give priority to projects that serve communities that, as determined by the Secretary,

(1) have a population of less than 5,500 permanent residents;

(2) have a community water, wastewater, or waste disposal system that—

(i) an unanticipated reduction in the quality of water, the quantity of water, or the ability to deliver water; or

(ii) new demand in the supply of water to the community;

(3) are not adequate to meet the needs of the community; and

(4) require immediate corrective action;

(5) are experiencing outmigration;

(6) have a high percentage of low-income residents; or

(7) are isolated from other significant population centers.

(E) CURTAILMENT OR LIMITATION OF SERVICE REQUIREMENTS.—The service provided or made available through any such association shall not be curtailed or limited by inclusion of the area served by such association within the boundaries of any municipal corporation or other public body, or by the granting of any private franchise for similar service within the boundaries of such association, nor shall the granting of any such franchise be subject to any condition (including a condition to require the area served by the association at the time of the occurrence of such event.

(F) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as are necessary.

SEC. 3503. COMMUNITY FACILITIES LOANS, LOAN GUARANTEES, AND GRANTS.

(a) IN GENERAL.—The Secretary may make grants and loans and issue loan guarantees (including a guarantee of a loan financed by the net proceeds of a bond described in section 142(a) of the Internal Revenue Code of 1986) to eligible entities described in subsection (b) to make improvements in rural areas that primarily serve rural residents to provide for—

(1) essential community facilities, including—

(A) necessary equipment;

(B) recreational developments; and

(C) financial assistance for the planning of projects for purposes described in this section;

(b) ELIGIBLE ENTITIES.—Entities eligible for assistance described in subsection (a) are—

(1) associations (including corporations described in clause (i) of paragraph (4) of section 815 of the Native American Programs Act of 1974 (42 U.S.C. 2992c)); and

(2) Indian tribes (including groups of individuals described in paragraph (4) of section 815 of the Native American Programs Act of 1974 (42 U.S.C. 2992c)); and

(3) public and quasi-public agencies.

(c) LOAN AND LOAN GUARANTEE REQUIREMENTS.—

(1) IN GENERAL.—In connection with loans made or guaranteed under this section, the Secretary shall require the applicant—

(A) to certify in writing, and the Secretary shall determine, that the applicant is unable to obtain sufficient credit elsewhere to finance the actual needs of the applicant; and

(B) to furnish an appropriate written financial statement.

(2) DEBT RESTRUCTURING AND LOAN SERVING PROGRAM.—The Secretary shall establish and implement a program that is similar to the program established under section 311, except that the debt restructuring and loan servicing procedures shall apply to delinquent community facility program loans to a hospital or health care facility under subsection (a).

(3) GRANT AMOUNTS.—

(I) MAXIMUM.—Except as otherwise provided in this subsection, the amount of any
grant made under this section shall not ex-
ceed 75 percent of the development cost of
the project for which the grant is provided.

(2) GRANT RATE.—The Secretary shall es-
tablish the grant rate for each project in
conformity with regulations issued by the
Secretary that shall provide for a graduated
scale of grant rates that establish higher
rates for projects in communities that have—

(A) low community population;

(B) high rates of outmigration; and

(C) high infant mortality rates.

(3) LOCAL SHARE REQUIREMENTS.—Grants
made under this section may be used to pay
the local share of another Federal
grant-in-aid program to the extent per-
mitted under the law providing for the
grant-in-aid program.

(e) Priority in making grants and
loans, and guaranteeing loans under this sec-
tion, the Secretary shall give priority con-
sideration to projects that serve rural com-
munities that—

(1) have a population of less than 20,000
permanent residents;

(2) are experiencing outmigration;

(3) have a high percentage of low-income
residents; or

(4) are isolated from other significant
population centers.

(f) TRIBAL COLLEGES AND UNIVERSITIES.—

(1) IN GENERAL.—The Secretary may make
grants to an entity that is a Tribal College or
University (as defined in section 316(b) of
the Higher Education Act of 1965 (20 U.S.C.
1059c(b))) to provide the Federal share of the
cost of developing specific Tribal College or
University essential community facilities in
rural areas.

(2) FEDERAL SHARE.—The Secretary shall
establish the maximum percentage of the
cost of the project that may be covered by a
grant under this subsection, except that the
Secretary may not require non-Federal fi-
nance for amounts that are greater than 5
percent of the total cost of the project.

(3) AUTHORIZATION OF APPROPRIATIONS.—

There is authorized to be appropriated to
carry out this subsection $10,000,000 for each
of fiscal years 2014 through 2018.

(g) TECHNICAL ASSISTANCE FOR COMMUNITY
FACILITIES PROJECTS.—

(1) IN GENERAL.—Subject to paragraph (2),
the Secretary may use funds made available for
community facilities programs author-
ized under this section to provide technical
assistance to applicants and participants for
community facilities programs.

(2) CERTIFICATION.—The Secretary may use
not more than 3 percent of the amount of funds
made available to participants for a fiscal
year for a community facilities program to
carry out section 3001 through 2018.

(h) AUTHORIZATION OF APPROPRIATIONS.—

There are authorized to be appropriated to
carry out this section such sums as are nec-
essary.

SEC. 3503. HEALTH CARE SERVICES.

(a) PURPOSE.—The purpose of this section is
to address the unmet urgent health needs in the
Delta region through cooperation among
health care professionals, institu-
tions of higher education, research institu-
tions, and other individuals and entities in the
region.

(b) DEFINITION OF ELIGIBLE ENTITY.—In
this section—

(1) the term ‘eligible entity’ means a
consortium of regional institutions of
higher education, academic health and re-
search institutes, and economic development
entities located in the Delta region that have
experience in addressing the health care
issues in the region.

(2) the grantee that carries out the purpose
described in subsection (a), the Secretary may
award a grant to an eligible entity for

(i) the development of—

(A) health care services;

(B) health education programs; and

(C) health care job training programs; and

(ii) the development and expansion of pub-
lic health-related facilities in the Delta re-

tion to address long-standing and unmet
health needs of the region.

(d) USE.—As a condition of the receipt of
the grant, the eligible entity shall use the
grant to fund projects and activities de-
scribed in subsection (b), on projects
on projects that are leveraged from local govern-
ments, public health care providers, and other entities in the
Delta region.

(e) AUTHORIZATION OF APPROPRIATIONS.—

There is authorized to be appropriated to the
Secretary to carry out this section $35,000,000 for each of fiscal years
2014 through 2018.

CHAPTER 2—RURAL BUSINESS AND
COOPERATIVE DEVELOPMENT

SEC. 3501. BUSINESS PROGRAMS.

(a) RURAL BUSINESS DEVELOPMENT
GRANTS.—

(1) IN GENERAL.—The Secretary may make
grants under this subsection to eligible enti-
ties described in paragraph (2) in rural areas
that primarily serve rural areas for purposes
described in paragraph (3).

(2) ELIGIBLE ENTITIES.—The Secretary
may make grants under this subsection to—

(A) governmental entities;

(B) Indian tribes; and

(C) nonprofit entities.

(3) ELIGIBLE PURPOSES FOR GRANTS.—Eli-

gible entities that receive grants under this
subsection may use the grant funds for—

(A) business opportunity projects that—

(i) identify and analyze business opportu-
nities;

(ii) identify, train, and provide technical
assistance to existing or prospective rural
entrepreneurs and managers;

(iii) assist in the establishment of new
rural businesses and the maintenance of ex-
isting businesses, including through business
support centers;

(iv) conduct regional, community, and
local economic development planning and
coordination, and leadership development;

and

(V) establish centers for training, tech-

ology, and trade that will provide training
to rural businesses in the use of interactive
communications technology and develop
international trade opportunities and mar-

kets; and

(B) projects that support the development
of business enterprises that finance or facil-
itate—

(i) the development of small and emerg-

ing private business enterprises;

(ii) the establishment, expansion, and op-
eration of rural distance learning networks;

(iii) the development of rural learning
programs that provide educational instruc-
tion or job training instruction related to
talent employment or job advancement
among adult students; and

(iv) the provision of technical assistance
and training to rural communities for the
purpose of improving passenger transpor-

tation services or facilities.

(4) AUTHORIZATION OF APPROPRIATIONS.—

There is authorized to be appropriated to
the Secretary to carry out this subsection
$35,000,000 for each of fiscal years 2014
through 2018, to remain available until exp-
ded.

(b) VALUE-ADDED AGRICULTURAL PRO-
DUCER GRANTS.—

(1) DEFINITION.—In this subsection—

(A) MID-TIER VALUE CHAIN.—The term
‘mid-tier value chain’ means a local and re-
gional supply network that links inde-
pendent processors to cooperatives, anon-
shall submit to the Secretary an application containing a plan for the establishment and operation by the institution of 1 or more centers for cooperative development.

(2) The Secretary may approve an application if the plan contains the following:

(i) A provision that substantiates that the center will effectively serve rural areas in the United States.

(ii) A provision that the primary objective of the center will be to improve the economic condition of rural areas through cooperative development.

(iii) A description of the activities that the center will carry out to accomplish the objective, which may include programs to:

(I) for applied research and feasibility studies that may be useful to individuals, cooperatives, small businesses, and other similar entities in rural areas served by the center;

(ii) for the collection, interpretation, and dissemination of information that may be useful to individuals, cooperatives, small businesses, and other similar entities in rural areas served by the center;

(iii) for the coordination of services and sharing of information by the center.

(iv) A description of the contributions that the activities are likely to make to the improvement of the economic conditions of the rural areas for which the center will provide services.

(v) Provisions that the center, in carrying out the activities, will seek, if appropriate, the advice, participation, expertise, and assistance of representatives of business, industry, educational institutions, the Federal Government, and State and local governments.

(vi) Provisions that the center will seek and continue to develop continuing sources of financial support for the center, particularly from sources in the private sector.

(vii) Provisions for:

(I) monitoring and evaluating the activities by the nonprofit institution operating the center; and

(II) accounting for funds received by the institution under this section.

(3) GRANTS.—

(A) IN GENERAL.—Grants made under paragraph (2) shall be made on a competitive basis.

(B) PREFERENCE.—In making grants under paragraph (2), the Secretary shall give preference to grant applications providing for the establishment of centers for rural cooperative development that—

(i) demonstrate a proven track record in carrying out effective and mutually owned businesses; and

(ii) demonstrate previous expertise in providing technical assistance to cooperatives and new cooperative approaches, and generate employment opportunities that will improve the economic conditions of rural areas;

(iv) commit to providing technical assistance and other services to underserved and economically distressed areas in rural areas of the United States;

(v) demonstrate a commitment to—

(I) networking with and sharing the results of the efforts of the center with other cooperative development centers and other organizations involved in rural economic development efforts; and

(ii) developing multiorganization and multidisciplinary approaches to addressing the economic development and cooperative needs of rural areas; and

(vi) commit to providing a 25 percent matching contribution of funds and in-kind contributions, except that the Secretary shall not require non-Federal financial support in an amount that is greater than 10 percent of the amount of funds provided to a grant recipient under this subsection.

(4) BUDGETS.—

(A) IN GENERAL.—A grant awarded to a center that has received no prior funding under this subsection shall be made for a period of 1 year.

(B) MULTIYEAR GRANTS.—If the Secretary determines it to be in the best interest of the program, the Secretary shall award grants for a period of more than 1 year, but not more than 5 years, to a center that has successfully met the requirements of paragraph (5)(B), as determined by the Secretary.

(5) AUTHORITY TO EXTEND GRANT PERIOD.—

The Secretary may extend for 1 additional 12-month period the period during which a grantee may use a grant made under this subsection.

(6) TECHNICAL ASSISTANCE TO PREVENT EXCESSIVE UNEMPLOYMENT OR UNEMPLOYMENT.—

(A) IN GENERAL.—In carrying out this subsection, the Secretary may provide technical assistance to alleviate or prevent conditions of excessive unemployment, unemployment, outmigration, or low employment growth in economically distressed rural areas that the Secretary determines have a substantial need for the assistance.

(B) INCLUSIONS.—The assistance may include planning and feasibility studies, management and operational assistance, and studies evaluating the need for the development potential of projects that increase employment and improve economic growth in the areas.

(7) GRANTS TO DEFRAY ADMINISTRATIVE COSTS.—

(A) IN GENERAL.—The Secretary may make grants to defray not to exceed 75 percent of the costs incurred by organizations and public bodies to carry out projects for which grants or loans are made under this subsection.

(B) COST-SHARING.—For purposes of determining the non-Federal share of the costs, the Secretary shall include contributions in cash and in kind, fairly evaluated, including premises, equipment, and services.

(8) COOPERATIVE RESEARCH PROGRAM.—

The Secretary shall offer to enter into a cooperative research agreement with 1 or more qualified academic institutions in each fiscal year to conduct research on the effects of all types of cooperatives on the national economy.

(9) ADDRESSING NEEDS OF MINORITY COMMUNITIES.—

(A) IN GENERAL.—If the total amount appropriated under paragraph (1) for a fiscal year exceeds $7,500,000, the Secretary shall reserve an amount equal to 20 percent of the
total amount appropriated for grants for cooperative development centers, individual cooperatives, or groups of cooperatives—

(i) that serve socially disadvantaged groups;

(ii) a majority of the boards of directors or governing boards of which are comprised of individuals who are members of socially disadvantaged groups;

(B) INSUFFICIENT APPLICATIONS.—To the extent there are insufficient applications to carry out subparagraph (A), the Secretary shall make the determination whether to appropriate funds as otherwise authorized by this subsection.

"(12) INTERAGENCY WORKING GROUP.—Not later than 90 days after the date of enactment of this Act, the Secretary shall coordinate and chair an interagency working group to foster cooperative development and ensure coordination with Federal agencies and national and local cooperative organizations that have cooperative programs and interests.

"(13) AUTHORIZATION OF APPROPRIATIONS.—

There is authorized to be appropriated to carry out this subsection $50,000,000 for each of fiscal years 2014 through 2018.

"(d) APPROPRIATE TECHNOLOGY TRANSFER FOR RURAL AREAS PROGRAM.—

"(1) DEFINITION OF NATIONAL NONPROFIT AGRICULTURAL ASSISTANCE INSTITUTION.—In this subsection, the term ‘national nonprofit agricultural assistance institution’ means an organization—

(A) is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of that Code;

(B) has staff and offices in multiple regions of the United States;

(C) has experience and expertise in operating national agricultural technical assistance programs;

(D) expands markets for the agricultural commodities produced by producers through the use of practices that enhance the environment, natural resource base, and quality of life; and

(E) improves the economic viability of agricultural operations.

"(2) ESTABLISHMENT.—The Secretary shall establish a national appropriate technology transfer for rural areas program to assist agricultural producers that are seeking information and assistance—

(A) to reduce input costs;

(B) to conserve energy resources;

(C) to diversify operations through new energy crops and energy generation facilities; and

(D) to expand markets for agricultural commodities produced by the producers by using practices that enhance the environment, natural resource base, and quality of life.

"(3) IMPLEMENTATION.—

(A) IN GENERAL.—The Secretary shall carry out the program under this subsection by making a grant to, or offering to enter into a cooperative agreement with, a national nonprofit agricultural assistance institution.

(B) GRANT AMOUNT.—A grant made, or cooperative agreement entered into, under subparagraph (A) shall provide 100 percent of the cost of providing information described in paragraph (2).

"(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $5,000,000 for each of fiscal years 2014 through 2018.

"(e) BUSINESS AND INDUSTRY DIRECT AND GUARANTEED LOANS.—

"(1) DEFINITION OF BUSINESS AND INDUSTRY LOAN.—In this section, the term ‘business’ and ‘industry’ means a direct loan that is made, or a loan that is guaranteed, by the Secretary under this subsection.

"(2) LOAN PURPOSES.—The Secretary may make business and industry loans to public, private, or cooperative organizations organized for profit or nonprofit, private investment funds, or other private entities in the cooperative organizations, or to individuals—

(A) to improve, develop, or finance business, industry, and employment and the economic and environmental climate in rural communities, including pollution abatement and control;

(B) to conserve, develop, and use water for agricultural purposes in rural areas; and

(C) to reduce the reliance on nonrenewable energy resources by encouraging the development and use of renewable energy systems (including solar energy systems, wind energy systems, and anaerobic digesters for the purpose of energy generation), including the modification of existing systems, in rural areas.

"(3) LOAN GUARANTEES FOR CERTAIN LOANS.—The Secretary may guarantee loans made under this subsection to finance the issuance of bonds for the projects described in paragraph (2).

"(4) MAXIMUM AMOUNT OF PRINCIPAL.—

(A) IN GENERAL.—The Secretary may make or guarantee a loan as otherwise provided in this paragraph, no loan may be made or guaranteed under this subsection that exceeds $25,000,000 in principal amount.

(B) LIMITATION ON LOAN GUARANTEES FOR COOPERATIVE ORGANIZATIONS.—

(1) PRINCIPAL AMOUNT.—Subject to clause (ii), the principal amount of a business and industry loan made to a cooperative organization and guaranteed under this subsection shall not exceed $40,000,000.

(ii) USE.—To be eligible for a guarantee under this subsection for a business and industry loan made to a cooperative organization, the principal amount of the loan in excess of $25,000,000 shall be used to carry out a project that is in a rural area and—

(I) provides for the value-added processing of agricultural commodities; or

(II) significantly benefits 1 or more entities eligible for assistance for the purposes described in paragraph (2), as determined by the Secretary.

(III) APPLICATIONS.—If a cooperative organization submits an application for a guarantee under this paragraph, the Secretary shall make the determination whether to approve the application.

(IV) MAXIMUM AMOUNT.—The total amount of business and industry loans made to cooperative organizations and guaranteed for a fiscal year under this subsection with principal amounts that are in excess of $25,000,000 may not exceed 3 percent of the total amount of business and industry loans guaranteed for the fiscal year under this subsection.

(F) FEES.—The Secretary may assess a 1-time fee and an annual renewal fee for any guaranteed business and industry loan in an amount that does not exceed 3 percent of the guarantee provided for the loan.

(6) INTANGIBLE ASSETS.—In determining whether a cooperative organization is eligible for a guaranteed business and industry loan, the Secretary may consider the market value of a properly appraised brand name, patent, or trademark of the cooperative.

(7) LOAN APPRAISALS.—The Secretary may require that any appraiser retained in connection with a business and industry loan be conducted by a specialized appraiser that uses standards that are comparable to standards used for commercial property in the private sector, as determined by the Secretary.

(8) LOAN GUARANTEES FOR THE PURCHASE OF COOPERATIVE STOCK.—

(A) IN GENERAL.—The Secretary may guarantee a business and industry loan to individual farmers to purchase capital stock of a farmer cooperative established for the purpose of processing an agricultural commodity.

(B) PROCESSING CONTRACTS DURING INITIAL PERIOD.—A cooperative organization described in subparagraph (A) for which a farmer receives a guarantee to purchase stock under that subparagraph may contract for services to process agricultural commodities or otherwise enhance value added for the purpose beginning on the date of the startup of the cooperative in order to provide adequate time for the planning and construction of the processing facility of the cooperative.

(C) FINANCIAL INFORMATION.—Financial information required by the Secretary from a farmer as a condition of making a business and industry loan guarantee under this paragraph shall be provided in the manner generally required by commercial lenders in the applicable area.

(9) LOANS TO COOPERATIVES.—

(A) ELIGIBILITY.—

(i) IN GENERAL.—The Secretary may make or guarantee a business and industry loan to a cooperative organization that is headquartered in a metropolitan area if the loan—

(I) used for a project or venture described in paragraph (2) that is located in a rural area; or

(II) is a loan guarantee that meets the requirements of paragraph (10).

(ii) EQUIITY.—The Secretary may guarantee a loan made for purposes of purchasing preferred stock or similar equity owned by a cooperative organization or a fund that invests primarily in cooperatives, if the guarantee significantly benefit 1 or more entities eligible for assistance for the purposes described in paragraph (2)(A), as determined by the Secretary.

(10) REFINANCING.—

(A) IN GENERAL.—A cooperative organization that is eligible for a business and industry loan shall be eligible to refinance an existing business and industry loan with a lender if—

(i) the cooperative organization—

(I) is current and performing with respect to the existing loan; and

(II) is not, and has not been, in payment default, with respect to the existing loan; or

(III) has not converted any of the collateral with respect to the existing loan; and

(ii) there is adequate security or full collateral for the refinanced loan.

(11) LOANS FOR PROCESSES IN NONRURAL AREAS.—The Secretary may guarantee a business and industry loan to a cooperative organization for a facility that is not located in a rural area if—

(A) the primary purpose of the loan guarantee is for a facility to provide value-added processing for agricultural producers that are located within 90 miles of the facility; and

(B) the applicant demonstrates to the Secretary that the primary benefit of the loan guarantee will be to provide employment or business residents of a rural area; and

(C) the total amount of business and industry loans guaranteed for a fiscal year under this paragraph does not exceed 10 percent of the business and industry loans guaranteed for the fiscal year under this subsection.

(12) LOCALLY OR REGIONALLY PRODUCED AGRICULTURAL FOOD PRODUCTS.—

(A) DEFINITIONS.—In this paragraph:

(i) LOCALLY PRODUCED AGRICULTURAL FOOD PRODUCT.—The term ‘locally produced agricultural food product’ means any agricultural food product that is raised, produced, and distributed in a locality or region in which the final product is marketed, so that the total distance that the product is transported is...
(ii) the State in which the product is produced.

(ii) UNDERSERVED COMMUNITY.—The term ‘underserved community’ means a community (including an urban or rural community and an Indian tribal community) that, as determined by the Secretary, has—

(I) limited access to affordable, healthy foods, including fresh fruits and vegetables, in grocery retail stores or farmer-to-consumer marketplaces; and

(II) a high rate of hunger or food insecurity or a high poverty rate.

(2) LOAN AND LOAN GUARANTEE PROGRAM.—

(1) IN GENERAL.—The Secretary shall make or guarantee loans to individuals, cooperatives, community-based organizations, businesses, and other entities to establish and facilitate enterprises that process, distribute, aggregate, store, and market locally or regionally produced agricultural food products to support community development and farm income.

(ii) REQUIREMENT.—The recipient of a loan or loan guarantee under this paragraph shall—

(A) demonstrate in its loan proposal how the project, including—

(i) net, a report that describes projects carried out using loans or loan guarantees made under this paragraph, which are to be submitted to the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate; and

(ii) annually thereafter, the Secretary shall give priority to projects that—

(1) contribute to the eradication of hunger, food insecurity, and poverty;

(2) have components benefitting underserved communities;

(3) have components benefitting rural microenterprises.

(F) PRIORITIES.—Not later than 2 years after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013 and annually thereafter, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate, and publish on the Internet, a report that describes projects carried out using loans or loan guarantees made under clause (i), including—

(i) summary information about all projects;

(ii) the characteristics of the communities served; and

(iii) the benefits.

(7) RURAL MICROENTERPRISE.—The term ‘rural microenterprise’ means a business entity with not more than 10 full-time equivalent employees located in a rural area.

(vi) TECHNICAL ASSISTANCE.—The term ‘technical assistance’ means working with a business client in a 1-to-1 manner to provide or coordinate technical assistance.

(iv) Loans.—The term ‘loan’ means a business loan of not more than $50,000 that is provided to a rural microentrepreneur.

(1) the skills necessary to establish new rural microenterprises; and

(2) continuing technical and financial assistance to ensure the ongoing success of rural microenterprises.

(III) LOANS.—

(I) IN GENERAL.—The Secretary shall make loans to microenterprise development organizations for the purpose of providing fixed-interest rate microloans to microentrepreneurs for startup and growing rural microenterprises.

(II) LOAN TERMS.—A loan made by the Secretary to a microenterprise development organization under this subparagraph shall—

(1) bear an annual interest rate of at least 1 percent.

(III) LOAN LOSS RESERVE FUND.—The Secretary shall require each microenterprise development organization that receives a loan under this subparagraph to—

(1) establish a loan loss reserve fund; and

(2) maintain the reserve fund in an amount equal to at least 5 percent of the outstanding balance of such loans owed by the microenterprise development organization, until all obligations owed to the Secretary under this subparagraph are repaid.

(IV) DEFERRAL OF INTEREST AND PRINCIPAL.—The Secretary may permit the deferral of interest and principal due on a loan to a microenterprise development organization made under this paragraph for a 2-year period beginning on the date on which a loan is made.

(V) GRANTS TO SUPPORT RURAL MICROENTERPRISE DEVELOPMENT.—

(1) IN GENERAL.—The Secretary shall make grants to microenterprise development organizations—

(i) to provide training and technical assistance, and other related services to rural microentrepreneurs; and

(ii) to carry out such other projects and activities as the Secretary determines appropriate to further the purposes of the program.

(II) SELECTION.—In making grants under subclause (I), the Secretary shall—

(aa) place an emphasis on microenterprise development organizations that serve microentrepreneurs that are located in rural areas that have suffered significant outward migration, and are no longer served by the lending activities of financial institutions;

(bb) ensure, to the maximum extent practicable, that grant recipients include microenterprise development organizations of varying sizes and that have diverse racial and ethnically diverse populations.

(VI) GRANTS TO ASSIST MICROENTERPRISE DEVELOPMENT ORGANIZATIONS.—

(1) IN GENERAL.—The Secretary shall make annual grants to microenterprise development organizations to provide technical assistance to microentrepreneurs that—

(i) received a loan from the microenterprise development organization under subparagraph (B)(iv); or

(ii) are seeking a loan from the microenterprise development organization under subparagraph (B)(i); and

(bb) ensure, to the maximum extent practicable, that grant recipients include microenterprise development organizations of varying sizes and that have diverse racial and ethnically diverse populations.

(VII) TECHNICAL ASSISTANCE.—The term ‘technical assistance’ means working with a business client in a 1-to-1 manner to provide business and financial management coordination, utilizing the resources of business organizations or other technical assistance providers, as determined by the Secretary, and—

(v) if the recipient is a program established under subsubparagraph (A)(i), the Secretary may require the recipient to—

(1) conduct at least 1 training program under subsubparagraph (A)(i).
of the total amount of the grant in the form of matching funds (including community development block grants), indirect costs, or in-kind goods or services.

(10) PARTICIPATION AGREEMENT.—The term ‘participation agreement’ means an agreement, between the Secretary and a rural business investment company, to make grants to smaller enterprises in rural areas.

(11) PRIVATE CAPITAL.—The term ‘private capital’ means—

(i) the paid-in capital and paid-in surplus of a corporate rural business investment company;

(ii) the contributed capital of the partners of a partnership rural business investment company;

(iii) the contributed capital of the members of a limited liability company rural business investment company; and

(iv) unfunded binding commitments from investors to invest in the form of equity or similar documents specified by the Secretary.

(D) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this paragraph $3,750,000 for each of fiscal years 2014 through 2018.

(E) MANDATORY FUNDING FOR FISCAL YEARS 2014 THROUGH 2018.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this paragraph $3,750,000 for each of fiscal years 2014 through 2018, to remain available until expended.

SEC. 3602. RURAL BUSINESS INVESTMENT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ARTICLES.—The term ‘articles’ means articles of incorporation for an incorporated body or the functional equivalent or other similar documents specified by the Secretary for other business entities.

(2) DEVELOPMENTAL VENTURE CAPITAL.—The term ‘developmental venture capital’ means capital in the form of equity capital investments in rural business investment companies with the mission of fostering economic development in rural areas.

(3) EMPLOYEE WELFARE BENEFIT PLAN; PENSION PLAN.—

(A) IN GENERAL.—The term ‘employee welfare benefit plan’ and ‘pension plan’ have the meanings given the terms in section 3 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002).

(B) INCLUSIONS.—The term ‘employee welfare benefit plan’ and ‘pension plan’ include—

(i) public and private pension or retirement plans subject to this subtitle; and

(ii) similar plans not covered by this subtitle that have been established, and that are maintained, by the Federal Government or any State (including by a political subdivision, agency, or instrumentality of the Federal Government or a State) for the benefit of employees.

(4) EQUITY CAPITAL.—The term ‘equity capital’ includes common stock, preferred stock or a similar instrument, including subordinated debt with equity features.

(5) LEVERAGE.—The term ‘leverage’ includes—

(A) debentures purchased or guaranteed by the Secretary;

(B) participating securities purchased or guaranteed by the Secretary; and

(C) preferred securities outstanding as of the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013.

(6) LICENSE.—The term ‘license’ means a license issued by the Secretary in accordance with subsection (d)(5).

(7) LIMITED LIABILITY COMPANY.—The term ‘limited liability company’ means a business entity that is organized and operating in accordance with a State limited liability company law approved by the Secretary.

(8) LIMITED LIABILITY COMPANY.—The term ‘limited liability company’ means, with respect to a rural business investment company that is a limited liability company, a holder of an ownership interest, or a person otherwise admitted to membership in the limited liability company.

(9) OPERATIONAL ASSISTANCE.—The term ‘operational assistance’ means management, marketing, technical assistance that assists a rural business concern with business development.

(10) PARTICIPATION AGREEMENT.—The term ‘participation agreement’ means an agreement, between the Secretary and a rural business investment company granted approval under subsection (d)(5), that requires the rural business investment company to make grants to smaller enterprises in rural areas.

(11) PRIVATE CAPITAL.—The term ‘private capital’ means the total of—

(A) the paid-in capital and paid-in surplus of a corporate rural business investment company;

(B) the contributed capital of the partners of a partnership rural business investment company; or

(C) the contributed capital of the members of a limited liability company rural business investment company; and

(D) unfunded binding commitments from investors to invest in the form of capital to the rural business investment company, except that—

(1) the term ‘private capital’ does not include—

(i) any funds borrowed by a rural business investment company from any source;

(ii) any funds obtained through the issuance of leverage; or

(iii) any funds obtained directly or indirectly from the Federal Government or any State (including through a political subdivision, agency, or instrumentality of the Federal Government or a State), except for—

(A) funds obtained through business revenues (excluding any governmental appropriation) of any Federally chartered or government-sponsored enterprise established prior to the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013;

(B) funds invested by an employee welfare benefit plan or pension plan; and

(C) any qualified nonprivate funds (if the investors of the qualified nonprivate funds do not control, directly or indirectly, the management, board of directors, general partners, or members of the rural business investment company).

(12) QUALIFIED NONPRIVATE FUNDS.—The term ‘qualified nonprivate funds’ means any—

(A) funds directly or indirectly invested in any applicant or rural business investment company on or before the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013 by any Federal agency, other than the Department, under a provision of law explicitly mandating the inclusion of those funds in the definition of the term ‘private capital’;

(B) funds invested in any applicant or rural business investment company by 1 or more states or political subdivisions (including by a political subdivision, agency, or instrumentality of the State and including any guarantee extended by those entities) in an aggregate amount that does not exceed 33 percent of the private capital of the applicant or rural business investment company.

(13) RURAL BUSINESS CONCERN.—The term ‘rural business concern’ means—

(A) a proprietorship, partnership, or cooperative for-profit or nonprofit organization;

(B) a for-profit or nonprofit business controlled by an Indian tribe; or

(C) a for-profit or nonprofit business entity that primarily operates in a rural area, as determined by the Secretary.

(14) RURAL BUSINESS INVESTMENT COMPANY.—The term ‘rural business investment company’ means a company that—

(A) has been granted final approval by the Secretary under subsection (d)(5); and

(B) has entered into a participation agreement with the Secretary.

(15) SMALLER ENTERPRISE.—The term ‘smaller enterprise’ means any rural business concern that, together with its affiliates—

(1) has—

(i) a net financial worth of not more than $6,000,000, as of the date on which assistance is provided under this section to the rural business concern; and

(ii) except as provided in subparagraph (B), an average net income for the 2-year period preceding the date on which assistance is provided under this section to the rural business concern, of not more than $2,000,000, after Federal income taxes (excluding any carryover losses); or

(iii) satisfies the standard industrial classification size standards established by the Administrator of the Small Business Administration for the industry in which the rural business concern is primarily engaged.

(16) EXCERPTION.—For purposes of subparagraph (A)(i)(II), if the rural business concern is not required by law to pay Federal income taxes at the enterprise level, but is required to pay income taxes through to the shareholders, partners, beneficiaries, or other equitable owners of the business concern, the net income of the business concern shall be determined allowing a deduction in an amount equal to the total of—

(i) if the rural business concern is not required by law to pay State (and local, if any) income taxes at the enterprise level, the product obtained by multiplying—

(I) the net income (determined without regard to this subparagraph); by

(II) the marginal Federal income tax rate (or by the combined State and local income tax rates, as applicable) that would have applied if the business concern were a corporation; and

(ii) if the product obtained by multiplying—

(I) the net income (so determined) less any deduction for State (and local) income taxes calculated with respect to any Federal income tax liability; and

(II) the marginal Federal income tax rate that would have applied if the rural business concern were a corporation.

(17) PURPOSES.—The purposes of the Rural Business Investment Program established under this section are—

(A) to enter into participation agreements with rural business investment companies;

(B) to guarantee debentures of rural business investment companies to enable each rural business investment company to make developmental venture capital investments in smaller enterprises in rural areas; and

(C) to make grants to rural business investment companies, and to other entities, for the purpose of providing operational assistance to smaller enterprises financed, or expected to be financed, by rural business investment companies.

(18) ESTABLISHMENT.—In accordance with this subtitle, the Secretary shall establish a
Rural Business Investment Program, under which the Secretary may—

‘‘(1) enter into participation agreements with companies granted final approval under subsection (d) for the purposes described in subsection (b);

‘‘(2) guarantee the debentures issued by rural business investment companies as provided in paragraph (2) of subsection (a);

‘‘(3) make grants to rural business investment companies, and to other entities, under subsection (h);

‘‘(d) SELECTION OF RURAL BUSINESS INVESTMENT COMPANIES.

‘‘(1) ELIGIBILITY.—A company shall be eligible to apply to participate, as a rural business investment company, in the program established under this section if—

‘‘(A) the company is a newly formed for-profit entity or a newly formed for-profit subsidiary of such an entity;

‘‘(B) the company has a management team with experience in community development financing or relevant venture capital financing; and

‘‘(C) the company will invest in enterprises that will create wealth and job opportunities in rural areas, with an emphasis on smaller enterprises;

‘‘(2) APPLICATION.—To participate, as a rural business investment company, in the program established under this section, a company meeting the eligibility requirements of paragraph (1) shall submit an application to the Secretary that includes—

‘‘(A) a business plan describing how the company intends to make successful developmental venture capital investments in identified rural areas;

‘‘(B) information regarding the community development finance or relevant venture capital qualifications and general reputation of the management of the company;

‘‘(C) a description of how the company intends to work with community-based organizations and local entities (including local economic development companies, local lenders, and local investors) and to seek to address the unmet equity capital needs of the communities served;

‘‘(D) a proposal describing how the company intends to use the grant funds provided under paragraph (3) to provide operating or short-term assistance to smaller enterprises financed by the company, including information regarding whether the company intends to use licensed commercial banks for that purpose and the manner in which the company will address the credit needs of the entities assisted;

‘‘(E) with respect to binding commitments to companies on which the Secretary intends to rely, an estimate of the ratio of cash to kind contributions;

‘‘(F) a description of the criteria to be used to evaluate whether and to what extent the company meets the purposes of the program established under this section;

‘‘(G) information regarding the management qualifications, strength of any parent firm, affiliated firm, or any other firm essential to the success of the business plan of the company; and

‘‘(H) any other information as the Secretary may require.

‘‘(3) STATUS.—Not later than 90 days after the initial receipt by the Secretary of an application under this subsection, the Secretary may—

‘‘(a) approve an applicant to operate as a rural business investment company under this subsection and license the applicant as a rural business investment company, if—

‘‘(i) the Secretary determines that the application satisfies the requirements of paragraph (2);

‘‘(ii) the area in which the rural business investment company is to conduct its operations, and establishment of branch offices or agencies (if authorized by the Secretary, are approved by the applicant); and

‘‘(iii) the applicant enters into a participation agreement with the Secretary.

‘‘(b) CAPITAL REQUIREMENTS.—

‘‘(i) IN GENERAL.—Notwithstanding any other provision of this section, the Secretary may approve an application to operate as a rural business investment company under this section, if the Secretary determines that the applicant—

‘‘(A) has private capital as determined by the Secretary;

‘‘(B) would otherwise be approved under this section, except that the applicant does not satisfy the requirements of subsection (1)(d), and

‘‘(C) has a viable business plan that—

‘‘(aa) reasonably projects profitable operations; and

‘‘(bb) has a reasonable timetable for achieving a level of private capital that satisfies the requirements of subsection (1)(d);

‘‘(ii) LAVENDE.—An application approved under clause (i) shall not be eligible to receive leverage under this section until the applicant satisfies the requirements of section 3602(c);

‘‘(3) PARTNERS.—An approved application under clause (i) shall be eligible for grants under subsection (h) in proportion to the private capital of the applicant, as determined by the Secretary.

‘‘(c) DEBENTURES.—

‘‘(1) IN GENERAL.—The Secretary may guarantee the timely payment of principal and interest on debentures issued by any rural business investment company.

‘‘(2) TERMS AND CONDITIONS.—The Secretary may make guarantees under this subsection on such terms and conditions as the Secretary considers appropriate, except that the term of any debenture guaranteed under this section shall not exceed 15 years.

‘‘(3) FULL FAITH AND CREDIT OF THE UNITED STATES.—Section 3601 shall apply to any guarantee of a trust certificate issued by the Secretary under this section.

‘‘(d) SUBROGATION AND OWNERSHIP RIGHTS.—

‘‘(A) SUBROGATION.—If the Secretary pays a claim under a guarantee issued under this section, the claim shall be subrogated fully to the rights of the Secretary under this paragraph.

‘‘(B) OWNERSHIP RIGHTS.—No Federal, State, or local law shall preclude or limit the exercise by the Secretary of the ownership rights provided by the Secretary under this subsection.

‘‘(e) GRANTS.—An approved application under clause (i) shall be eligible for grants under subsection (h) in proportion to the private capital of the applicant, as determined by the Secretary.

‘‘(f) DEBENTURES.—

‘‘(1) IN GENERAL.—The Secretary may guarantee the timely payment of principal and interest on debentures issued by any rural business investment company.

‘‘(2) TERMS AND CONDITIONS.—The Secretary may make guarantees under this subsection on such terms and conditions as the Secretary considers appropriate, except that the term of any debenture guaranteed under this section shall not exceed 15 years.

‘‘(3) FULL FAITH AND CREDIT OF THE UNITED STATES.—Section 3601 shall apply to any guarantee under this subsection.

‘‘(g) MAXIMUM GUARANTEE.—Under this subsection, the Secretary—

‘‘(A) guarantees the debentures issued by a rural business investment company only to the extent that the total face amount of outstanding debentures of the rural business investment company does not exceed the lesser of—

‘‘(i) 300 percent of the private capital of the rural business investment company; or

‘‘(ii) $105,000,000; and

‘‘(B) provide for the use of discounted debentures.

‘‘(h) ISSUANCE AND GUARANTEE OF TRUST CERTIFICATES.—

‘‘(1) ISSUANCE.—The Secretary may issue trust certificates representing ownership of all or a fractional part of debentures issued by a rural business investment company and guaranteed by the Secretary under this section, if the certificates are based on and backed by a trust or pool approved by the Secretary and composed solely of guaranteed debentures.

‘‘(2) GUARANTEE.—

‘‘(A) IN GENERAL.—The Secretary may, under such terms and conditions as the Secretary considers appropriate, guarantee the timely payment of the principal and interest on trust certificates issued by the Secretary or agents of the Secretary for purposes described in subsection (d).

‘‘(B) LIMITATION.—Each guarantee under this paragraph shall be limited to the extent of principal and interest on the guaranteed debentures that compose the trust or pool.

‘‘(C) PREPAYMENT OR DEFAULT.—

‘‘(i) IN GENERAL.—

‘‘(A) AUTHORITY TO PREPAY.—A debenture may be prepaid at any time without penalty.

‘‘(B) REDUCTION OF GUARANTEE.—Subject to clause (i), if a debenture in a trust or pool is prepaid, or in the event of default of such a debenture, the guarantee of timely payment of principal and interest on the trust certificates shall be reduced in proportion to the amount of principal and interest the pre-paid debenture represents in the trust or pool.

‘‘(ii) INTEREST.—Interest on prepaid or defaulted debentures shall accrue and be guaranteed by the Secretary only through the date of payment of the guarantee.

‘‘(iii) REDEMPTION.—At any time during the term of a trust certificate, the trust certificate may be called for redemption due to prepayment or default of all debentures.

‘‘(D) FULL FAITH AND CREDIT OF THE UNITED STATES.—Section 3601 shall apply to any guarantee of a trust certificate issued by the Secretary under this section.

‘‘(e) PARTNERS.—An approved application under clause (i) shall be eligible for grants under subsection (h) in proportion to the private capital of the applicant, as determined by the Secretary.
and dealers in trust certificates issued under this subsection.

"(E) ELECTRONIC REGISTRATION.—Nothing in this paragraph prohibits the use of a book-entry or other electronic form of registration for trust certificates issued under this subsection.

"(G) FEES.—

"(1) IN GENERAL.—The Secretary may charge a fee that does not exceed $500 with respect to any guarantee or grant issued under this subsection.

"(2) TRUST CERTIFICATE.—Notwithstanding paragraph (1), the Secretary shall not collect a fee for a guarantee of a trust certificate under this subsection, except that any agent of the Secretary may collect a fee that does not exceed $500 for the functions described in subsection (f)(5)(B).

"(3) USE OF AMOUNTS.—Fees collected under this paragraph shall be deposited in the account for salaries and expenses of the Secretary; and

"(4) OBLIGATIONS.—The Secretary may use fees collected under this paragraph, in accordance with this section, including compensation of the employees of the Secretary, to provide operational assistance in connection with the requirements of this subsection, including the cost of an examination under this subsection.

"(H) LICENSE.—

"(1) IN GENERAL.—Upon the request of a rural business investment company, the Secretary may issue a license for a grant under this subsection only if the Secretary determines that the rural business investment company is—

"(i) adequate to ensure a reasonable prospect that the rural business investment company will be able to comply with the requirements of this section, including compensation of the employees of the Secretary, to provide operational assistance in connection with the requirements of this subsection, including the cost of an examination under this subsection;

"(ii) possess the powers reasonably necessary to perform the functions and conduct the activities.

"(2) ARTICLES.—The articles of any rural business investment company—

"(A) shall specify in general terms—

(i) the purposes for which the rural business investment company may make a grant under this subsection;

(ii) the name of the rural business investment company;

(iii) the 1 or more areas in which the operations of the rural business investment company are to be carried out;

(iv) the place where the principal office of the rural business investment company is to be located, and

(v) the amount and classes of the shares of capital stock of the rural business investment company;

(B) may contain any other provisions consistent with this section that the rural business investment company may determine appropriate to adopt for the regulation of the business of the rural business investment company and the conduct of the affairs of the rural business investment company; and

(C) shall be subject to the approval of the Secretary.

"(I) CAPITAL REQUIREMENTS.—

"(A) IN GENERAL.—Each rural business investment company shall be required to meet the capital requirements as provided by the Secretary.

"(B) TIME FRAME.—Each rural business investment company shall have a period of not less than 10 years to meet the capital requirements of this paragraph.

"(C) ADEQUACY.—In addition to the requirements of subparagraph (A), the Secretary shall—

(i) determine whether the private capital of each rural business investment company is adequate to ensure a reasonable prospect that the rural business investment company will be operated soundly and profitably, and managed actively and prudently in accordance with this section, including compensation of the employees of the Secretary, to provide operational assistance in connection with the requirements of this subsection;

(ii) determine that the rural business investment company will be able to comply with the requirements of this section;

(iii) require that at least 75 percent of the capital of each rural business investment company is invested in rural business concerns;

(iv) ensure that the rural business investment company is designed primarily to meet the capital requirements as provided by the Secretary; and

(v) require that the rural business investment company makes short-term non-equity investments of less than 5 years only to the extent necessary to preserve an existing investment.

"(J) DIVERSIFICATION OF OWNERSHIP.—The Secretary shall ensure that the management of each rural business investment company is diversified after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013 is sufficiently diversified from and unaffiliated with the ownership of any rural business investment company so as to ensure independence and objectivity in the financial management and oversight of the invest-ment and operations of the rural business investment company.

"(K) FINANCIAL INSTITUTION INVESTMENTS.—

"(1) IN GENERAL.—Each rural business investment company that participates in the program established under this section shall—

(A) remain available until expended.

(B) remain available until expended.

(C) remain available until expended.

(D) remain available until expended.

(E) remain available until expended.

(F) remain available until expended.

(G) remain available until expended.

(H) remain available until expended.

(I) remain available until expended.

(J) remain available until expended.

(K) remain available until expended.

(L) remain available until expended.

(M) remain available until expended.

(N) remain available until expended.

(O) remain available until expended.

(P) remain available until expended.

(Q) remain available until expended.

(R) remain available until expended.

(S) remain available until expended.

(T) remain available until expended.

(U) remain available until expended.

(V) remain available until expended.

(W) remain available until expended.

(X) remain available until expended.

(Y) remain available until expended.

(Z) remain available until expended.

\[\text{January 22, 2013} \]
provide to the Secretary such information as the Secretary may require, including—

"(A) information relating to the measurement criteria that the entity proposed in the program described in paragraph (A) as a rural business investment company; and

"(B) in each case in which the entity under this section makes an investment in, or a loan to, a business that is carried out in a rural area, a report on the number and percentage of employees of the business who reside in those areas.

"(2) No determination of a finding made under paragraph (1) with respect to an applicant under this subparagraph shall be made more than once for any investment or loan by the applicant to the same business or company.

"(A) IN GENERAL.—The Secretary shall prepare and make available to the public an annual report on the programs established under this section, including detailed information—

"(i) the number of rural business investment companies licensed by the Secretary during the previous fiscal year;

"(ii) the aggregate amount of leverage that rural business investment companies have received from the Federal Government during the previous fiscal year;

"(iii) the aggregate number of each type of leveraged instruments used by rural business investment companies during the previous fiscal year and how each number compares to previous fiscal years;

"(iv) the number of rural business investment company licenses surrendered and the number of rural business investment companies that have gone out of business during the previous fiscal year, identifying the amount of leverage each rural business investment company has received from the Federal Government and the type of leveraged instruments each rural business investment company has used;

"(v) the amount of losses sustained by the Federal Government as a result of operations under this section during the previous fiscal year and an estimate of the total losses that the Federal Government can reasonably expect to incur as a result of the operations during the current fiscal year;

"(vi) actions taken by the Secretary to maximize recoupment of funds of the Federal Government expended to implement and administer the Rural Business Investment Program under this section during the previous fiscal year and to ensure compliance with the requirements of this section (including regulations);

"(vii) the amount of Federal Government leverage that each licensee received in the previous fiscal year and the types of leveraged instruments each licensee used;

"(viii) for each type of financing instrument, the sizes, types of geographic locations, and other characteristics of the small business investment companies using the instrument during the previous fiscal year, including the extent to which the investment companies used the leverage from each instrument to make loans or equity investments in rural areas; and

"(ix) the actions of the Secretary to carry out the requirements specified in subparagraph (A) of paragraph (1) and the extent to which those requirements were carried out.

"(B) PROHIBITION.—In compiling the report required under subparagraph (A), the Secretary may not—

"(i) compile the report in a manner that permits identification of any particular type of investment by an individual rural business investment company or small business concern on which a rural business investment company invests; or

"(ii) release any information that is prohibited under section 1905 of title 18, United States Code.

"(m) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $25,000,000 for the period of fiscal years 2008 through 2018.

"CHAPTER 3—GENERAL RURAL DEVELOPMENT PROVISIONS

"SEC. 3701. GENERAL PROVISIONS FOR LOANS AND GRANTS.

"(a) Period for Repayment.—Unless otherwise specifically provided for in this section, the period for repayment of a loan under this subtitle shall not exceed 40 years.

"(B) Interest Rates.—

"(i) In General.—Except as otherwise provided in this title, the interest rate on a loan under this subtitle shall be determined by the Secretary at a rate—

"(I) not to exceed a sum obtained by adding—

"(II) the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturity of the loan; and

"(iii) an amount not to exceed 1 percent, as determined by the Secretary; and

"(B) adjusted to the nearest 1⁄8 of 1 percent.

"(ii) Subject to Section 3501(a)(1) (other than guaranteed loans and loans as described in paragraph (2)(A)) shall be as determined by the Secretary in accordance with subparagraph (B).

"(B) MINIMUM RATE.—The interest rates described in subparagraph (A) shall not be less than the sum obtained by adding—

"(i) such rates as determined by the Secretary of the Treasury taking into consideration the current market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturity of the loan, adjusted to the nearest 1⁄8 of 1 percent.

"(ii) any additional charge, prescribed by the Secretary, to cover the cost of the Secretary and cost of administration, which shall be deposited in the Rural Development Insurance Fund, and further adjusted to the nearest 1⁄8 of 1 percent.

"(4) INTEREST RATES ADJUSTMENTS.—

"(A) ADJUSTMENTS.—Notwithstanding any other provision of this subsection, in the case of loans (other than guaranteed loans) made or guaranteed under the authorities of this title specified in subparagraph (C) for activities that involve the use of prime farmland, the interest rates otherwise applicable under this subsection shall be increased interest rate shall not apply where it would otherwise be imposed.

"(B) PRIME FARMLAND.—Wherever practicable, construction by a State, municipality, or other political subdivision of local government that is supported by loans described in subparagraph (A) shall be placed on land that is not prime farmland, in order to preserve the maximum practicable quantity of prime farmlands for production of food and fiber.

"(ii) Increased Rate.—In any case in which other options exist for the siting of construction described in clause (i) and the decisional authorities referred to in subparagraph (A) shall carry out the construction on prime farmland, the 2-percent interest rate increase provided by this paragraph shall apply, but that increase in interest rate shall apply where such other options do not exist.

"(C) APPLICABLE AUTHORITIES.—The authorities referred to in subparagraph (A) are—

"(i) the provisions of section 3502(a) relating to loans for recreational developments and essential community facilities;

"(ii) section 3601(c)(2)(A); and

"(iii) section 3601(c).

"(c) Payment of Charges.—A borrower of a loan that is guaranteed or made by a rural business investment company under this subtitle shall pay such fees and other charges as the Secretary may require, and prepay to the

"(d) Effect of Interest Rate Limitation.—

"(i) in the case of a loan that would be subject to the 5 percent interest rate limitation under subparagraph (A), the Secretary shall establish the interest rate at a rate that is equal to 80 percent of the current market yield for outstanding municipal obligations with remaining periods to maturity comparable to the average maturity of the loan, adjusted to the nearest 1⁄8 of 1 percent.

"(ii) Exception.—Clause (i) does not apply to a loan for a special project that is the subject of a loan that has been approved, but not closed, as of the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013.

"(2) Public Reports.—

"(A) IN GENERAL.—The Secretary shall prepare and make available to the public an annual report on the program under this section during the previous fiscal year and an estimate of the total losses that the Federal Government can reasonably expect to incur as a result of the operations during the current fiscal year.

"(B) PROHIBITION.—In compiling the report required under subparagraph (A), the Secretary may not—

"(i) the number of rural business investment companies licensed by the Secretary during the previous fiscal year;

"(ii) the aggregate amount of leverage that rural business investment companies have received from the Federal Government during the previous fiscal year;

"(iii) the aggregate number of each type of leveraged instruments used by rural business investment companies during the previous fiscal year and how each number compares to previous fiscal years;

"(iv) the number of rural business investment company licenses surrendered and the number of rural business investment companies that have gone out of business during the previous fiscal year, identifying the amount of leverage each rural business investment company has received from the Federal Government and the type of leveraged instruments each rural business investment company has used;

"(v) the amount of losses sustained by the Federal Government as a result of operations under this section during the previous fiscal year and an estimate of the total losses that the Federal Government can reasonably expect to incur as a result of the operations during the current fiscal year;

"(vi) actions taken by the Secretary to maximize recoupment of funds of the Federal Government expended to implement and administer the Rural Business Investment Program under this section during the previous fiscal year and to ensure compliance with the requirements of this section (including regulations);

"(vii) the amount of Federal Government leverage that each licensee received in the previous fiscal year and the types of leveraged instruments each licensee used;

"(viii) for each type of financing instrument, the sizes, types of geographic locations, and other characteristics of the small business investment companies using the instrument during the previous fiscal year, including the extent to which the investment companies used the leverage from each instrument to make loans or equity investments in rural areas; and

"(ix) the actions of the Secretary to carry out the requirements specified in subparagraph (A) of paragraph (1) and the extent to which those requirements were carried out.
Secretary such taxes and insurance as the Secretary may require, on such terms and conditions as the Secretary may prescribe.

"(d) SECURITY.—

"(1) IN GENERAL.—The Secretary shall take as security for an obligation entered into in connection with a loan made under this subtitle such security as the Secretary may require.

"(2) LIENS TO UNITED STATES.—An instrument for security for under paragraph (1) may constitute a lien running to the United States notwithstanding the fact that the note for the security may be held by a lender other than the United States.

"(3) MULTIPLE LOANS.—A borrower may use the security interest created under paragraph (2) in two or more loans made or guaranteed under this subtitle, except that the outstanding amount of the loans may not exceed the total value of the collateral.

"(e) LEGAL COUNSEL FOR SMALL LOANS.—In the case of a loan of less than $500,000 made or guaranteed under section 3501 that is evidenced by a note or mortgage (as distinguished from a bond issue), the borrower shall not be required to appoint bond counsel to review the legal validity of the loan if the Secretary has available legal counsel to perform the review.

SEC. 3702. STRATEGIC ECONOMIC AND COMMUNITY DEVELOPMENT.

"(a) PREREQUISITE.—In the case of any rural development program authorized by this subtitle, the Secretary may give priority to applications that are otherwise eligible and support strategic community and economic development plans on a multijurisdictional basis, as approved by the Secretary.

"(b) EVALUATION.—In evaluating strategic applications, the Secretary shall give a higher priority to strategic applications for a plan described in subsection (a) that demonstrates:

"(1) the plan was developed through the collaboration of multiple stakeholders in the service area of the plan, including the participation of combinations of stakeholders such as State, local, and tribal governments, nonprofit institutions, institutions of higher education, and private entities;

"(2) an understanding of the applicable regional economic, social, and human resource conditions that support the strategic community and economic development plans; and

"(3) the plan includes strategies to meet local needs.

"(c) STATE RURAL DEVELOPMENT COUNCILS.—

"(1) ESTABLISHMENT.—Notwithstanding chapter 68 of title 31, United States Code, each State may elect to participate in the Partnership by entering into an agreement with the Secretary to recognize a State rural development council.

"(2) COMPOSITION.—A State rural development council shall—

"(A) be composed of representatives of Federal, State, local, and tribal governments, nonprofit organizations, regional organizations, the private sector, and other entities committed to rural advancement; and

"(B) have a nonpartisan and nondiscriminatory membership that—

"(i) is broad and representative of the economic, social, and political diversity of the State; and

"(ii) shall be responsible for the governance and operations of the State rural development council.

"(d) DUTIES.—A State rural development council shall—

"(1) facilitate collaboration among Federal, State, local, and tribal governments and the private and nonprofit sectors in the planning and implementation of programs and policies that have an impact on rural areas of the State;

"(2) monitor, report, and comment on policies and programs that address, or fail to address, the needs of the rural areas of the State; and

"(3) as part of the Partnership, facilitate the development of strategies to reduce or eliminate any conflicting or duplicative administrative or regulatory requirements of Federal, State, local, and tribal governments;

"(e) PARTNERSHIP.—

"(1) IN GENERAL.—The Secretary shall support the State Rural Development Partnership comprised of State rural development councils.

"(2) PURPOSES.—The purposes of the Partnership are to empower and build the capacity of States, regions, and rural communities to design flexible and innovative responsive solutions to rural development needs in a manner that maximizes collaborative public- and private-sector cooperation and minimizes regulatory redundancy.

"COORDINATING PANEL.—A panel consisting of representatives of State rural development councils shall be established:

"(A) to lead and coordinate the strategic operation and policies of the Partnership; and

"(B) to facilitate effective communication among the members of the Partnership, including the sharing of best practices.

"(3) ROLE OF FEDERAL GOVERNMENT.—The role of the Federal Government in the Partnership may be that of a partner and facilitator, with Federal agencies authorized:

"(A) to cooperate with States to implement the Partnership;

"(B) to provide States with the technical and administrative support to plan, implement, and deliver tailored rural development strategies to meet local needs;

"(C) to ensure that the head of each agency with rural responsibilities directs appropriate field staff to participate fully with the State rural development council within the jurisdiction of the field staff; and

"(D) to enter into cooperative agreements with, and to provide grants and other assistance to, State rural development councils.

"(f) RURAL DEVELOPMENT INSURANCE FUND.

"(1) DEFINITION OF RURAL DEVELOPMENT LOAN.—In this section, the term ‘rural development loan’ means a loan provided for by section 3501 or 3601.

"(2) ESTABLISHMENT.—There shall be established in the Treasury of the United States a fund to be known as the ‘Rural Development Insurance Fund’ that shall be used by the Secretary to discharge the obligations of the Secretary under contracts making or guaranteeing rural development loans.

"SEC. 3705. RURAL ECONOMIC AREA PARTNER- SHIP ZONES.

"(a) IN GENERAL.—The Secretary may designate additional areas as rural economic area partnership zones to be assisted under this chapter.

"(1) through an open, competitive process; and

"(2) with priority given to rural areas—

"(A) having unmet or underutilized potential to create economic opportunities;

"(B) with excessive unemployment or underemployment, a high percentage of low-income residents, or high rates of outmigration, as determined by the Secretary; and

"(C) that the Secretary determines have a substantial need for assistance.

"(b) REQUIREMENTS.—The Secretary shall carry out those rural economic area partnership zones in an efficient and effective manner in accordance with the terms and conditions contained in an agreement entered into by the Secretary and the State and the Partnership.

"(1) purpose provided in this subtitle by guaranteeing a loan that is sold by a lender to pay—

"(2) for the security may be held by a lender other than the United States.

"(3) MULTIPLE LOANS.—A borrower may use the security interest created under paragraph (2) in two or more loans made or guaranteed under this subtitle, except that the outstanding amount of the loans may not exceed the total value of the collateral.

"(4) clear objectives for the plan and the ability to establish measurable performance measures and to track progress toward meeting the objectives.

"SEC. 3703. GUARANTEED RURAL DEVELOPMENT LOANS.

"(a) IN GENERAL.—The Secretary may provide financial assistance to a borrower for a purpose specified in this subtitle by guaranteeing a loan made by any Federal or State chartered bank, savings and loan association, cooperative lending agency, or other legally organized lending agency.

"(b) INTEREST RATE.—The interest rate payable by a borrower on the portion of a guaranteed loan that is sold by a lender to the secondary market, under this subtitle may be lower than the interest rate charged on the portion retained by the lender.

"(c) MAXIMUM GUARANTEE OF 90 PERCENT.—Except as provided in subsections (d) and (e), a loan guarantee under this subtitle shall be for not more than 90 percent of the principal and interest due on the loan.

"(d) GUARANTEED LOANS GUARANTEED AT 95 PERCENT.—The Secretary shall guarantee 95 percent of—

"(1) in the case of a loan that solely finances a direct loan made under this subtitle, the principal and interest due on the loan on the date of the refinancing; or

"(2) in the case of a loan that is used for multiple purposes, the portion of the loan that finances the principal and interest due on a direct loan made under this subtitle that is outstanding on the date on which the loan is guaranteed.

"(e) RISK OF LOSS.—

"(1) IN GENERAL.—Subject to subsection (b), the Secretary determines that no other lender is willing to make the loan and assume 10 percent of the potential loss to be sustained from the loan.

"(2) EXCEPTION FOR NONPROFIT GROUPS.—Paragraph (1) shall not apply to a public body or nonprofit association, including an Indian tribe.

"SEC. 3704. RURAL DEVELOPMENT INSURANCE FUND.

"(1) DEFINITION OF RURAL DEVELOPMENT LOAN.—In this section, the term ‘rural development loan’ means a loan provided for by section 3501 or 3601.

"(2) ESTABLISHMENT.—There shall be established in the Treasury of the United States a fund to be known as the ‘Rural Development Insurance Fund’ that shall be used by the Secretary to discharge the obligations of the Secretary under contracts making or guaranteeing rural development loans.

"SEC. 3706. STREAMLINING APPLICATIONS AND IMPROVING ACCESSIBILITY OF RURAL DEVELOPMENT PROGRAMS.

"The Secretary shall expedite the process of creating user-friendly and accessible application forms and procedures and the accessibility of rural development programs.

"(A) Agency with rural responsibilities—

"(i) Agency with rural responsibilities means any executive agency as defined in section 105 of title 5, United States Code that implements a Federal law or administers a program, target or having a significant impact on rural areas.

"(ii) Partnership—The term ‘Partnership’ means the State rural development council established under subsection (b).

"(b) PARTNERSHIP.—

"(1) IN GENERAL.—The Secretary shall support the State Rural Development Partnership comprised of State rural development councils.

"(2) PURPOSES.—The purposes of the Partnership are to empower and build the capacity of States, regions, and rural communities to design flexible and innovative responsive solutions to rural development needs in a manner that maximizes collaborative public- and private-sector cooperation and minimizes regulatory redundancy.

"COORDINATING PANEL.—A panel consisting of representatives of State rural development councils shall be established:

"(A) to lead and coordinate the strategic operation and policies of the Partnership; and

"(B) to facilitate effective communication among the members of the Partnership, including the sharing of best practices.

"(3) ROLE OF FEDERAL GOVERNMENT.—The role of the Federal Government in the Partnership may be that of a partner and facilitator, with Federal agencies authorized:

"(A) to cooperate with States to implement the Partnership;

"(B) to provide States with the technical and administrative support to plan and implement tailored rural development strategies to meet local needs;

"(C) to ensure that the head of each agency with rural responsibilities directs appropriate field staff to participate fully with the State rural development council within the jurisdiction of the field staff; and

"(D) to enter into cooperative agreements with, and to provide grants and other assistance to, State rural development councils.

"(c) STATE RURAL DEVELOPMENT COUNCILS.—

"(1) ESTABLISHMENT.—Notwithstanding chapter 68 of title 31, United States Code, each State may elect to participate in the Partnership by entering into an agreement with the Secretary to recognize a State rural development council.

"(2) COMPOSITION.—A State rural development council shall—

"(A) be composed of representatives of Federal, State, local, and tribal governments, nonprofit organizations, regional organizations, the private sector, and other entities committed to rural advancement; and

"(B) have a nonpartisan and nondiscriminatory membership that—

"(i) is representative of the economic, social, and political diversity of the State; and

"(ii) shall be responsible for the governance and operations of the State rural development council.

"(3) DUTIES.—A State rural development council shall—

"(1) facilitate collaboration among Federal, State, local, and tribal governments and the private and nonprofit sectors in the planning and implementation of programs and policies that have an impact on rural areas of the State;

"(2) monitor, report, and comment on policies and programs that address, or fail to address, the needs of the rural areas of the State; and

"(3) as part of the Partnership, facilitate the development of strategies to reduce or eliminate any conflicting or duplicative administrative or regulatory requirements of Federal, State, local, and tribal governments; and

"(4) (D) provide to the Secretary an annual plan with goals and performance measures; and
“(ii) submit to the Secretary an annual report on the progress of the State rural development council in meeting the goals and measures.

“(4) FEDERAL PARTICIPATION IN STATE RURAL DEVELOPMENT COUNCILS.—

“(A) IN GENERAL.—A State Director for Rural Development of the Department of Agriculture, or other employees of the Department, and employees of other Federal agencies with rural responsibilities shall fully participate as voting members in the governance of the State rural development councils (including activities related to grants, contracts, and other agreements in accord with this section) on an equal basis with other members of the State rural development councils.

“(B) CONFLICTS.—Participation by a Federal employee in a State rural development council in accordance with this paragraph shall not constitute a violation of section 205 or 208 of title 18, United States Code.

“(d) ADMINISTRATIVE SUPPORT OF THE PARTNERSHIP.—

“(1) DETAIL OF EMPLOYEES.—

“(A) IN GENERAL.—In order to provide experience in intergovernmental collaboration, the head of an agency with rural responsibilities that elects to participate in the Partnership is encouraged to, detail to the Secretary for the support of the Partnership 1 or more employees of the agency with rural responsibilities without reimbursement for one or more fiscal years.

“(B) CIVIL SERVICE STATUS.—The detail shall be without interruption or loss of civil service status or privilege.

“(2) ADDITIONAL SUPPORT.—The Secretary may provide for any additional support staff to the Partnership as the Secretary determines to be necessary to carry out the duties of the Partnership.

“(3) INTERMEDIARIES.—The Secretary may enter into a contract with a qualified intermediary under which the intermediary shall be responsible for providing administrative and technical assistance to a State rural development council, including administering the financial assistance available to the State rural development council.

“(e) MATCHING REQUIREMENTS FOR STATE RURAL DEVELOPMENT COUNCILS.—

“(1) IN GENERAL.—Except as provided in paragraph (1), the rural development council shall provide matching funds, or in-kind goods or services, to support the activities of the State rural development council in an amount that is at least 25 percent of the amount of Federal funds received from a Federal agency under subsection (f)(2).

“(2) EXCEPTIONS TO MATCHING REQUIREMENT FOR CERTAIN FEDERAL FUNDS.—Paragraph (1) shall not apply to funds, grants, funds provided under contracts or cooperative agreements, gifts, contributions, or technical assistance received by a State rural development council from a Federal agency that are used—

“(A) to support 1 or more specific program or project activities; or

“(B) to reimburse the State rural development council for services provided to the Federal agency providing the funds, grants, funds provided under contracts or cooperative agreements, gifts, contributions, or technical assistance.

“(3) AUGMENTING THE PARTNERSHIP'S SHARE.—The Secretary shall develop a plan to decrease, over time, the share of the Department of Agriculture of the cost of the core operations of State rural development councils.

“(f) FUNDING.—

“(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this chapter—

“(A) $5,000,000 for each of fiscal years 2014 through 2018.

“(2) FEDERAL AGENCIES.—

“(A) IN GENERAL.—Notwithstanding any other provision of law limiting the ability of an agency, along with other agencies, to provide funds to a State rural development council in order to carry out the purposes of this section, a Federal agency may make grants, gifts, or contributions to, provide technical assistance to, or enter into contracts or cooperative agreements with, a State rural development council.

“(B) ASSISTANCE.—Federal agencies are encouraged to use funds made available for programs that have an impact on rural areas and the农村 responsibilities without reimbursement for one or more fiscal years.

“(C) CONTRIBUTIONS.—A State rural development council may accept private contributions.

“(g) TERMINATION.—The authority provided under this section shall terminate on September 30, 2018.

“CHAPTER 4—DELTA REGIONAL AUTHORITY

“SEC. 3901. DEFINITIONS.—In this chapter:

“(1) AUTHORITY.—The term ‘Authority’ means the Delta Regional Authority established by section 3902.

“(2) FEDERAL GRANT PROGRAM.—The term ‘Federal grant program’ means a Federal grant program that provides assistance in—

“(A) acquiring or developing land;

“(B) constructing or equipping a highway, road, bridge, or facility; or

“(C) carrying out other economic development activities.

“(3) REGION.—The term ‘region’ means the Lower Mississippi River Delta Development Act (42 U.S.C. 3121 note; Public Law 100–460).

“SEC. 3902. DELTA REGIONAL AUTHORITY.

“(a) ESTABLISHMENT.—

“(1) IN GENERAL.—There is established the Delta Regional Authority.

“(2) COMPOSITION.—The Authority shall be composed of—

“(A) a Federal member, to be appointed by the President, with the advice and consent of the Senate; and

“(B) the Governor (or a designee of the Governor) of each State in the region that elects to participate in the Authority.

“(3) COCHAIRPERSONS.—The Authority shall be headed by—

“(A) the Federal member, who shall serve as—

“(i) the Federal cochairperson; and

“(ii) a liaison with the Federal Government and the Authority; and

“(B) a State cochairperson, who shall be—

“(i) a Governor of a participating State in the region; and

“(ii) elected by the State members for a term of not less than 1 year.

“(4) ALABAMA.—Notwithstanding any other provision of law, the State of Alabama shall be a full member of the Authority and shall be entitled to all rights and privileges that the membership affords to other participating States.

“(b) ALTERNATE MEMBERS.—

“(1) STATE ALTERNATES.—The State member of a participating State may have a single alternate, who shall be—

“(A) a resident of that State; and

“(B) appointed by the Governor of the State.

“(2) ALTERNATE FEDERAL COCHAIRPERSON.—

“The President shall appoint an alternate Federal cochairperson.

“(3) QUORUM.—A State alternate shall not be counted toward the establishment of a quorum of the Authority in any instance in which a quorum of the State members is required to be present.

“(d) DUTIES.—The Authority shall—

“(1) develop, on a continuing basis, comprehensive and coordinated plans and programs to establish priorities and approve grants for the economic development of the region, giving due consideration to other Federal, State, and local planning and development activities in the region;

“(2) review, and where appropriate amend, priorities in a development plan for the region (including 5-year regional outcome targets);

“(3) assess the needs and assets of the region based on available research, demonstrations, investigations, assessments, and evaluations of the region prepared by Federal, State, and local agencies, universities, local development districts, and other nonprofit groups;

“(4) formulate and recommend to the Governors and legislatures of States that participate in the Authority forms of interstate cooperation;

“(5) work with State and local agencies in developing appropriate model legislation;

“(6) enhance the capacity of, and provide support for, local development districts in the region;

“(7) encourage private investment in industrial, commercial, and other economic development projects and programs that have an impact on rural areas and the rural responsibilities without reimbursement for one or more fiscal years.

“(8) cooperate with and assist State governments with economic development programs of participating States.

“(e) ADMINISTRATION.—In carrying out subsection (d), the Authority may—

“(1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute a description of the proceedings and reports on actions by the Authority as the Authority considers appropriate.

“(2) authorize, through the Federal or State cochairperson or any other member of the Authority designated by the Authority, the distribution of funds if the Authority determines that testimony should be taken or evidence received under oath;
"(3) request from any Federal, State, or local department or agency such information as may be available to or procurable by the department or agency that may be of use to the Authority in carrying out duties of the Authority;

"(4) adopt, amend, and repeal bylaws, rules, and regulations governing the conduct of Authority business and the performance of Authority duties;

"(5) request the head of any Federal department or agency to detail to the Authority such personnel as the Authority requires to carry out duties of the Authority, each such detail to be without loss of seniority, pay, or other employee status;

"(6) request from any State department or agency or local government to detail to the Authority such personnel as the Authority requires to carry out duties of the Authority, each such detail to be without loss of seniority, pay, or other employee status;

"(7) provide for coverage of Authority employees in a suitable retirement and employee benefit system by—

"(A) making arrangements or entering into contracts with any participating State government or the Authority;

"(B) otherwise providing retirement and other employee benefit coverage;

"(8) accept, use, and dispose of gifts or donations of money or personal, tangible, or intangible property;

"(9) enter into and perform such contracts, leases, cooperative agreements, or other transactions as are necessary to carry out Authority duties, including any contracts, leases, or cooperative agreements with—

"(A) any department, agency, or instrumentality of the United States;

"(B) any State (including a political subdivision, agency, or instrumentality of the State); or

"(C) any person, firm, association, or corporation;

"(10) establish and maintain a central office and field offices at such locations as the Authority may select.

"(f) FEDERAL AGENCY COOPERATION.—A Federal agency shall—

"(1) cooperate with the Authority; and

"(2) provide, on request of the Federal cochairperson, appropriate assistance in carrying out this chapter, in accordance with applicable Federal laws (including regulations).

"(g) ADMINISTRATIVE EXPENSES.—

"(1) IN GENERAL.—Administrative expenses of the Authority (except for the expenses of the Federal cochairperson, including expenses of the alternate and staff of the Federal cochairperson, which shall be paid solely by the Federal Government) shall be paid by—

"(A) by the Federal Government, in an amount equal to 50 percent of the administrative expenses; and

"(B) by the State in the region participating in the Authority, in an amount equal to 50 percent of the administrative expenses.

"(2) STATE SHARE.—The share of administrative expenses of the Authority to be paid by each State shall be determined by the Authority.

"(h) NO FEDERAL PARTICIPATION.—The Federal cochairperson shall not participate or vote in any decision made under subparagraph (A).

"(i) DELINQUENT STATES.—If a State is delinquent in the payment of the share of the State's share of administrative expenses of the Authority under this subsection—

"(i) no member of the Authority from the State shall participate or vote in any action by the Authority; and

"(ii) the Chairperson shall be compensated by the Federal Government at level V of the Executive Schedule and the Senate Executive Schedule of the United States Code.

"(2) ALTERNATE FEDERAL COCHAIRPERSON.—The alternate Federal cochairperson shall be compensated by the Federal Government at level V of the Executive Schedule described in paragraph (1); and

"(3) STATE MEMBERS AND ALTERNATES.—In general, each State shall be represented on the Authority by a member and alternate representing the State on the Authority at the rate established by law of the State.

"(G) ADMINISTRATIVE EXPENSES.—

"(1) IN GENERAL.—Funds available to the Authority shall be paid—

"(A) entirely from appropriations to carry out this section; and

"(B) in combination with funds available under any other Federal or Federal grant program or

"(C) from any other source.
‘(2) PRIORITY OF FUNDING.—To best build the foundations for long-term economic development and to complement other Federal and State resources in the region, Federal funds available under this section shall be focused on the activities in the following order or priority:

(A) Basic public infrastructure in distressed counties and isolated areas of distress.
(B) Transportation infrastructure for the purpose of facilitating economic development in the region;
(C) Business development, with emphasis on entrepreneurship;
(D) Job training or employment-related education of individuals on or near existing public educational institutions located in the region.

SEC. 3804. SUPPLEMENTS TO FEDERAL GRANT PROGRAMS.

(1) FINDING.—Congress finds that certain States and local communities of the region, including local development districts, may be unable to take maximum advantage of Federal grant programs for which the States and communities are eligible because—

(A) the applicable Federal grant program has the economic development objective of serving the poorest communities; or
(B) there are insufficient funds available under a project to fund the administrative expenses of the Federal grant program.

(b) FEDERAL GRANT PROGRAM FUNDING.—Notwithstanding any provision of law limiting the Federal share, the States may apply to a Federal law authorizing the Federal grant program to meet pressing needs of the region.

(c) CERTIFICATIONS.—

(1) IN GENERAL.—In the case of any project for which the administrative expenses of the applicable Federal grant program are to be paid under this section, no Federal contribution shall be made until the Federal officer administering the Federal law that authorizes the Federal grant program certifies that the project—

(A) meets (except as provided in subsection (b)) the applicable requirements of the applicable Federal grant program; and
(B) could be approved for Federal contribution under the Federal grant program if funds were available under the law for the project.

(2) CERTIFICATION BY AUTHORITY.—

(A) IN GENERAL.—The certifications and determinations required to be made by the Authority for approval of projects under this Act in accordance with section 3809 shall be—

(i) controlling; and
(ii) accepted by the Federal agencies.

(B) ACCEPTANCE BY FEDERAL COCHAIRPERSON.—In the case of any project described in paragraph (1), any finding, report, certification, or documentation required to be submitted to the project upon request of the head of the department, agency, or instrumentality of the Federal Government responsible for the administration of the Federal grant program shall be acceptable to the Federal cochairperson.

SEC. 3805. LOCAL DEVELOPMENT DISTRICTS; CERTIFICATION AND ADMINISTRATIVE EXPENSES.

(a) DEFINITION OF LOCAL DEVELOPMENT DISTRICT.—In this section, the term ‘local development district’ means an entity that—

(1) is—
(A) a planning district in existence on the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013 that is recognized by the Secretary; or
(B) if an entity described in subparagraph (A) does not exist—
(i) organized and operated in a manner that ensures broad-based community participation and an effective opportunity for other entities to contribute to the development and implementation of programs in the region;
(ii) governed by a policy board with at least a majority of members consisting of elected officials or employees of a general purpose unit of local government who have been appointed to represent the government;
(iii) certified to the Authority as having a charter or authority that includes the economic development of counties or parts of counties other than political subdivisions within the region;
(iv) by the Governor of each State in which the entity is located;
(v) by the State officer designated by the appropriate State law to make the certification; and
(vi) a nonprofit incorporated body organized or chartered under the law of the State in which the entity is located;
(vii) a nonprofit agency or instrumentality of a State or local government; or
(viii) a public organization established before December 21, 2000, under State law for creation of multi-jurisdictional, area-wide planning or zoning authorities that ensure broad-based community participation and an effective opportunity for other entities to contribute to the development and implementation of programs in the region;

(b) DUTIES OF LOCAL DEVELOPMENT DISTRICT.—

(1) IN GENERAL.—The Authority shall provide technical assistance to local development districts in the region—

(A) as distressed counties, counties in the region that are the most severely and persistently distressed and underdeveloped and have high rates of poverty or unemployment; or
(B) as nondistressed counties, counties in the region that are not designated as distressed counties under paragraph (1); and
(C) as isolated areas of distress, areas located in nondistressed counties (as designated under paragraph (2)) that have high rates of poverty or unemployment.

(c) NONDISTRESSED COUNTIES.—

(1) IN GENERAL.—The Authority shall allocate at least 75 percent of the appropriations made available under section 3813 for programs and projects designed to serve the nondistressed counties and isolated areas of distress in the region.

(2) EXCEPTIONS.—

(A) IN GENERAL.—The Authority may waive the application of the funding prohibition under paragraph (1) to a multi-county project that includes participation by a nondistressed county, or any other type of project if the Authority determines that the project could bring significant benefits to areas of the region outside a nondistressed county.

(B) ISOLATED AREAS OF DISTRESS.—For a designation of an isolated area of distress for assistance to be effective, the designation shall be—

(i) by the most recent Federal data available; or
(ii) if no recent Federal data are available, by the most recent data available through the government of the State in which the isolated area of distress is located.

(d) TRANSPORTATION AND BASIC PUBLIC INFRASTRUCTURE.—The Authority shall allocate at least 50 percent of any funds made available under section 3813 for transportation and basic public infrastructure projects authorized under paragraphs (1) and (3) of section 3808.

SEC. 3806. DISTRESSED COUNTIES AND AREAS NONDISTRESSED COUNTIES.

(1) IN GENERAL.—The Authority shall carry out this chapter to pay the increased cost of a project under the Federal grant program to meet pressing needs of the region.

(2) FUNDING LIMITATIONS.—The funding limitations under section 3806(b) shall not apply to a project—

(A) involving a multi-jurisdictional project or basic public services to residents of 1 or more distressed counties or isolated areas of distress in the region.

(3) NONDISTRESSED COUNTIES.—

(a) FINDING.—Congress finds that certain Federal grant programs for which the States are eligible because—

(i) the States or communities lack the economic resources to provide the required matching share; or
(ii) the States or communities are eligible because—

(A) the applicable Federal grant program has the economic development objective of serving the poorest communities; or
(B) there are insufficient funds available under a project to fund the administrative expenses of the Federal grant program.

(1) IN GENERAL.—In the case of any project described in paragraph (1), any finding, report, certification, or documentation required to be submitted to the project upon request of the head of the department, agency, or instrumentality of the Federal Government responsible for the administration of the Federal grant program shall be acceptable to the Federal cochairperson.

(b) DUTIES OF LOCAL DEVELOPMENT DISTRICT.—

(1) IN GENERAL.—Except as provided in this subsection, no funds shall be provided under this chapter for a project located in a county designated as a distressed county under section 3806(a)(2).

(2) EXCEPTIONS.—

(A) IN GENERAL.—The Authority may waive the application of the funding prohibition under paragraph (1) to a multi-county project that includes participation by a nondistressed county, or any other type of project if the Authority determines that the project could bring significant benefits to areas of the region outside a nondistressed county.

(b) MULTICOUNTY PROJECTS.—The Authority may waive the application of the funding prohibition under paragraph (1) to a multi-county project that includes participation by a nondistressed county, or any other type of project if the Authority determines that the project could bring significant benefits to areas of the region outside a nondistressed county.

(3) ISOLATED AREAS OF DISTRESS.—For a designation of an isolated area of distress for assistance to be effective, the designation shall be—

(i) by the most recent Federal data available; or
(ii) if no recent Federal data are available, by the most recent data available through the government of the State in which the isolated area of distress is located.

(4) TRANSPORTATION AND BASIC PUBLIC INFRASTRUCTURE.—The Authority shall allocate at least 50 percent of any funds made available under section 3813 for transportation and basic public infrastructure projects authorized under paragraphs (1) and (3) of section 3808.

SEC. 3807. DEVELOPMENT PLANNING PROCESS.

(a) STATE DEVELOPMENT PLAN.—In accordance with policies established by the Authority, each State member shall submit a development plan for the area of the region represented by the State member.

(b) CONTENT OF PLAN.—A State development plan submitted under subsection (a) shall reflect the goals, objectives, and priorities identified in the regional development plan developed under section 3802(d)(2).
programs and projects for assistance), a State may—

‘‘(1) consult with—

‘‘(A) local development districts; and

‘‘(B) local units of government; and

‘‘(2) take into consideration the goals, objectives, priorities, and recommendations of the entities described in paragraph (1).”

SEC. 3808. PROGRAM DEVELOPMENT CRITERIA.

‘‘(a) IN GENERAL.—In considering programs and projects to be provided assistance under this chapter and in establishing a priority ranking of the requests for assistance provided by the Authority, the Authority shall follow procedures that ensure, to the maximum extent practicable, consideration of—

‘‘(1) the relationship of the project or class of projects to overall regional development;

‘‘(2) the per capita income and poverty and unemployment rates in an area;

‘‘(3) the financial resources available to the applicants for assistance seeking to carry out the project, with emphasis on ensuring local matching funds are adequately financed to maximize the probability of successful economic development;

‘‘(4) the importance of the project or class of projects in relation to other projects or classes of projects that may be in competition for the same funds;

‘‘(5) the prospects that the project for which assistance is sought will improve, on a continuing rather than a temporary basis, the opportunities for employment, the average level of income, or the economic development of the area served by the project; and

‘‘(6) the extent to which the project design provides for detailed outcome measurements by which grant expenditures and the results of the expenditures may be evaluated.

‘‘(b) NO RELOCATION ASSISTANCE.—

‘‘(1) IN GENERAL.—Except as provided in paragraph (2), no financial assistance authorized by this chapter shall be used to assist a person or entity in relocating from 1 area to another.

‘‘(2) OUTSIDE BUSINESS.—Financial assistance under this chapter may be used other than by a project described in paragraph (1) to attract businesses from outside the region to the region.

SEC. 3809. APPROVAL OF DEVELOPMENT PLANS AND PROJECTS.

‘‘(a) IN GENERAL.—A State or regional development plan or any multisate subregional plan that is proposed for development assistance under this chapter shall be reviewed and approved by the Authority.

‘‘(b) EVALUATION BY STATE MEMBER.—An application for a grant or any other assistance for a project under this chapter shall be made through and evaluated for approval by the State member of the Authority representing the region in which the project is located.

‘‘(c) CERTIFICATION.—An application for a grant or other assistance for a project shall be approved only on certification by the State member that the application for the project—

‘‘(1) describes ways in which the project complies with any applicable State development plan;

‘‘(2) meets applicable criteria under section 3806;

‘‘(3) provides adequate assurance that the proposed project will be properly administered, operated, and maintained; and

‘‘(4) otherwise meets the requirements of this chapter.

‘‘(d) APPROVAL OF GRANT APPLICATIONS.—

On certification by a State member of the Authority that the project is in conformance with the recommendations or other assistance for a specific project under this section, an affirmative vote of the Authority under section 3802(c) shall be required for approval of the application.

SEC. 3810. CONSENT OF STATES.

‘‘Nothing in this chapter requires any State to engage in or accept any program under this chapter without the consent of the State.

SEC. 3811. RECORDS.

‘‘(a) RECORDS OF THE AUTHORITY.—

‘‘(1) IN GENERAL.—The Authority shall maintain accurate and complete records of all transactions and activities of the Authority.

‘‘(2) AVAILABILITY.—All records of the Authority shall be available for audit and examination by the Comptroller General of the United States, the Inspector General of the Department of Agriculture (including authorized representatives of the Comptroller General and the Inspector General of the Department of Agriculture), the General Accounting Office, and the Federal Cochairperson of the Authority.

‘‘(b) RECORDS OF Recipients OF FEDERAL ASSISTANCE.—

‘‘(1) IN GENERAL.—A recipient of Federal funds under this chapter shall, as required by the Authority, maintain accurate and complete records of the transactions and activities financed with Federal funds and report on the transactions and activities to the Authority.

‘‘(2) AVAILABILITY.—All records required under paragraph (1) shall be available for audit by the Comptroller General of the United States, the Inspector General of the Department of Agriculture, and the Authority.

SEC. 3812. ANNUAL REPORT.

‘‘Not later than 180 days after the end of each fiscal year, the Authority shall submit to the President and to Congress a report describing the activities carried out under this chapter.

SEC. 3813. AUTHORIZATION OF APPROPRIATIONS.

‘‘(a) IN GENERAL.—There is authorized to be appropriated to the Authority to carry out this chapter $30,000,000 for each of fiscal years 2014 through 2018, to remain available until expended.

‘‘(b) ADMINISTRATIVE EXPENSES.—Not more than 5 percent of the amount appropriated under subparagraph (a) for any fiscal year shall be used for administrative expenses of the Authority.

SEC. 3814. TERMINATION OF AUTHORITY.

‘‘This chapter and the authority provided under this chapter expire on October 1, 2018.

CHAPTER 5—NORTHERN GREAT PLAINS REGIONAL AUTHORITY

SEC. 3821. DEFINITIONS.

‘‘In this chapter—

‘‘(1) AUTHORITY.—The term ‘Authority’ means the Northern Great Plains Regional Authority established by section 3822.

‘‘(2) FEDERAL GRANT PROGRAM.—The term ‘Federal grant program’ means a Federal grant program to provide assistance in—

‘‘(A) implementing the recommendations of the Northern Great Plains Rural Development Commission established by the Northern Great Plains Rural Development Act (7 U.S.C. 2661 note; Public Law 101–319); and

‘‘(B) acquiring or developing land;

‘‘(C) constructing or equipping a highway, road, bridge, or facility;

‘‘(D) carrying out other economic development activities; or

‘‘(E) conducting research activities related to the activities described in subparagraphs (A) through (D).

‘‘(3) REGION.—The term ‘region’ means the States of Iowa, Minnesota, Missouri (other than the counties included in the Delta Regional Authority), Nebraska, North Dakota, and South Dakota.

SEC. 3822. NORTHERN GREAT PLAINS REGIONAL AUTHORITY.

‘‘(a) ESTABLISHMENT.—

‘‘(1) IN GENERAL.—There is established the Northern Great Plains Regional Authority.

‘‘(2) SERVICE AREA.—The Authority shall be composed of—

‘‘(A) a Federal member, to be appointed by the President, by and with the advice and consent of the Senate;

‘‘(B) the Governor (or a designee of the Governor) of each State in the region that elects to participate in the Authority; and

‘‘(C) a member of an Indian tribe, who shall be a chairperson of an Indian tribe in the region or a designee of such a chairperson, to be appointed by the President, by and with the advice and consent of the Senate.

‘‘(3) COCHAIRPERSONS.—The Authority shall be headed by—

‘‘(A) the Federal member, who shall serve as—

‘‘(i) the Federal cochairperson; and

‘‘(ii) a liaison between the Federal Government and the Authority;

‘‘(B) a State cochairperson, who shall be—

‘‘(i) a Governor of a participating State in the region; and

‘‘(ii) elected by the State members for a term of not less than 1 year; and

‘‘(C) the member of an Indian tribe, who shall serve as—

‘‘(i) the tribal cochairperson; and

‘‘(ii) a liaison between the governments of Indian tribes in the region and the Authority.

‘‘(4) FAILURE TO CONFIRM.—

‘‘(A) FEDERAL MEMBER.—Notwithstanding any other provision of this section, if a Federal member is not confirmed by the Senate, the President may not make an appointment under this section to fill the unexpired term of such a member.

‘‘(B) TRIBAL COCHAIRPERSON.—In the case of the tribal cochairperson, if no tribal cochairperson is confirmed by the Senate, the regional authority shall consult and coordinate with the leaders of Indian tribes in the region concerning the activities of the Authority, as appropriate.

‘‘(C) ALTERNATE MEMBERS.—

‘‘(i) ALTERNATE FEDERAL COCHAIRPERSON.—The President shall appoint an alternate Federal cochairperson.

‘‘(ii) ALTERNATE STATE COCHAIRPERSON.—A State alternate member shall be appointed by the President, by and with the advice and consent of the Senate, to serve terms of not less than 1 year.

‘‘(D) ALTERNATE TRIBAL COCHAIRPERSON.—The President shall appoint an alternate tribal cochairperson.

‘‘(E) QUORUM.—A State alternate member shall not be counted toward the establishment of a quorum of the members of the Authority in any case in which a quorum of the State members is required to be present.

SEC. 3823. CONGRESSIONAL RECORD — SENATE
January 22, 2013
tribal cochairperson, by and with the advice and consent of the Senate.

"(4) DELEGATION OF POWER.—No power or responsibility of the Authority specified in paragraph (2) or (3) of subsection (c), and no voting right of any member of the Authority, shall be delegated to any person who

"(A) a member of the Authority; or

"(B) entitled to vote in Authority meetings.

(c) VOTING.—

"(1) GENERAL.—A decision by the Authority shall require a majority vote of the Authority (not including any member representing a State that is delinquent under subsection (b)(1) of this section) with the affirmative vote of—

"(A) a member of the Authority; or

"(B) any other member of the Authority designated by the Authority.

"(2) QUORUM.—A quorum of States shall be required to be present for the Authority to make any policy decision, including—

"(A) a modification or revision of an Authority policy decision;

"(B) approval of a State or regional development plan; and

"(C) any allocation of funds among the States.

(3) PROJECT AND GRANT PROPOSALS.—The approval of project and grant proposals shall be—

"(A) a responsibility of the Authority; and

"(B) conducted in accordance with section 3380.

(d) DUTIES.—The Authority shall—

"(1) develop, on a continuing basis, comprehensive and coordinated plans and programs for multistate cooperation to advance the economic and social well-being of the region and to approve grants for the economic development of the region, giving due consideration to other Federal, State, tribal, and local agencies, universities, regional and local development districts or organizations, and other nonprofit groups; and

"(2) review, and when appropriate amend, priorities in a development plan for the region (including 5-year regional outcome targets);

"(3) assess the needs and assets of the region based on available research, demonstrations, investigations, assessments, and evaluations prepared by Federal, State, tribal, and local agencies, universities, regional and local development districts or organizations, and other nonprofit groups;

"(4) formulate and recommend to the Governors and legislatures of States that participate in the Authority forms of interstate cooperation for—

"(A) renewable energy development and transmission;

"(B) transportation planning and economic development;

"(C) information technology;

"(D) movement of freight and individuals within the region;

"(E) federally-funded research at institutions of higher education; and

"(F) conservation land management;

"(5) work with State, tribal, and local agencies in developing appropriate model legislation;

"(6) enhance the capacity of, and provide support for, multistate development and research organizations, local development organizations and districts, and resource conservation districts in the region;

"(7) encourage private investment in economic development projects in the region; and

"(8) cooperate with and assist State governments with economic development programs of participating States.

"(e) ADMINISTRATION.—In carrying out subsection (d), the Authority may—

"(1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence as other than the State for services provided by the Federal cochairperson, the alternate Federal cochairperson, or the tribal cochairperson, respectively.

"(2) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence as other than the State for services provided by the Federal cochairperson, the alternate Federal cochairperson, or the tribal cochairperson, respectively.

"(3) ASSESS THE NEEDS AND ASSETS OF THE REGION.—The Authority shall—

"(4) formulate and recommend to the Federal cochairperson, for the Senior Executive Service under section 5304(h)(2)(C) of that title.

"(5) ADDITIONAL PERSONNEL.—

"(A) IN GENERAL.—A State shall provide such personal services for the Federal cochairperson as the Authority requires to carry out duties of the Authority, such personal services as the Authority requires to carry out duties of the Authority, each such detail to be without loss of seniority, pay, or other employee status;

"(B) request the head of any State agency, tribal government, or local government to detail personnel as the Authority requires to carry out duties of the Authority, such personal services as the Authority requires to carry out duties of the Authority, each such detail to be without loss of seniority, pay, or other employee status;

"(C) provide for coverage of Authority employees in a suitable retirement and employee benefit system by—

"(A) making the agreements or entering into contracts with any participating State government or tribal government;

"(B) otherwise providing retirement and other employee benefit coverage;

"(8) accept, use, and dispose of gifts or donations of services or real, personal, tangible, or intangible property.

"(9) enter into and perform such contracts, leases, cooperative agreements, or other transactions as are necessary to carry out authority duties, including any contracts, leases, or cooperatives with—

"(A) any department, agency, or instrumentality of the United States;

"(B) any State (including a political subdivision, agency, or instrumentality of the State);

"(C) any Indian tribe in the region; or

"(D) any person, firm, association, or corporation; and

"(10) establish and maintain a central office and field offices at such locations as the Authority may select.

"(f) FEDERAL AND TRIBAL COCHAIRPERSONS.—The Authority shall—

"(1) cooperate with the Authority; and

"(2) provide for the appointment of a cochairperson, appropriate assistance in carrying out this chapter, in accordance with applicable Federal laws (including regulations).

"(g) ADMINISTRATIVE EXPENSES.—

"(1) FEDERAL SHARE.—The Federal share of the administrative expenses of the Authority shall be—

"(A) for each of fiscal years 2012 and 2013, 100 percent;

"(B) for fiscal year 2014, 75 percent; and

"(C) for fiscal year 2015 and each fiscal year thereafter, 50 percent.

"(2) NON-FEDERAL SHARE.—

"(A) IN GENERAL.—The non-Federal share of the administrative expenses of the Authority shall be—

"(B) share paid by each State.—The share of administrative expenses of the Authority to be paid by non-Federal sources in each State shall be determined by the Authority.

"(C) NO FEDERAL PARTICIPATION.—The Federal cochairperson shall not participate or vote in any decision under subparagraph (B). The determination of whether a State is delinquent in payment of the State’s share of administrative expenses under this subsection—

"(1) no assistance under this chapter shall be provided to the State (including assistance to a political subdivision or a resident or agent of the State); and

"(ii) no member of the Authority from the State shall participate or vote in any action by the Authority.

"(h) COMPENSATION.—

"(1) FEDERAL AND TRIBAL COCHAIRPERSONS.—The Federal cochairperson and the tribal cochairperson shall be compensated by the Federal Government at the annual rate of basic pay prescribed for level III of the Executive Schedule in subchapter II of chapter 53 of title 5, United States Code.

"(2) TRIBAL COCHAIRPERSON.—

"(A) TRIBAL AND COMMUNITY COCHAIRPERSON.—The federal Government shall compensate a tribal cochairperson by the Federal Government at the rate established by law.

"(B) NO ADDITIONAL COMPENSATION.—No State member or alternate member shall receive any salary, or any contribution to or supplementation of salary from any source other than the State for services provided by the member or alternate member to the Authority.

"(i) DETAILED EMPLOYEES.—

"(A) IN GENERAL.—A person detailed to serve the Authority under subsection (e)(6) shall receive any salary or any contribution to or supplementation of salary for services performed for the Authority;

"(i) any source other than the State, tribal, local, or intergovernmental agency from which the person was detailed; or

"(ii) the Authority.

"(B) VIOLATION.—Any person that violates this paragraph shall be fined not more than $5,000, imprisoned not more than 1 year, or both.

"(j) APPLICABLE LAW.—The Federal cochairperson, the alternate Federal cochairperson, and any Federal officer or employee detailed to duty on the Authority under section (e)(5) shall not be subject to subparagraph (A), but shall remain subject to sections 202 through 209 of title 18, United States Code.

"(k) ADDITIONAL PERSONNEL.—

"(A) COMPENSATION.—

"(i) IN GENERAL.—The Authority may appoint and fix the compensation of an executive director and such other personnel as the Authority deems necessary to enable the Authority to carry out the duties of the Authority.

"(ii) EXCEPTION.—Compensation under clause (i) shall not exceed the maximum for the Senior Executive Service under section 5382 of title 5, United States Code, including any applicable locality-based comparability payment that may be authorized under section 530(h)(2)(C) of that title.
"(B) EXECUTIVE DIRECTOR.—The executive director shall be responsible for—
"(i) the carrying out of the administrative duties of the Authority;
"(ii) the direction of the Authority staff; and
"(iii) such other duties as the Authority may assign.
"(C) NO FEDERAL EMPLOYEE STATUS.—No member, alternate, officer, or employee of the Authority (except the Federal cochairperson of the Authority, the alternate and staff for the Federal cochairperson, and any Federal employees to be maximized to the Authority under subsection (e)(5)) shall be considered to be a Federal employee for any purpose.

"(1) CONFLICTS OF INTEREST.—

"(i) IN GENERAL.—Except as provided under paragraph (2), no State member, Indian tribe member, State alternate, officer, or employee of the Authority shall participate personally and substantially as a member, alternate, officer, or employee of the Authority, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in any proceeding, application, request for a ruling or other determination, contract, claim, controversy, or other matter in which, to knowledge of the member, alternate, officer, or employee, there is a financial interest of—

"(A) the member, alternate, officer, or employee;

"(B) the spouse, minor child, partner, or organization (other than a State or political subdivision of the State or the Indian tribe) of the member, alternate, officer, or employee, in which the member, alternate, officer, or employee is serving as officer, director, trustee, partner, or employee of;

"(C) any person or organization with whom the member, alternate, officer, or employee is negotiating or has any arrangement concerning prospective employment;

"(2) APPLICATION.—Paragraph (1) shall not apply if the State member, Indian tribe member, alternate, officer, or employee—

"(A) immediately advises the Authority of the nature and circumstances of the proceeding, application, request for a ruling or other determination, contract, claim, controversy, or other matter presenting a potential conflict of interest;

"(B) makes full disclosure of the financial interest; and

"(C) before the proceeding concerning the matter presenting the conflict of interest, receives a written determination by the Authority that the interest is not so substantial as to be likely to affect the integrity of the member, alternate, officer, or employee.

"(3) VIOLATION.—Any person that violates this subsection shall be fined not more than $10,000, imprisoned not more than 2 years, or both.

"(4) VALIDITY OF CONTRACTS, LOANS, AND GRANTS.—The Authority may declare void any contract, loan, or grant of or by the Authority in relation to which the Authority determines that there has been a violation of any provision under subsection (h)(4) or subsection (i) of this chapter, or sections 202 through 209 of title 18, United States Code.

"SEC. 3824. ECONOMIC AND COMMUNITY DEVELOPMENT GRANTS.

"(a) IN GENERAL.—The Authority may approve grants to States, Indian tribes, local governments, and public and nonprofit organizations for projects, approved in accordance with section 3830—

"(1) to assist the region in obtaining the job training, employment-related education, and business assistance that can focus on entrepreneurship that are needed to build and maintain strong local economies;

"(2) to develop the transportation, renewable energy transmission, and telecommunication infrastructure of the region for the purpose of facilitating economic development in the region (except that grants for this purpose may be made only to States, Indian tribes, local governments, and nonprofit organizations);

"(3) to provide assistance to severely distressed and underdeveloped areas that lack financial resources for improving basic public services;

"(4) to provide assistance to severely distressed and underdeveloped areas that lack financial resources for equipping industrial parks and related facilities; and

"(5) to otherwise achieve the purposes of this chapter.

"(b) FUNDING.—

"(1) IN GENERAL.—Funds for grants under subsection (a) may be provided—

"(A) entirely from appropriations to carry out this section;

"(B) in combination with funds available under another Federal grant program; or

"(C) from any other source.

"(2) PRIORITY OF FUNDING.—To best build the foundations for long-term economic development and to complement other Federal, State, and tribal resources in the region, Federal funds available under this chapter shall be focused on the following activities:

"(A) Basic public infrastructure in distressed counties and isolated areas of distress;

"(B) Transportation and telecommunication infrastructure for the purpose of facilitating economic development in the region.

"(C) Business development, with emphasis on entrepreneurship.

"(D) Job training or employment-related education, with emphasis on use of existing public educational institutions located in the region.

"SEC. 3825. SUPPLEMENTS TO FEDERAL GRANT PROGRAMS.

"(a) FINDING.—Congress finds that certain States and local communities of the region may benefit significantly from the advantages of Federal grant programs for which the States and communities are eligible because—

"(1) the States and communities lack the economic resources to provide the required matching share; or

"(2) there are insufficient funds available under the applicable Federal law authorizing the Federal grant program to meet pressing needs of the region.

"(b) FEDERAL GRANT PROGRAM FUNDING.—Notwithstanding any provision of law limiting the Federal share of the areas eligible for assistance, or the authorizations of appropriations, under any Federal grant program, and in accordance with subsection (c), the Authority, with the approval of the Federal cochairperson and with respect to a project to be carried out in the region—

"(1) may increase the Federal share of the costs of a project under any Federal grant program to not more than 85 percent (except as provided in section 3827(b)); and

"(2) shall use amounts made available to carry out this chapter to pay the increased Federal share.

"(c) CERTIFICATIONS.—

"(1) IN GENERAL.—In the case of any project for which all or any portion of the basic Federal share of the costs of the project is proposed to be paid under this section, no Federal contribution shall be made until the Federal official administering the Federal law that authorizes the Federal grant program certifies that—

"(A) the project (except as provided in subsection (b)) the applicable requirements of the applicable Federal grant program; and

"(B) meetings and other contributions under the Federal grant program if funds were available under the law for the project.

"(2) CERTIFICATION BY AUTHORITY.—

"(A) IN GENERAL.—The certifications and determinations required to be made by the Authority for approval of projects under this Act in accordance with section 3830 shall be—

"(i) controlling; and

"(ii) accepted by the Federal agencies.

"(B) IN GENERAL.—The Authority may certify that the project is carried out shall be accepted by the Federal cochairperson.

"SEC. 3826. MULTISTATE AND LOCAL DEVELOPMENT DISTRICTS AND ORGANIZATIONS AND NORTHERN GREAT PLAINS INC.

"(a) DEFINITION OF MULTISTATE AND LOCAL DEVELOPMENT DISTRICT OR ORGANIZATION.—In this section, the term ‘multistate and local development district or organization’ means an entity—

"(1) that—

"(A) is a planning district that is recognized by the Economic Development Administration of the Department of Commerce; or

"(B) is—

"(i) organized and operated in a manner that ensures broad-based community participation and an effective opportunity for other nonprofit groups to contribute to the development and implementation of programs in the region;

"(ii) a nonprofit incorporated body organized or chartered under the law of the State in which the entity is located; or

"(iii) nonprofit agency, instrumentality of a State or local government;

"(iv) a public organization established before the date of enactment of the Agriculture Improve and Food Act of 2013 under State law for creation of multijurisdictional, area-wide planning organizations;
“(v) a nonprofit agency or instrumentality of a State that was established for the purpose of assisting with multistate cooperation; or
“(vi) a nonprofit association or combination of bodies, agencies, and instrumentalities described in clauses (ii) through (v); and
“(2) that has not, as certified by the Authority, an officer who, during the period in which another entity inappropriately used Federal grant funds from any Federal source, was an officer of the other entity.”

“(b) GRANTS TO MULTISTATE, LOCAL, OR REGIONAL DEVELOPMENT DISTRICTS AND ORGANIZATIONS.—

“(1) IN GENERAL.—The Authority may make grants for administrative expenses under this section to multistate, local, and regional development districts and organizations.

“(2) CONDITIONS FOR GRANTS.—

“(A) Maximum amount.—The amount of any grant under paragraph (1) shall not exceed 80 percent of the administrative expenses of the multistate, local, or regional development district or organization receiving the grant.

“(B) Maximum period.—No grant described in paragraph (1) shall be awarded for a period of greater than 3 years.

“(3) LOCAL SHELTER.—The contributions of a multistate, local, or regional development district or organization for administrative expenses may be in cash or in kind, fairly evaluated, including space, equipment, and services.

“(c) Duties.—

“(1) IN GENERAL.—Except as provided in paragraph (2), a local development district shall operate as a lead organization serving multicounty areas in the region at the local level.

“(2) DESIGNATION.—The Federal cochairperson may designate an Indian tribe or multijurisdictional organization to serve as a lead organization in such cases as the Federal cochairperson or Secretary, as appropriate, determines appropriate.

“(d) NORTHERN GREAT PLAINS INC.—Northern Great Plains Inc., a nonprofit corporation incorporated in the State of Minnesota to implement the recommendations of the Northern Great Plains Rural Development Commission created by the Northern Great Plains Rural Development Act (7 U.S.C. 2661 note; Public Law 103-318)—

“(1) shall serve as an independent, primary resource for the Authority on issues of concern to the region;

“(2) shall advise the Authority on development of international trade;

“(3) may provide research, education, training, and other support to the Authority; and

“(4) may carry out other activities on its own behalf or on behalf of other entities.

“SEC. 3827. DISTRESSED COUNTIES AND AREAS AND NONDISTRESSED COUNTIES.

“(a) Designations.—Each year, the Authority, in accordance with such criteria as the Authority may establish, shall designate—

“(1) distressed counties, counties in the region that are the most severely and persistently distressed and underdeveloped and have high rates of poverty, unemployment, or out-migration;

“(b) distressed counties, in the region that are the most severely and persistently distressed and underdeveloped and have high rates of poverty, unemployment, or out-migration;

“(2) a nonprofit association or combination of bodies, agencies, and instrumentalities described in clauses (ii) through (v); and

“(2) as nondistressed counties, counties in the region that are not designated as distressed counties under paragraph (1); and

“(3) of distressed counties located in nondistressed counties (as designated under paragraph (2)) that have high rates of poverty, unemployment, or out-migration.

“(b) Distressed Counties.

“(1) IN GENERAL.—The Authority shall allocate at least 5 percent of any funds appropriated made available under section 3834 for programs and projects designed to serve the needs of distressed counties and isolated areas of distress identified as a result of funds made available under section 3833.

“(2) FUNDING LIMITATIONS.—The funding limitations under section 3823(b) shall not apply to a project to provide transportation or telecommunication services or basic public services to residents of 1 or more distressed counties or isolated areas of distress in the region.

“(c) Transportation, Telecommunication, Renewable Energy, and Basic Public Infrastructure.—The Authority shall allocate at least 50 percent of any funds made available under section 3834 for transportation, telecommunication, renewable energy, and basic public infrastructure projects authorized under paragraphs (1) and (3) of section 3828(a).

“SEC. 3828. DEVELOPMENT PLANNING PROCESS.

“(a) STATE DEVELOPMENT PLAN.—In accordance with policies established by the Authority, each State member shall submit a development plan for the area of the region represented by the State member.

“(b) CONTENT OF PLAN.—A State development plan submitted under subsection (a) shall reflect the goals, objectives, and priorities identified in the regional development plan developed under section 3823(d)(2).

“(c) CONSULTATION WITH INTERESTED LOCAL PARTIES.—In carrying out the development planning process (including the selection of programs and projects for assistance), a State may—

“(1) consult with—

“(A) multistate, regional, and local development districts and organizations; and

“(B) local units of government; and

“(2) take into consideration the goals, objectives, priorities, and recommendations of the entities described in paragraph (1).

“(d) PUBLIC PARTICIPATION.—

“(1) IN GENERAL.—The Authority and applicable multistate, regional, and local development districts and organizations shall encourage active and meaningful public participation in the development, revision, and implementation of all plans and programs under this chapter.

“(2) REGULATIONS.—The Authority shall develop guidelines for providing public participation described in paragraph (1), including public hearing notices and other appropriate procedures that ensure, to the maximum extent practicable, public participation in the development, revision, and implementation of all plans and programs under this chapter.

“(e) CERTIFICATION.—An application for a grant or any other assistance for a project under this section shall be approved only on certification by the State member that the application for the project—

“(1) describes ways in which the project complies with any applicable State development plan;

“(2) meets applicable criteria under section 3829;

“(3) provides adequate assurance that the proposed project will be properly administered, operated, and maintained; and

“(4) otherwise meets the requirements of this chapter.

“(f) DECISIONS.—On certification by a State member of the Authority of an application for assistance for a specific project under this section, an affirmative vote of the Authority under section 3823(c) shall be required for approval of the application.

“SEC. 3831. CONSENT OF STATES.

“Nothing in this chapter requires any State to engage in or accept any program under this chapter without the consent of the State.

“SEC. 3832. RECORDS.

“(a) RECORDS OF THE AUTHORITY.—

“(1) IN GENERAL.—The Authority shall maintain in accurate and complete records of all transactions and activities of the Authority.

“(2) AVAILABILITY.—All records of the Authority shall be available for audit and examination by the Comptroller General of the United States and the Inspector General of the Department of Agriculture (including the Inspector General of the Comptroller General of the United States and the Inspector General of the Department of Agriculture).

“(b) RECORDS OF RECIPIENTS OF FEDERAL ASSISTANCE.—

“(1) IN GENERAL.—A recipient of Federal funds under this chapter shall, as required by...
the Authority, maintain accurate and complete records of transactions and activities financed with Federal funds and report to the Authority on the transactions and activities of the Authority.

"(2) AVAILABILITY.—All records required under paragraph (1) shall be available for audit by the Comptroller General of the United States, the Inspector General of the Department of Agriculture, and the Authority (including authorized representatives of the Comptroller General, the Inspector General of the Department of Agriculture, and the Authority).

"(3) ANNUAL AUDIT.—The Inspector General of the Department of Agriculture shall audit the transactions and records of the Authority on an annual basis.

"SEC. 3833. ANNUAL REPORT.

"Not later than 180 days after the end of each fiscal year, the Authority shall submit to the President and to Congress a report describing the activities carried out under this chapter.

"SEC. 3834. AUTHORIZATION OF APPROPRIATIONS.

"(a) IN GENERAL.—There is authorized to be appropriated to the Authority to carry out the purposes of this chapter—

"(1) $50,000,000 for each of fiscal years 2014 through 2018, to remain available until expended;

"(2) ADMINISTRATIVE EXPENSES.—Not more than 5 percent of the amount appropriated under subsection (a) for a fiscal year shall be used for administrative expenses of the Authority;

"(c) MINIMUM STATE SHARE OF GRANTS.—Notwithstanding any other provision of this chapter, for any fiscal year, the aggregate amount of grants received by a State and all persons or entities in the State under this chapter shall be not less than 1/3 of the product obtained by multiplying—

"(1) the average amount of grants under this chapter for the fiscal year; and

"(2) the ratio that—

"(A) the population of the State (as determined by the Secretary of Commerce based on the most recent decennial census for which data are available); bears to

"(B) the population of the region (as so determined).

"SEC. 3835. TERMINATION OF AUTHORITY.

"The authority provided by this chapter terminates effective October 1, 2018.

"Subtitle C—General Provisions

"SEC. 3902. PURCHASE AND SALE OF GUARANTEED PORTIONS OF LOANS.

"(a) IN GENERAL.—A contract of insurance or guarantee executed by the Secretary under this title shall be an obligation supported by the full faith and credit of the United States:

"(b) CONTRACTIBILITY.—A contract of insurance or guarantee executed by the Secretary under this title shall be incontestable except for fraud or misrepresentation that the lender or any holder—

"(1) has actual knowledge of at the time the contract of insurance or guarantee is executed; or

"(2) participates in or condones.

"SEC. 3903. SOURCES OF FUNDING.

"(c) SOURCES OF FUNDING.—The Secretary may use for the purchases—

"(1) funds from the Rural Development Insurance Fund with respect to rural development loans (as defined in section 3704(a)); and

"(2) funds from the Agricultural Credit Insurance Fund with respect to all other loans under this chapter.

"(d) SALE OF GUARANTEED LOANS.

"(1) SALES.—

"(A) REGULATION.—

"(i) IN GENERAL.—The guaranteed portion of any loan under this title may be sold by the lender, and by any subsequent holder, in accordance with such regulations governing the sales as the Secretary shall establish, subject to and (ii) FEES TO BE PAID IN FULL.—All fees due the Secretary with respect to a guaranteed loan shall be paid in full before any sale.

"(iii) LOAN TO BE FULLY DISBURSED.—The loan shall be fully disbursed to the borrower before the sale.

"(b) POST-SALE.—After a loan is sold in the secondary market, the lender shall—

"(i) remain obligated under the guarantee agreement with the lender; and

"(ii) continue to service the loan in accordance with the terms and conditions of that agreement.

"(C) PROCEDURES.—The Secretary shall develop such procedures as are necessary for—

"(i) the facilitation, administration, and promotion of secondary market operations; and

"(ii) determining the increase of access of farmers to capital at reasonable rates and terms as a result of secondary market operations.

"(D) RIGHTS TO PREPAY.—This subsection does not preclude or extinguish—

"(i) the right of the borrower or the successor in interest to the borrower to prepay in (whole or in part) any loan made under this title; or

"(ii) the rights of any party under any provision of this title.

"(2) ISSUE POOL CERTIFICATES.—

"(A) IN GENERAL.—The Secretary may, directly or through a market maker, issue pool certificates representing ownership of part or all of the guaranteed portion of any loan guaranteed by the Secretary under this title.

"(B) APPROVAL.—Notwithstanding any other provision of this title, the Secretary may, directly or through a market maker, issue pool certificates representing ownership of part or all of the guaranteed portion of any loan guaranteed by the Secretary under this title.

"(C) GUARANTEE OF POOL.—On such terms and conditions as the Secretary considers appropriate, the Secretary may guarantee the timely payment of the principal and interest on pool certificates issued by the Secretary by approved market makers for all loans and pool certificates sold under paragraphs (1) and (2), including, with respect to each original sale and any subsequent sale—

"(i) identification of the interest rate paid by the borrower to the lender;

"(ii) the servicing fee of the lender; and

"(iii) disclose whether interest on the loan is at a fixed or variable rate;

"(IV) Identification of each purchaser of a pool certificate;

"(V) the interest rate paid on the certificate; and

"(VI) such other information as the Secretary considers appropriate.

"(2) before any sale, require the seller (as defined in subparagraph (B)) to disclose to each prospective purchaser of the portion of a loan guaranteed under this title and to each prospective purchaser of a pool certificate issued under paragraph (2) information on the terms, conditions, and yield of such instrument;

"(iii) provide for adequate custody of any pooled guaranteed loans;

"(iv) take such actions as are necessary, in regard to pools or portions of loans, to minimize the estimated costs of paying claims under guarantees issued under this subsection;

"(v) require each market maker—

"(i) to service all pools formed, and participate in or condone.

"SEC. 3904. FULL FAITH AND CREDIT.

"(H) FULL FAITH AND CREDIT.—The full faith and credit of the United States is pledged to the payment of all amounts that may be required to be paid under any guarantee issued by approved market makers under this subsection.

"(I) FEES.—

"(i) IN GENERAL.—The Secretary shall not collect a fee for any guarantee under this subsection.

"(II) SECRETARIAL FUNCTIONS.—Clause (i) does not preclude the Secretary from collecting a fee for the services described in paragraph (3).

"(J) DEFAULT.—Not later than 30 days after any borrower of a guaranteed loan is in default of any principal or interest payment due for 60 days or more, the Secretary shall—

"(i) purchase the pool certificates representing ownership of the guaranteed portion of the loan; and

"(ii) pay the registered holder of the certificates an amount equal to the guaranteed portion of the loan represented by the certificate.

"(K) PAYMENT OF CLAIMS.—If the Secretary pays a claim under a guarantee issued under this subsection, the claim shall be subrogated fully to the rights satisfied by the payment, as may be provided by the Secretary.

"(L) APPLICATION OF LAWS.—No State or local law, and no Federal law, shall preclude or limit the exercise by the Secretary of the rights of the Secretary in the por- tions of loans constituting the pool against which the certificates are issued.

"(M) DUTIES OF THE SECRETARY.

"(A) IN GENERAL.—On the adoption of final rules and regulations, the Secretary shall—

"(i) provide for the central collection of registration information from all participating market makers for all loans and pool certificates sold under paragraphs (1) and (2), including, with respect to each original sale and any subsequent sale—

"(i) the population of the State and all persons or entities in the State under this chapter shall be not less than 1/3 of the product obtained by multiplying—

"(2) LOAN TO BE FULLY DISBURSED.—The loan shall be fully disbursed to the borrower before the sale.

"(B) POST-SALE.—After a loan is sold in the secondary market, the lender shall—

"(i) remain obligated under the guarantee agreement with the lender; and

"(ii) continue to service the loan in accordance with the terms and conditions of that agreement.

"(C) PROCEDURES.—The Secretary shall develop such procedures as are necessary for—

"(i) the facilitation, administration, and promotion of secondary market operations; and

"(ii) determining the increase of access of farmers to capital at reasonable rates and terms as a result of secondary market operations.

"(D) RIGHTS TO PREPAY.—This subsection does not preclude or extinguish—

"(i) the right of the borrower or the suc- cessor in interest to the borrower to prepay in (whole or in part) any loan made under this title; or

"(ii) the rights of any party under any provision of this title.

"(2) ISSUE POOL CERTIFICATES.—

"(A) IN GENERAL.—The Secretary may, directly or through a market maker approved by the Secretary, issue pool certificates representing ownership of part or all of the guaranteed portion of any loan guaranteed by the Secretary under this title.

"(B) APPROVAL.—Certificates under sub- paragraph (A) shall be based on and backed by a pool established or approved by the Sec- retary and composed solely of the entire guaranteed portion of the loans.

"(C) GUARANTEE OF POOL.—On such terms and conditions as the Secretary considers appropriate, the Secretary may guarantee the timely payment of the principal and interest on pool certificates issued by the Secretary by approved market makers for all loans and pool certificates sold under paragraphs (1) and (2), including, with respect to each original sale and any subsequent sale—

"(i) identification of the interest rate paid by the borrower to the lender;

"(ii) the servicing fee of the lender; and

"(iii) disclosures of whether interest on the loan is at a fixed or variable rate;

"(IV) IDENTIFICATION OF EACH PURCHASER OF A POOL CERTIFICATE;

"(V) THE INTEREST RATE PAID ON THE CERTIFICATE; AND

"(VI) SUCH OTHER INFORMATION AS THE SECRETARY CONSIDERS APPROPRIATE.

"(2) before any sale, require the seller (as defined in subparagraph (B)) to disclose to each prospective purchaser of the portion of a loan guaranteed under this title and to each prospective purchaser of a pool certificate issued under paragraph (2) information on the terms, conditions, and yield of such instrument;

"(iii) provide for adequate custody of any pooled guaranteed loans;

"(IV) TAKE SUCH ACTIONS AS ARE NECESSARY, IN REGARD TO POOLS OR PORTIONS OF LOANS, TO MINIMIZE THE ESTIMATED COSTS OF PAYING CLAIMS UNDER GUARANTEES ISSUED UNDER THIS SUBSECTION;

"(V) REQUIRE EACH MARKET MAKER—

"(I) TO SERVICE ALL POOLS FORMED, AND PARTICIPATIONS SOLD, BY THE MARKET MAKER; AND

"(II) TO PROVIDE THE SECRETARY WITH INFORMATION RELATING TO THE COLLECTION AND DISBURSEMENT OF ALL PERIODIC PAYMENTS, PREPAYMENTS, AND DEFAULT FUNDS FROM LENDERS, TO OR FROM THE RESERVE FUND THAT THE SECRETARY SHALL ESTABLISH TO ENABLE THE TIMELY PAYMENT GUARANTEE TO BE SELF-FUNDING, AND FROM ALL BENEFICIAL HOLDERS; AND

"(VI) REGULATE MARKET MAKERS TO POOL CERTIFICATES ISSUED UNDER THIS SUBSECTION;

"(D) DEFINITION OF SELLER.—For purposes of subparagraph (A)(I), if the instrument
being sold is a loan, the term ‘seller’ does not include—

(ii) the person who made the loan; or

(iii) any person who sells 3 or fewer guaran-
tee rights under this title or in connection with any property held by the Secretary under this title.

(4) CONTRACT FOR SERVICES.—The Sec-
retary may contract for goods and services to be used for the purposes of this subsection without regard to titles 5, 40, and 41 United States Code (including any regulations issued under those titles).

**SEC. 1903. ADMINISTRATION.**

(a) POWERS OF SECRETARY.—The Sec-
retary—

(1) (A) administer the powers and duties of the Secretary through such national, area, State, or local offices and employees in the United States as the Secretary determines to be necessary; and

(B) authorize an office to serve an area composed of 2 or more States if the Sec-
retary determines that the volume of busi-
ness in the area is not sufficient to justify separate State offices;

(2)(A) accept and use voluntary and un-
compensated services; and

(B) with the consent of the agency con-
cerned, use the officers, employees, equip-
ment, and information of any agency of the Federal Government, or of any State, terri-
tory, or political subdivision;

(3) subject to appropriations, make nec-
essary expenditures for the purchase or hire of passenger vehicles, and such other facili-
ties and services as the Secretary may from time to time find necessary for the proper administration of this title;

(4) subject to subsection (b), compromise, adjust, reduce, or charge-off debts or claims (including debts and claims arising from loan guarantees), and deposit, modify, subor-
nicate, release or foreclose, or comparable terms, priority instruments, leases, contracts, and agreements entered into or administered by the Farm Service Agency, the Rural Utilities Service, the Rural Housing Service, the Rural Business-Cooperative Service, or successor agencies under this title, except for activities conducted under the Housing Act of 1949 (42 U.S.C. 1441 et seq.);

(5) release mortgage and other contract liens if it appears that the mortgage and liens are of prospective value or that the enforcement of the mortgage and liens likely would be ineffectual or uneco-
nomical;

(6) obtain fidelity bonds protecting the Federal Government against fraud and dis-
honesty of officers and employees of the Farm Service Agency, the Rural Utilities Service, the Rural Housing Service, the Rural Business-Cooperative Service in lieu of faithful performance of duties under section 14 of title 6, United States Code, but otherwise in accordance with the section;

(7) consent to—

(A) long-term leases of facilities financed under this title notwithstanding the failure of the lessee to meet any of the requirements of this title if the long-term leases are nec-
essary to ensure the continuation of services for which financing was extended to the les-
see; and

(B) the transfer of property securing any loan or financed by any loan or grant made or guaranteed by the Farm Service Agency, the Rural Utilities Service, the Rural Hous-
ing Service, or the Rural Business-Cooperative Service under this title, or any other law administered by the Secretary, on such terms as the Secretary considers necessary to carry out the purpose of the loan or grant or to protect the financial interest of the Federal Government, provided that the Sec-
retary determines that the purpose of the Secretary for the transfer of the property of a borrower in the file of the borrower; and

(8) notwithstanding that an area ceases, or has ceased, to be rural, in a rural area, or an eligible area, make loans and grants, and approve transfers and assumptions, under any Farmer loan program, that was in effect during the period when the area was rural in connection with prop-
erty securing any loan or guaranteed by the Secretary under this title or in connection with any property held by the Sec-
retary under this title.

(b) LOAN ADJUSTMENTS.—

(1) No Liens Against Property.—The Secretary may not require liquidation of property securing any farmer program loan or acceleration of any payment required under any farmer program loan as a prerequisite to initiating an action authorized under subsection (a).

(2) RELEASE OF PERSONAL LIABILITY.

(A) In General.—In general, the Secretary may—

(i) authorize a personal liability for the deferral of principal and interest on any outstanding loan or grant, or for the deferral of any combination of principal and interest on any outstanding loan or grant, for the purpose of avoiding or mitigating the financial impact of circumstances beyond the control of the borrower that are beyond the control of the Secretary;

(ii) accept title to any property so pur-

chased or acquired; and

(iii) sell, manage, or otherwise dispose of the property in accordance with this sub-
section.

(2) OPERATION OR LEASE OF REALTY.—Ex-
cept as provided in subsections (c) and (e), real property administered under this title may be operated or leased by the Secretary for such period as the Secretary may con-

sider necessary to protect the investment of the Federal Government in the property.

(c) PAYMENTS TO LENDERS.—

(1) REQUIREMENT.—Not later than 90 days after a court of competent jurisdiction con-

firms a plan of reorganization under chapter 12 of title 11, United States Code, for any borrower to whom a lender has made a loan guaranteed under this title, the Secretary shall pay the lender an amount estimated by the Secretary to be equal to the loss in-
curred by the lender for purposes of the guar-
antee.

(2) PAYMENT TOWARD LOAN GUARANTEE.— Any amount paid to a lender under this sub-
section with respect to a loan guaranteed under this title shall be treated as payment towards satisfaction of the guarantee.

**SEC. 3904. LOAN MORATORIUM AND POLICY ON FORECLOSURES.**

(a) IN GENERAL.—In addition to any other authority that the Secretary may have to defer principal and interest and forgo fore-

closure, the Secretary may, at the re-
quest of the borrower, the deferral of prin-
cipal and interest and forgo the collection of an outstanding loan made or guaranteed by the Secretary under this title, or under any other law admin-
istered by the Farm Service Agency, the Rural Utilities Service, the Rural Housing Service, or the Rural Business-Cooperative Service, and may forgo foreclosure of the loan for such period as the Secretary considers nec-

essary on a showing by the borrower that, due to circumstances beyond the control of the borrower, the borrower is temporarily unable to continue making payments of the principal and interest when due without un-
duly impairing the standard of living of the borrower.

(b) INTEREST.—Except as provided in paragraph (2), the Secretary may permit any loan deferred under this section to bear interest during or after the deferral period.

(c) USE OF ATTORNEYS FOR PROSECUTION OR DEFENSE OF CLAIMS.—The Secretary may use any attorney at the secret-

ary’s discretion to protect the Federal Government in the property, AND LOANS .—The Secretary shall develop an application process that accelerates, to the ex-

tent practicable, the processing of applications for water and waste disposal grants under section 3601(a)(2)(A) the prin-
cipal amount of which is $300,000 or less; and

(2) water and waste disposal grants and loans.—The Secretary shall develop an application process that accelerates, to the ex-


due to circumstances beyond the control of the borrower, the borrower is temporarily unable to continue making payments of the principal and interest when due without un-
duly impairing the standard of living of the borrower.

(b) INTEREST.—Except as provided in paragraph (2), the Secretary may permit any loan deferred under this section to bear interest during or after the deferral period.

(c) USE OF ATTORNEYS FOR PROSECUTION OR DEFENSE OF CLAIMS.—The Secretary may use any attorney at the secret-

ary’s discretion to protect the Federal Government in the property, AND LOANS .—The Secretary shall develop an application process that accelerates, to the ex-

tent practicable, the processing of applications for water and waste disposal grants under section 3601(a)(2)(A) the prin-
cipal amount of which is $300,000 or less; and

(2) water and waste disposal grants and loans.—The Secretary shall develop an application process that accelerates, to the ex-


due to circumstances beyond the control of the borrower, the borrower is temporarily unable to continue making payments of the principal and interest when due without un-
duly impairing the standard of living of the borrower.

(b) INTEREST.—Except as provided in paragraph (2), the Secretary may permit any loan deferred under this section to bear interest during or after the deferral period.

(c) USE OF ATTORNEYS FOR PROSECUTION OR DEFENSE OF CLAIMS.—The Secretary may use any attorney at the secret-

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cipal amount of which is $300,000 or less; and

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due to circumstances beyond the control of the borrower, the borrower is temporarily unable to continue making payments of the principal and interest when due without un-
duly impairing the standard of living of the borrower.

(b) INTEREST.—Except as provided in paragraph (2), the Secretary may permit any loan deferred under this section to bear interest during or after the deferral period.

(c) USE OF ATTORNEYS FOR PROSECUTION OR DEFENSE OF CLAIMS.—The Secretary may use any attorney at the secret-

ary’s discretion to protect the Federal Government in the property, AND LOANS .—The Secretary shall develop an application process that accelerates, to the ex-

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cipal amount of which is $300,000 or less; and

(2) water and waste disposal grants and loans.—The Secretary shall develop an application process that accelerates, to the ex-


due to circumstances beyond the control of the borrower, the borrower is temporarily unable to continue making payments of the principal and interest when due without un-
duly impairing the standard of living of the borrower.

(b) INTEREST.—Except as provided in paragraph (2), the Secretary may permit any loan deferred under this section to bear interest during or after the deferral period.

(c) USE OF ATTORNEYS FOR PROSECUTION OR DEFENSE OF CLAIMS.—The Secretary may use any attorney at the secret-

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tent practicable, the processing of applications for water and waste disposal grants under section 3601(a)(2)(A) the prin-
cipal amount of which is $300,000 or less; and

(2) water and waste disposal grants and loans.—The Secretary shall develop an application process that accelerates, to the ex-


due to circumstances beyond the control of the borrower, the borrower is temporarily unable to continue making payments of the principal and interest when due without un-
duly impairing the standard of living of the borrower.

(b) INTEREST.—Except as provided in paragraph (2), the Secretary may permit any loan deferred under this section to bear interest during or after the deferral period.
the foreclosure shall become part of the principal and draw interest from the date of foreclosure at the rate prescribed by law.

(c) Moratorium Regarding Civil Rights Claims.—

(1) In General.—Except as otherwise provided in this subsection, effective beginning on May 22, 2008, there shall be in effect a moratorium on all acciones pending against the Department under this title of a claim of program discrimination that is accepted by the Department as valid; or

(2) Waiver of Interest and Offsets.—

During the period of the moratorium, the Secretary shall waive the accrual of interest and offsets on all farmer program loans made under subtitle A, or for which loan acceleration or foreclosure proceedings have been suspended under paragraph (1).

(3) Termination of Moratorium.—The moratorium shall terminate with respect to a claim of discrimination by a farmer on the earlier of—

(A) the date the Secretary resolves the claim; or

(B) if the farmer appeals the decision of the Secretary on the claim to a court of competent jurisdiction, the date that the court renders a final decision on the claim.

(4) Failure to Prevail.—If a farmer does not prevail on a claim of discrimination described in paragraph (1), the farmer shall be prevented from making a new claim of discrimination by the Department who acts on or reviews an application made by any person under this title for a loan to purchase land may acquire, directly or indirectly, by the Department, at any interest rate charged on each loan; or

(5) Condition of Certification.—

(6) Effect of Certification.—Notwithstanding any other provision of law:

(A) Amount of Loan Guarantee.—In the case of a loan made or guaranteed under subtitle A, the Secretary shall guarantee 80 percent of a loan made under this section by a certified lending institution as described in paragraph (1), subject to a determination that the borrower of the loan meets the eligibility requirements and such other criteria as may be applicable to loans guaranteed by the Secretary under other provisions of this title.

(B) Certifications by Lending Institutions.—In the case of loans to be guaranteed by the Secretary under this section, the Secretary shall permit certified lending institutions to make appropriate certifications (as provided by regulations issued by the Secretary) relating to issues such as creditworthiness, repayment ability, adequacy of collateral, and feasibility of farm operation; and

(ii) that the borrower in compliance with all requirements, including regulations issued by the Secretary.

(ii) Disapproval.—If the Secretary disapproves the loan application during the 14-day period, the Secretary shall state, in writing, all of the reasons the application was disapproved.

(5) Relationship to Other Requirements.—Nothing in this section affects the responsibility of the Secretary to certify eligibility, review financial condition, and otherwise assess an application.

(b) Preferred Certified Lenders Program.—

(i) In General.—The Secretary shall establish a Preferred Certified Lenders Program for lenders under this title who establish—

A) knowledge of, and experience under, the program established under subsection (a); and

B) knowledge of the regulations concerning the guaranteed loan program; and

C) proficiency related to the certified lender program requirements.
and the Committee on Agriculture, Nutrition, and Forestry of the Senate at least 30 days prior to the date on which the regulations are published in the Federal Register.

SEC. 3911. EXTINGUISHING OR TRANSFERRING TITLE TO INVENTORY PROPERTY.

(a) In General.—The Secretary may employ local attorneys, on a case-by-case basis, to prepare the necessary documents necessary to clear the title to foreclosed properties in the inventory of the Department.

(b) Compensation.—The Secretary shall compensate attorneys at not more than the usual and customary charges of the attorneys for the work.

SEC. 3912. TRANSFER OF LAND TO SECRETARY.

The President may at any time, in the discretion of the President, transfer to the Secretary any right, interest, or title held by the United States in any land acquired in the program of national defense and no longer needed for that purpose that the President finds suitable for the purposes of this title, and the Secretary shall dispose of the transferred land in the manner and subject to the terms and conditions of this title.

SEC. 3913. COMPETITIVE SOURCING LIMITATIONS.

The Secretary may not complete a study of, or enter into a contract with a private party to carry out, without specific authorization by the Congress, a competitive sourcing activity of the Secretary, including support personnel of the Department, relating to rural development or farmer programs.

SEC. 3914. REGULATIONS.

The Secretary may issue such regulations, prescribe such terms and conditions for making or guaranteeing loans, security instruments, and agreements, except as otherwise provided in this title, and make such delegations of authority as the Secretary considers necessary to carry out the purposes of this title.

SEC. 6002. CONFORMING AMENDMENTS.

(a) Section 17(c) of the Rural Electrification Act of 1936 (7 U.S.C. 971(c)) is amended by striking paragraph (1) and inserting the following:

"(1) Subtitle B of the Consolidated Farm and Rural Development Act.


(c) Section 306 of the Rural Electrification Act of 1936 (7 U.S.C. 966(a)) is amended by striking subparagraph (B) and inserting the following:

"(B) chapter 1 of subtitle B of the Consolidated Farm and Rural Development Act.

(d) Section 2333(d) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 9503a-2(d)) is amended—

(1) in paragraph (11), by adding "and" at the end;

(2) by striking paragraph (12); and

(3) by redesignating paragraph (13) as paragraph (12).

(e) Section 601(b) of the Rural Electrification Act of 1936 (7 U.S.C. 9001(b)) is amended by striking paragraph (3).

(f) Section 602(5) of the Emergency Livestock Protection Act of 1988 (7 U.S.C. 171i(b)) is amended by striking "section 355(e)(3)(D)(II) of the Consolidated Farm and Rural Development Act (7 U.S.C. 355(e)(3)(D)(II)) and inserting "section 3409(c)(1)(A) of the Consolidated Farm and Rural Development Act".

(g) Section 508 of the Federal Crop Insurance Act (7 U.S.C. 1602o-1) is amended—

(1) in subsection (b)(7)(A), by striking "section 371 of the Consolidated Farm and Rural Development Act (7 U.S.C. 371(a))

... (2) in subsection (n)(2), by striking "subsection (n)(2) of the Consolidated Farm and Rural Development Act (7 U.S.C. 3924(a))) and inserting "section 3924 of the Consolidated Farm and Rural Development Act";

(3) in paragraph (1), by striking "section 393(a)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 393(a)(1))" and inserting "section 393(a)(1) of the Consolidated Farm and Rural Development Act";

(4) in paragraph (4), by striking "the Secretary may administer the Consolidated Farm and Rural Development Act (7 U.S.C. 301(a))" and inserting "the Secretary may administer the Consolidated Farm and Rural Development Act (7 U.S.C. 301(a)) and inserting "section 3002 of the Consolidated Farm and Rural Development Act";

(5) in subsection (a)(2), by striking "subsections (a)(2) of the Consolidated Farm and Rural Development Act (7 U.S.C. 3002(a)(2))" and inserting "section 3002 of the Consolidated Farm and Rural Development Act";

...
(r) Section 2375(g) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 6163(g)) is amended by striking “section 394(b), 306(a), or 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1924(b), 1926(a), and 1932(e))” and inserting “subtitle B of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(b))” and inserting “subtitle H of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6991(a))” and amending “section 304(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 191a)” and amending “section 3002 of the Consolidated Farm and Rural Development Act;”.

(e) Section 236A(a) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6934(a)) is amended by striking “section 349(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1924(b), 1926(a), and 1932(e))” and inserting “section 3002 of the Consolidated Farm and Rural Development Act.”

(t) Section 1254 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7331(b)) is amended by striking “subsection 308 of the Consolidated Farmers Home Administration Act of 1962” and amending “section 308 of the Consolidated Farmers Home Administration Act”.

(x) Section 504(a) of the Federal Agriculture Reform and Risk Management Act of 1996 (7 U.S.C. 492) is amended by striking “section 340, 341, 342, and 343” and inserting “section 3001 of the Consolidated Farm and Rural Development Act.”

(3) by striking subparagraph (B) and inserting the following:

”(B) the Departmental Regional Authority established under chapter 4 of subtitle B of the Consolidated Farm and Rural Development Act.”;

and (2) by striking subparagraph (D) and inserting the following:

”(D) the Northern Great Plains Regional Authority established under section 3 of subtitle B of the Consolidated Farm and Rural Development Act.”.

(3) and inserting the following:

”(3) grants, loans, and loan guarantees under paragraph (1), the amount of any grant and” after “Secretary shall”.

(ff) Section 517(b) of the Housing Act of 1934 (42 U.S.C. 1437f(b)) is amended by striking “section 309A of such Act” and inserting “under the Consolidated Farm and Rural Development Insurance Fund in section 309A of the Consolidated Farm and Rural Development Act;”.

(ff) Section 1323(b)(2) of the Food Security Act of 1985 (7 U.S.C. 1926(a)) is amended by striking “subsection (e)” and inserting “section 3002 of the Consolidated Farm and Rural Development Act.”

(ii) Section 213(c)(1) of the Biomass Energy and Water Act of 2008 (42 U.S.C. 8813(c)(1)) is amended in the first sentence by striking “and” and inserting “or”.

(jj) Section 13(3) of the Rural Electrification Act of 1936 (7 U.S.C. 950bb) is amended—

(iii) with a high percentage of low-income residents; and

(iv) that offer to provide broadband service to the greatest proportion of unserved rural households or rural households that do not have residential broadband service that meets the minimum acceptable level of broadband service established under subsection (e); and

(hh) Section 1323(b)(2) of the Food Security Act of 1985 (7 U.S.C. 1926(a)) is amended by striking “section 3002 of the Consolidated Farm and Rural Development Act.”

(ii) Section 13(3) of the Rural Electrification Act of 1936 (7 U.S.C. 950bb) is amended—

(iii) with a high percentage of low-income residents; and

(iv) that are isolated from other significant population centers;”.

(b) by adding at the end the following:

”(3) GRANT AMOUNTS.—

”(A) Eligibility.—To be eligible for a grant under this section, the project is that the greatest proportion of unserved rural households or rural households that do not have residential broadband service that meets the minimum acceptable level of broadband service established under subsection (e); and

”(ii) with a population of less than 20,000 permanent residents;

”(iii) experiencing outmigration;

”(iv) that offer to provide broadband service to the greatest proportion of unserved rural households or rural households that do not have residential broadband service that meets the minimum acceptable level of broadband service established under subsection (e); and

”(v) that provide equal consideration to all qualified applicants, including those that have not previously received grants, loans, or loan guarantees and that do not have residential broadband service that meets the minimum acceptable level of broadband service established under subsection (e); and

”(vi) with a high percentage of low-income residents; and

”(vii) that offer to provide broadband service to the greatest proportion of unserved rural households or rural households that do not have residential broadband service that meets the minimum acceptable level of broadband service established under subsection (e); and

”(B) maximum.—Except as provided in subparagraph (D), the amount of any grant and administrative expenses under this section shall not exceed 50 percent of the development costs of the project for which the grant is provided.

”(C) Grant Rate.—The Secretary shall establish the grant rate for each project in accordance with regulations issued by the Secretary that shall provide for a graduated scale of grant rates that establish higher rates for projects in communities that have—

”(i) remote locations;
“(ii) low community populations; (iii) low income levels; (iv) developed the applications of the communities with the participation of community-based organizations, including—
(I) State, local, and tribal governments; (II) nonprofit institutions; (III) institutions of higher education; (IV) each (A), by striking “loan or” and inserting “grant, loan, or”; and (V) philanthropic organizations; and (v) targeted funding to provide the minimum acceptable level of broadband service established under subsection (e) in all areas of an unserved community that is below that minimum acceptable level of broadband service established under subsection (e);”.

(D) SECRETARIAL AUTHORITY TO ADJUST.—The Secretary may make grants of up to 75 percent of the development costs of the project for which the grant is provided to an eligible entity if the Secretary determines that the project serves a remote or low income area that does not have access to broadband service from any provider of broadband service (including the applicant).

(4) in subsection (d)—
(A) paragraph (1)(A)—
(i) in the matter preceding clause (i), by striking “loan or” and inserting “grant, loan, or”; and
(ii) by striking clause (i) and inserting the following:

“(i) demonstrate the ability to furnish, improve in order to meet the minimum acceptable level of broadband service established under subsection (e), or extend broadband service to all or part of an unserved rural area or an area below the minimum acceptable level of broadband service established under subsection (e);”;

(B) in paragraph (1), by striking “the loan made or guaranteed under this section are” and inserting “assistance under this section is”;

(B) in paragraph (2)—
(i) in subparagraph (A)—
(aa) by striking the proceeds of the loan made or guaranteed and inserting “assistance”;
and
(bb) by striking “for the loan or loan guarantee and inserting “of the eligible entity”; (II) in clause (i), by striking “is offered broadband service by not more than 1 incumbent provider” and inserting “are unserved or have service levels below the minimum acceptable level of broadband service established under subsection (e)”; and
(ii) in subparagraph (B), by striking “grant, loan, or” and inserting “grant, loan, or”; and
(iii) by adding at the end the following:

“(E) PILOT PROGRAMS.—The Secretary may carry out pilot programs with interested entities described in subparagraph (A) (which may be in partnership with other entities, as determined appropriate by the Secretary) that are unserved or have service levels below the minimum acceptable level of broadband service established under subsection (e).”;

(E) in paragraph (5)—
(i) in the matter preceding subparagraph (A), by striking “loan or” and inserting “grant, loan, or”;

and
(ii) in subparagraph (B), by striking “grant, loan, or” and inserting “grant, loan, or”; and
(iii) by adding at the end the following:

“(G) in paragraph (7), by striking “a loan application and inserting “an application”;

(H) by adding at the end the following:

“(AA) the National Broadband Map if address-level data is unavailable.”;

(D) in paragraph (4)—
(i) by striking “Subject to paragraph (1),” and inserting the following:

“(A) in GENERAL.—Subject to paragraph (1) and subparagraph (B),”;

(ii) by striking “grant or” and inserting “grant, loan, or”;

and
(iii) by adding at the end the following:

“(E) PILOT PROGRAMS.—The Secretary may carry out pilot programs with interested entities described in subparagraph (A) (which may be in partnership with other entities, as determined appropriate by the Secretary) that are unserved or have service levels below the minimum acceptable level of broadband service established under subsection (e).”;

and
(E) in paragraph (6)—
(i) by striking “grant or” and inserting “grant, loan, or”; and
(ii) in subparagraph (C), by inserting “, and proportion relative to the service territory,” after “estimated number”;

(F) in paragraph (6), by striking “loan or” and inserting “grant, loan, or”;

(G) in paragraph (7), by striking “a loan application and inserting “an application”;

(H) by adding at the end the following:

“(B) FUNDING.—The Secretary shall require any entity receiving assistance under this section to submit quarterly reports to the Secretary that—
(i) describe the use by the entity of the assistance, including new equipment and capacity enhancements that support high-speed broadband service for educational institutions, health care providers, and public safety service providers (including the estimated number of end users who are currently using or forecasted to use the new or upgraded infrastructure); and
(ii) a description of each application, including the status of each application;”.

and

(ii) describing the following:

“(i) recover funds from loan defaults;

(ii) deobligate awards to grantees that demonstrate an insufficient level of performance (including failure to meet build-out requirements, service quality issues, or other metrics determined by the Secretary) or wasteful or fraudulent spending; and

(II) award those funds, on a competitive basis, to new or existing applicants consistent with this section; and

(iii) consolidate and minimize overlap among the programs;

(D) with respect to an application for assistance under this section, shall—
(i) promptly post on the website of the Rural Utility Service—

“(i) an announcement that identifies—

(II) in clause (i), by inserting “that the project serves a remote or low income area that does not have access to broadband service from any provider of broadband service (including the applicant).”;

(ii) a description of each application, including the status of each application;”.

and
(G) in paragraph (1)—
(i) by striking “to not less than 15 percent, if the proposal service territory does not have a population in excess of 20,000, and
(ii) by adding at the end the following:

“(G) in paragraph (1)—
(i) the number and location of residences and businesses that will receive new broadband service, existing network service improvements, and facility upgrades resulting from the Federal assistance;

(II) the speed of broadband service;

(III) the area covered by the application; and

(IV) any other metrics the Secretary determines to be relevant.

(A) 4-Mbps downstream transmission capacity; and

(B) 1-Mbps upstream transmission capacity;

(2) ADJUSTMENTS.—At least once every 2 years, the Secretary shall review, and may adjust, the minimum acceptable level of broadband service established under paragraph (1) to ensure that cost-effective broadband service is provided to rural areas over time.
“(B) CONSIDERATIONS.—In making an adjustment to the minimum acceptable level of broadband service under subparagraph (A), the Secretary may consider establishing different loan rates for fixed broadband service and mobile broadband service.”;

(6) in subsection (f), by striking “make a loan or loan guarantee and inserting “provide or make”;

(7) in subsection (g), by striking paragraph (2) and inserting the following:

“(2) Terms.—In determining the term and conditions of a loan or loan guarantee, the Secretary may—

“(A) consider whether the recipient would be serving an area that is unserved; and

“(B) if the Secretary makes a determination in the affirmative under subparagraph (A), establish a limited initial deferral period or other modification to allow the recipient to achieve the financial feasibility and long-term sustainability of the project.”;

(b) in subsection (j)—

(A) in the matter preceding paragraph (1), by striking “loan and loan guarantee”; and

(B) in paragraph (1)—

(i) by inserting “and” after “number of”;

(ii) by inserting “, including any loan terms or conditions for which the Secretary provided additional assistance to unserved areas” before the colon at the end;

(C) in paragraph (2)—

(i) in subparagraph (A), by striking “loan”;

(ii) in subparagraph (B), by striking “loan and” and inserting “grants, loans, and”;

(D) in paragraph (3), by striking “loan”;

(E) in paragraph (5), by striking “and” at the end;

(F) in paragraph (6), by striking the period at the end and inserting “; and”;

(G) by adding at the end the following:

“(7) the overall progress towards fulfilling the goal of improving the quality of rural life by expanding rural broadband access, as demonstrated by metrics, including—

“(A) the number of residences and businesses receiving new broadband services;

“(B) network improvements, including capacity upgrades and equipment purchases;

“(C) average broadband speeds and prices on a local and statewide basis;

“(D) any changes in broadband adoption rates; and

“(E) any specific activities that increased high speed broadband access for educational institutions, health care providers, and public safety service providers.”;

(9) by redesignating subsections (k) and (l) as subsections (l) and (m), respectively;

(10) by inserting after subsection (l) the following:

“(k) BROADBAND BUILDOUT DATA.—

“(1) IN GENERAL.—As a condition of receiving a grant, loan, or loan guarantee under this section, a recipient of assistance shall provide to the Secretary address-level broadband buildout data for the National Broadband Map.

“(2) CORRECTIONS.—

“(A) IN GENERAL.—The Secretary shall submit to the Administration any correction submitted to the National Broadband Map that is based on the actual level of broadband coverage within the rural area, including any requests for a correction arising from an elected or economic development official.

“(B) INCORPORATION.—Not later than 30 days after the date on which the Administration receives a correction submitted under subparagraph (A), the Administration shall incorporate the correction into the National Broadband Map.

“(C) USE.—The Secretary has submitted a correction to the Administration under subparagraph (A) but the National Broadband Map has not been updated to reflect the correction by the date on which the Secretary is making a grant or loan award decision under this section, the Secretary may use the correction submitted under that subparagraph for purposes of make the grant or loan award decision.”;

(11) subsection (l) (as redesignated by paragraph (9))—

(A) in paragraph (1)—

(i) by striking “$25,000,000” and inserting “$50,000,000”;

(ii) by striking “2012” and inserting “2018”;

(B) in paragraph (2)(A)—

(i) in clause (i), by striking “and” at the end;

(ii) in clause (ii), by striking the period at the end and inserting “; and”;

(iii) by adding at the end the following:

“(iii) set aside at least 1 percent to be used for—

“(I) conducting oversight under this section; and

“(II) implementing accountability measures and related activities authorized under this section.”;

(B) in paragraph (3), by striking “$100,000” and inserting “$250,000”;

(C) in paragraph (5), by striking “and” at the end;

(D) by adding at the end the following:

“(3) the overall progress towards fulfilling the goal of improving the quality of rural life by expanding rural broadband access, as demonstrated by metrics, including—

“(A) the number of residences and businesses receiving new broadband services;

“(B) network improvements, including capacity upgrades and equipment purchases;

“(C) average broadband speeds and prices on a local and statewide basis;

“(D) any changes in broadband adoption rates; and

“(E) any specific activities that increased high speed broadband access for educational institutions, health care providers, and public safety service providers.”;

(11) subsection (m) (as redesignated by paragraph (9))—

(A) by striking “loan or” and inserting “grant, loan, or”;

(B) by striking “2012 and inserting “2018”.

Subtitle C—Miscellaneous

SEC. 6201. DISTANCE LEARNING AND TELEMEDICINE PROGRAM.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 2335A of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 950aaa–3) is amended by striking “2012” and inserting “2018”.

(b) CONFORMING AMENDMENT.—Section 1(b) of Public Law 102–551 (7 U.S.C. 950aaa note) is amended by striking “2012” and inserting “2018”.

SEC. 6202. RURAL ENERGY SAVINGS PROGRAM.

Subtitle E of title VI of the Farm Security and Rural Investment Act of 2002 (Public Law 107–171; 116 Stat. 424) is amended by adding at the end the following:

“SEC. 6407. RURAL ENERGY SAVINGS PROGRAM.

“(a) PURPOSE.—The purpose of this section is to create jobs, promote rural development, and help rural families and small businesses achieve cost savings by providing loans to qualified consumers to implement durable cost-effective energy efficiency measures.

“(b) DESCRIPTION OF PROGRAM.—This section is—

“(1) ELIGIBLE ENTITY.—The term ‘eligible entity’ means

“(A) any public power district, public utility district, public or cooperative electric utility, or any electric cooperative described in section 501(c)(12) or 181a(2) of the Internal Revenue Code of 1986, that borrowed and repaid, prepaid, or is paying a loan made or guaranteed by the Rural Utilities Service (or any predecessor agency);

“(B) any entity primarily owned or controlled by 1 or more entities described in subparagraph (A); or

“(C) any other entity that is an eligible entity of the Rural Utilities Service, as determined under section 1710.101 of title 7, Code of Federal Regulations (or a successor regulation).

“Energy Efficiency Measures.—The term ‘energy efficiency measures’ means, for or at property served by an eligible entity, structural improvements and investments in commercial technologies to increase energy efficiency.

“(3) QUALIFIED CONSUMER.—The term ‘qualified consumer’ means a consumer served by an eligible entity that has the ability to repay a loan made under subsection (d), as determined by the eligible entity.

“Energy Efficiency Measures.—The term ‘energy efficiency measures’ means the Secretary of Agriculture, acting through the Administrator of the Rural Utilities Service.

“(5) ELIGIBLE ENTITIES.—

“(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall make loans to eligible entities that agree to use the loan funds to make loans to qualified consumers for the purpose of implementing energy efficiency measures.

“(2) REIMBURSEMENT.—

“(A) IN GENERAL.—As a condition of receiving a loan under this subsection, an eligible entity shall—

“(I) establish a list of energy efficiency measures that is to expected to decrease energy use or costs of qualified consumers;

“(II) prepare an implementation plan for use of the loan funds, including use of any interest to be received pursuant to subsection (d)(1)(A);

“(III) provide for appropriate measurement and verification to ensure—

“(I) the effectiveness of the energy efficiency loans made by the eligible entity; and

“(II) that there is no conflict of interest in carrying out this section; and

“(IV) demonstrate expertise in effective use of energy efficiency measures at an appropriate scale.

“(B) REVISION OF LIST OF ENERGY EFFICIENCY MEASURES.—Subject to the approval of the Secretary, an eligible entity may update the list required under paragraph (A)(i) to account for newly available energy efficiency technologies.

“(C) EXISTING ENERGY EFFICIENCY PROGRAMS.—An eligible entity shall—

“(I) make loans to eligible entities no more than 60 days after the date of enactment of this section, has established an energy efficiency program for qualified consumers;

“(II) may use any list of energy efficiency measures, implementation plan, or measurement and verification system of that program to satisfy the requirements of subsection (d), and

“(III) may use any interest to be received pursuant to subsection (d)(1)(A).

“(D) NO INTEREST.—A loan under this subsection shall not bear interest.

“(E) AMOUNT OF ADVANCES.—Any advance of loan funds to an eligible entity in any single year shall not exceed 50 percent of the approved loan amount.

“(F) SPECIAL ADVANCE FOR START-UP ACTIVITIES.—

“(A) IN GENERAL.—In order to assist an eligible entity in defraying the appropriate start-up costs (as determined by the Secretary) of establishing new programs or
modifying existing programs to carry out subsection (d), the Secretary shall allow an eligible entity to request a special advance.

(B) AMOUNT.—No eligible entity may receive a special advance under this paragraph for an amount that is greater than 4 percent of the loan amount received by the eligible entity under paragraph (1).

(2) PAYMENT.—Repayment of the special advance—

(i) shall be required during the 10-year period beginning on the date on which the special advance was sought and

(ii) at the election of the eligible entity, may be deferred to the end of the 10-year period.

(3) LIMITATION.—All special advances shall be made under a loan described in paragraph (1) during the first 10 years of the term of the loan.

(d) LOANS TO QUALIFIED CONSUMERS.—

(1) TERMS OF LOANS.—Loans made by an eligible entity to qualified consumers using loan funds provided by the Secretary under subsection (c)—

(A) may bear interest, not to exceed 3 percent, to be used for purposes that include—

(i) to establish a low loan loss reserve; and

(ii) to offset personnel and program costs of eligible entities to provide the loans;

(B) shall finance energy efficiency measures for the purpose of decreasing energy usage or costs of the qualified consumer by an amount that ensures, to the maximum extent practicable, a loan term of not more than 10 years will not pose an undue financial burden on the qualified consumer, as determined by the eligible entity;

(C) shall not be used to fund purchases of, or modifications to, personal property unless the personal property is or becomes attached to real property (including a manufactured home) as a fixture;

(D) shall be repaid through charges added to the electric bill for the property for, or at which, energy efficiency measures are or will be implemented, on the condition that this requirement does not prohibit—

(i) the voluntary prepayment of a loan by the owner of the property; or

(ii) the use of any additional repayment mechanisms that are—

(I) demonstrated to have appropriate risk mitigation features, as determined by the eligible entity; or

(II) required if the qualified consumer is no longer a customer of the eligible entity; and

(E) shall require an energy audit by an eligible entity to determine the impact of proposed energy efficiency measures on the energy costs and consumption of the qualified consumer.

(2) CONTRACTORS.—In addition to any other qualified general contractor, eligible entities may serve as general contractors.

(e) MONITORING, MEASUREMENT AND VERIFICATION, TRAINING, AND TECHNICAL ASSISTANCE.—

(1) IN GENERAL.—The Secretary shall establish a plan for measurement and verification, training, and technical assistance of the program; and

(2) USE OF SUBCONTRACTORS AUTHORIZED.—A qualified entity that enters into a contract under paragraph (1) may use subcontractors to assist the qualified entity in carrying out the contract.

(1) FAST START DEMONSTRATION PROJECTS.—

(1) IN GENERAL.—The Secretary shall offer to enter into agreements with eligible entities (or groups of eligible entities) that have energy efficiency programs described in subsection (c)(2)(C) to establish an energy efficiency loan demonstration projects consistent with the purposes of this section.

(2) EVALUATION CRITERIA.—In determining which eligible entities to award loans under this section, the Secretary shall take into consideration—

(A) implement approaches to energy audits and investments in energy efficiency measures that yield measurable and predictable savings;

(B) use measurement and verification processes to determine the effectiveness of energy efficiency loans made by eligible entities;

(C) include training for employees of eligible entities, including any contractors of such entities, to implement or oversee the activities described in subparagraphs (A) and (B);

(D) provide for the participation of a majority of eligible entities in a State;

(E) reduce the need for generating capacity;

(F) provide for sufficient loan losses to—

(i) in the case of a single eligible entity, not fewer than 20,000 consumers; or

(ii) in the case of a group of eligible entities, not fewer than 60,000 consumers; and

(G) serve areas in which, as determined by the Secretary, a large percentage of consumers reside—

(i) in manufactured homes; or

(ii) in housing units that are more than 50 years old.

(2) USE OF SUBCONTRACTORS AUTHORIZED.—

(A) IN GENERAL.—The Secretary may conduct demonstrations in addition to the project required by paragraph (1).

(B) INCLUSIONS.—The study shall include an examination of—

(i) the importance of freight transportation, including rail, truck, and barge, to—

(A) the delivery of equipment, seed, fertilizer, and other products important to the production of agricultural commodities and products;

(B) the movement of agricultural commodities and products to market;

(C) the delivery of ethanol and other renewable fuels;

(D) the delivery of domestically produced resources for use in the generation of electric power for rural areas of the United States; and
economic development in those areas.

(B) EVALUATION CRITERIA.—Notwithstanding paragraphs (1) and (2), to the extent regulations are necessary to carry out any provision of this section, the Secretary shall consider such regulations that—

(A) implement the purposes of this section.

SEC. 6205. FUNDING OF PENDING RURAL DEVELOPMENT LOAN AND GRANT APPLICATIONS.

(a) IN GENERAL.—The Secretary shall use funds made available under subsection (b) to provide funds for applications that are pending on the date of enactment of this Act in accordance with the terms and conditions of pending paragraphs (1) and (2), to the extent regulations are necessary to carry out any provision of this section, the Secretary shall consider such regulations that—

(A) implement the purposes of this section.

(b) FUNDING.—Notwithstanding any other provision of law, beginning in fiscal year 2014, of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section $50,000,000, to remain available until expended.

SEC. 6204. STUDY OF RURAL TRANSPORTATION ISSUES.

(a) IN GENERAL.—The Secretary and the Secretary of Transportation shall jointly conduct a study of transportation issues regarding the movement of agricultural products, domestically produced renewable fuels, and domestically produced resources for the production of electricity for rural areas of the United States, and economic development in those areas.

(b) STUDY.—The study shall include an examination of—

(A) the sufficiency of transportation capacity, the system of transportation, the reliability of transportation services, and the efficiency of transportation services; and

(B) the sufficiency of facility investment in rural areas necessary for efficient and cost-effective transportation; and

(C) the accessibility to shippers in rural areas of federal processes for the resolution of grievances arising within various transportation modes.

(c) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Secretary and the Secretary of Transportation shall submit a report to Congress that contains the results of the study required under subsection (a).

(d) PERIODIC UPDATES.—The Secretary and the Secretary of Transportation shall publish triennially an updated version of the study described in subsection (a).
striking subsection (j) and inserting the following:

"(i) POLICY DEVELOPMENT PROCEEDINGS.—The Secretary shall participate on behalf of the interests of agriculture and rural America in all policy development proceedings or other proceedings of the Surface Transportation Board to establish freight rail transportation policy affecting agriculture and rural America."

TITe VII—RESEARCH, EXTENSION, AND RELATED MATTERS


SEC. 7101. NATIONAL AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION, AND ECONOMICS ADVISORY BOARD—

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 1408(b) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123(b)) is amended by striking "2012" and inserting "2018".

(b) DUTIES OF NATIONAL AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION, AND ECONOMICS ADVISORY BOARD.—Section 1408(c) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123(c)) is amended—

(1) in paragraph (3), by striking "and" at the end;

(2) in paragraph (4)(C), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following:

"(5) consult with industry groups on agricultural, research, education, and economic recommendations to the Secretary based on that consultation."

SEC. 7102. SPECIETY CROP COMMITTEE.

Section 1415A(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123a) is amended—

(1) in subsection (b),

(A) striking "Individuals" and inserting the following:

"(1) ELIGIBILITY.—Individuals;"

(B) by striking Members and inserting the following:

"(2) SERVICE.—Members; and"

(C) by adding at the end the following:

"(3) DIVERSITY.—Membership of the specialty crops committee shall reflect diversity in the specialty crops represented;"

(2) in subsection (c), by adding at the end the following:

"(6) Analysis of alignment of specialty crops committee recommendations with specialty crop research initiative grants awarded under section 412(d) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7632),;"

(3) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively;

(4) by inserting after subsection (c) the following:

"(d) CONSULTATION WITH SPECIETY CROP INDUSTRY.—In studying the scope and effectiveness of programs carried out under subsection (a), the specialty crops committee shall consult on an ongoing basis with diverse sectors of the specialty crop industry.; and

(E) reidentifying paragraph (5) as (e), redesignating by paragraph (3), by striking subsection (d) and inserting "subsection (e)".

SEC. 7103. VETERINARY SERVICES GRANT PROGRAM.

The National Agricultural Research, Extension, and Teaching Policy Act of 1977 is amended by inserting after section 1415A (7 U.S.C. 3123a) the following:

SEC. 1415B. VETERINARY SERVICES GRANT PROGRAM.

(a) DEFINITIONS.—In this section:

"(1) QUALIFIED ENTITY.—The term 'qualified entity' means—

(A) a for-profit or nonprofit entity located in a State that operates a veterinary clinic providing veterinary services—

"(1) in a rural area, as defined in section 341(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1911(a)); and

"(2) a State, national, allied, or regional veterinary organization or specialty board recognized by the American Veterinary Medical Association;

"(C) a school or college of veterinary medicine accredited by the American Veterinary Medical Association;

"(D) a university research foundation or veterinary medical foundation;

"(E) a department of veterinary science or department of comparative medicine accredited by the Department of Justice;

"(F) a State agricultural experiment station; and

"(G) a State, local, or tribal government agency.

"(2) VETERINARY SHORTAGE SITUATION.—The term 'veterinarian shortage situation' means a veterinarian shortage situation determined by the Secretary under section 1415A(b).

"(b) ESTABLISHMENT OF PROGRAM.—

"(1) COMPETITIVE GRANTS.—The Secretary shall carry out competitive grants to qualified entities that carry out programs or activities described in paragraph (2) for the purpose of developing, implementing, and sustaining veterinary services.

"(2) ELIGIBILITY REQUIREMENTS.—To be eligible to receive a grant described in paragraph (1), a qualified entity shall carry out programs or activities that the Secretary determines will—

"(A) substantially relieve veterinarian shortage situations;" "(B) support or facilitate private veterinary practices engaged in public health activities; or

"(C) support or facilitate the practices of veterinarians who are participating in or have successfully completed a service requirement under section 1415A(a)(2).

"(c) AWARD PROCESSES AND PREFERENCES.—

"(1) APPLICATION, EVALUATION, AND INPUT PROCESSES.—In administering the grant program under this section, the Secretary shall—

"(A) use an appropriate application and evaluation process, as determined by the Secretary; and

"(B) seek the input of interested persons.

"(2) GRANT PREFERENCES.—In selecting recipients of grants to be used for any of the purposes described in paragraphs (2) through (6) of subsection (d), the Secretary shall give a preference to qualified entities that provide documentation of coordination with other qualified entities, with respect to any such purpose.

"(3) ADDITIONAL PREFERENCES.—In awarding grants under this section, the Secretary may develop additional preferences by taking into account the amount of funds available for grants and the purposes for which the grant funds will be used.

"(4) APPLICABILITY OF OTHER PROVISIONS.—Sections 1413B, 1462(a), 1469(a)(3), 1469(c), and 1470 apply to the administration of the grant program under this section.

"(5) USE OF GRANTS TO RELIEVE VETERINARY SHORTAGE SITUATIONS AND SUPPORT VETERINARY SERVICES.—A qualified entity may use funds provided by grants under this section to establish programs to address veterinarian shortage situations and support veterinary services for the following purposes:

"(1) To assist veterinarians with establishing or expanding practices for the purpose of—

"(A) equipping veterinary offices;

"(B) sharing in the reasonable overhead costs of the practices, as determined by the Secretary; or

"(C) establishing mobile veterinary facilities with which provinces or regions will address education or extension needs.

"(2) To promote recruitment (including for programs in secondary schools), placement, and training of veterinary technicians, students of veterinary medicine, and students of veterinary technology.

"(3) To allow veterinary students, veterinary interns, externs, fellows, and residents, and veterinary technician students to cover expenses (other than the types of expenses described in 1415A(c)(5)) to attend training programs in food safety or food animal medicine.

"(4) To establish or expand accredited veterinary education programs (including faculty recruitment and retention), veterinary residency and fellowship programs, or veterinary internship and externship programs carried out in coordination with accredited colleges of veterinary medicine.

"(5) To assess veterinarian shortage situations and the preparation of applications submitted to the Secretary for designation as a veterinarian shortage situation under section 1415A(b).

"(6) To provide continuing education and extension, including veterinary telemedicine and other distance-based education, for veterinarians, veterinary technicians, and other health professionals needed to strengthen veterinary programs and enhance food safety.

"(e) SPECIAL REQUIREMENTS FOR CERTAIN GRANTS.—

"(1) TERMS OF SERVICE REQUIREMENTS.—

"(A) IN GENERAL.—Grants provided under this section for the purpose specified in subparagraph (B) shall be agreement between the Secretary and the grant recipient that includes a required term of service for the recipient, as established by the Secretary.

"(B) CONSIDERATIONS.—In establishing a term of service under subparagraph (A), the Secretary shall consider only—

"(i) the amount of the grant awarded; and

"(ii) the specific purpose of the grant.

"(2) BREACH REMEDIES.—

"(A) IN GENERAL.—An agreement under paragraph (1) shall provide for any breach of the agreement by the grant recipient, including repayment or partial repayment of the grant funds, with interest.

"(B) WAIVER.—The Secretary may grant a waiver of the repayment obligation for breach of contract if the Secretary determines that the grant recipient demonstrates extreme hardship or extreme need.

"(C) TREATMENT OF AMOUNTS RECOVERED.—Funds recovered under this paragraph shall—

"(i) be credited to the account available to carry out this section; and

"(ii) remain available until expended.

"(d) COST-SHARING REQUIREMENTS.—

"(1) RECOVERY OF RECIPIENT COSTS.—In accordance with the requirements of paragraph (1), to be eligible to receive a grant under this section, a qualified entity shall provide matching non-Federal funds, in either in cash or in-kind support, in an amount equal to not less than 25 percent of the Federal funds provided by the grant.

"(2) WAIVER.—The Secretary may establish, by regulation, conditions under which the cost-sharing requirement of paragraph (1) may be reduced or waived.

"(e) PROHIBITION ON USE OF GRANT FUNDS FOR CONSTRUCTION.—Funds made available for grants under this section may not be used for any of the following:

"(1) To construct a new building or facility;

"(2) to acquire, expand, remodel, or alter an existing building or facility, including
site grading and improvement and architect fees.

“(h) REGULATIONS.—Not later than 1 year after the date of enactment of this section, the Secretary shall promulgate regulations to carry out this section.

“(1) AUTHORIZATION OF APPROPRIATIONS.—

There is authorized to be appropriated to the Secretary to carry out this section $10,000,000 for fiscal year 2014 and each fiscal year thereafter, to remain available until expended.”

SEC. 7104. GRANTS AND FELLOWSHIPS FOR FOOD AND AGRICULTURE SCIENCES EDUCATION.

Section 419A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3152(m)) is amended by striking “section $60,000,000” and inserting “$60,000,000”.

SEC. 7105. AGRICULTURAL AND FOOD POLICY RESEARCH CENTERS.

Section 419B of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3155) is amended—

(1) by striking subsection heading, by inserting “AGRICULTURAL AND FOOD” before “POLICY”;

(2) in subsection (a), in the matter preceding paragraph (1), by striking “Secretary may” and inserting “Secretary shall, acting through the Office of the Chief Economist,”; and

(3) in paragraph (2) by inserting “with a history of providing unbiased, nonpartisan economic analysis to Congress” after “subsection (b)”.

SEC. 7106. EDUCATION GRANTS TO ALASKA NATIVE INSTITUTIONS AND NATIVE HAWAIIAN SERVING INSTITUTIONS.

Section 1457 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3322c) is amended by striking “$20,000,000” and inserting “$30,000,000”.

SEC. 7107. NUTRITION EDUCATION PROGRAM.

Section 1457(d) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3322c(d)) is amended by striking “2012” and inserting “2018”.

SEC. 7108. CONTINUING ANIMAL HEALTH AND DISEASE RESEARCH PROGRAMS.

Section 1433 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3315) is amended by striking the section designation and heading and all that follows through subsection (a) and inserting the following:

“SEC. 1433. APPROPRIATIONS FOR CONTINUING ANIMAL HEALTH AND DISEASE RESEARCH PROGRAMS.

“(a) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There are authorized to be appropriated to support continuing animal health and disease research programs at eligible institutions such sums as are necessary, but not to exceed $25,000,000 for each of fiscal years 1991 through 2018.

“(2) USE OF FUNDS.—Funds made available under this section shall be used—

“(A) to meet the expenses of conducting animal health and disease research, publishing and disseminating the results of such research, and contributing to the retirement of employees subject to the Act of March 4, 1940 (7 U.S.C. 331);

“(B) for administrative planning and direction; and

“(C) to purchase equipment and supplies necessary for conducting research described in subparagraph (A).

“(b) AUTHORIZATION OF APPROPRIATIONS.—

“(1) AUTHORIZATION OF APPROPRIATIONS AND USE OF FUNDS.—There is authorized to be appropriated and funds are hereby made available for each of fiscal years 2012 and 2013; and

“(2) USE OF FUNDS.—Funds made available under this section may not be used to acquire or construct a building.”

SEC. 7109. GRANTS TO UPGRADE AGRICULTURAL AND FOOD SCIENCES FACILITIES AT LAND-GRANT COLLEGES, INSTITUTIONS AND UNIVERSITIES.

Section 1447 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3322b) is amended by striking “2012” and inserting “2018”.

SEC. 7110. GRANTS TO UPGRADE AGRICULTURAL AND FOOD SCIENCES FACILITIES AND EQUIPMENT AT LAND-GRANT INSTITUTIONS.

Section 1447(d) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3322b(d)) and inserting “2012” and inserting “2018”.

SEC. 7111. HISPANIC-SERVING INSTITUTIONS.

Section 1458(c) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3324) is amended by striking “2012” and inserting “2018”.

SEC. 7112. COMPETITIVE GRANTS FOR INTEGRATED NATURAL SCIENCE AND EDUCATION PROGRAMS.

Section 1459A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3324c) is amended by striking “2012” and inserting “2018”.

SEC. 7113. UNIVERSITY RESEARCH.

Section 1463 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3324d) is amended by striking “2012” and inserting “2018”.

SEC. 7114. EXTENSION SERVICE.

Section 1463 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3324d) is amended by striking “2012” and inserting “2018”.

SEC. 7115. DISTANCE EDUCATION AND ALTERNATIVE CROPS.

(a) AUTHORIZATION OF APPROPRIATIONS AND TERMINATION.—

There are authorized to be appropriated to carry out this section—

“(1) such sums as are necessary for each of fiscal years 1999 through 2013; and

“(2) $5,000,000 for each of fiscal years 2014 through 2018.

(b) AUTHORIZATION OF APPROPRIATIONS.—

There are authorized to be appropriated to carry out this section—

“(1) such sums as are necessary for each of fiscal years 2012 and 2013; and

“(2) $20,000,000 for each of fiscal years 2014 through 2018.”

SEC. 7116. CAPABILITY BUILDING GRANTS FOR NLGCA INSTITUTIONS.

Section 1475(b) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3331(b)) is amended by striking “2012” and inserting “2018”.

SEC. 7117. AQUACULTURE ASSISTANCE PROGRAMS.

(a) COMPETITIVE GRANTS.—Section 1475(b) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3331(b)) is amended by striking “2012” and inserting “2018”.

(b) AUTHORIZATION OF APPROPRIATIONS.—

Section 1475 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3331) is amended to read as follows:

“SEC. 1475. AUTHORIZATION OF APPROPRIATIONS.

“(a) IN GENERAL.—There are authorized to be appropriated to carry out this subtitle—

“(1) $7,500,000 for each of fiscal years 1991 through 2013; and

“(2) $20,000,000 for each of fiscal years 2014 through 2018.

“(b) PROHIBITION ON USE.—Funds made available under this section may not be used to acquire or construct a building.”

SEC. 7118. RANGELAND RESEARCH PROGRAMS.

Section 1483(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3333(a)) is amended by striking “2012” and inserting “2018”.

SEC. 7119. SPECIAL AUTHORIZATION FOR BIOSECURITY PLANNING AND RESPONSE.

Section 1484(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3333(a)) is amended by striking “2012” and inserting “2018”.

SEC. 7120. DISTANCE EDUCATION AND RESIDENT INSTRUCTION GRANTS PROGRAM FOR INSULAR AREA INSTITUTIONS OF HIGHER EDUCATION.

(a) DISTANCE EDUCATION GRANTS FOR INSULAR AREAS.—

(1) COMPETITIVE GRANTS.—Section 1490(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3336(a)) is amended by striking “response such sums as are necessary” and all that follows and inserting the following: “response—

“(1) such sums as are necessary for each of fiscal years 2002 through 2013; and

“(2) $20,000,000 for each of fiscal years 2014 through 2018.”

(2) AUTHORIZATION OF APPROPRIATIONS.—

There are authorized to be appropriated to carry out this section—

“(1) such sums as are necessary for each of fiscal years 2012 and 2013; and

“(2) $20,000,000 for each of fiscal years 2014 through 2018.”

SEC. 7121. CONTINUING ANIMAL HEALTH AND DISEASE RESEARCH PROGRAMS.

Section 1433 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3315) is amended by striking “2012” and inserting “2018”.

SEC. 7122. PROGRAMS FOR HUMAN, ANIMAL, AND PLANT HEALTH.

Section 1434 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3315) is amended by striking “2012” and inserting “2018”. 
striking “section” and all that follows and inserting the following: “(1) such sums as are necessary for each of fiscal years 2002 through 2013; and
(2) $2,000,000 for each of fiscal years 2014 through 2018.”

(b) Resident Instruction Grants for Insular Areas.—Section 1491(c) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3363(c)) is amended by striking “such sums as are necessary” and all that follows and inserting the following: “(1) such sums as are necessary for each of fiscal years 2002 through 2013; and
(2) $2,000,000 for each of fiscal years 2014 through 2018.”

Subtitle B—Food, Agriculture, Conservation, and Trade Act of 1990

SEC. 7201. BEST UTILIZATION OF BIOLOGICAL APPLICATIONS.

Section 1624 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5814) is amended—
(1) by striking “$40,000,000 for each fiscal year”; and
(2) by inserting “$20,000,000 for each of fiscal years 2014 through 2018.”

SEC. 7202. INTEGRATED MANAGEMENT SYSTEMS.

Section 1625 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5821) is amended by striking subsection (d) and inserting the following: “(d) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2014 through 2018.”

SEC. 7203. SUSTAINABLE AGRICULTURE TECHNOLOGY DEVELOPMENT AND GRANT PROGRAM.

Section 1628 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5831) is amended by striking subsection (f) and inserting the following: “(f) Authorization of Appropriations.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2014 through 2018.”

SEC. 7204. NATIONAL TRAINING PROGRAM.

Section 1629 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5832) is amended by striking subsection (i) and inserting the following: “(i) Authorization of Appropriations.—There is authorized to be appropriated to carry out the National Training Program $20,000,000 for each of fiscal years 2014 through 2018.”

SEC. 7205. NATIONAL GENETICS RESOURCES PROGRAM.

Section 1635(b) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5844(b)) is amended—
(1) by striking “such funds as may be necessary”; and
(2) by striking “and all that follows” and inserting the following: “such sums as are necessary for each of fiscal years 1991 through 2013; and
(2) $1,000,000 for each of fiscal years 2014 through 2018.”

SEC. 7206. NATIONAL AGRICULTURAL WEATHER INFORMATION SYSTEM.

Section 1641(c) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5855(c)) is amended by inserting “and $1,000,000 for each of fiscal years 2014 through 2018” before the period at the end.

SEC. 7207. HIGH-PRIORITY RESEARCH AND EXTENSION INITIATIVES.

Section 1672 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5855) is amended—
(1) in the first sentence of subsection (a), by striking “subsections (e) through (i) of”; and
(2) in subsection (b)(2)—
(A) by striking the first sentence and inserting the following: “(A) In General.—To facilitate the making of research and extension grants under this section, the Secretary may appoint a task force to make recommendations to the Secretary;” and
(B) in the second sentence by striking “The Secretary may not incur costs in excess of $1,000,000 for each fiscal year in connection with each” and inserting the following: “The Secretary may not incur costs in excess of $1,000,000 for each fiscal year in connection with a;”
(3) in subsection (c)—
(A) by striking paragraphs (1) through (5), (7), (8), (11) through (39), (41) through (43), (47), (48), (51), and (52);
(B) by redesignating paragraphs (6), (9), (10), (44), (45), (46), (49), and (50) as paragraphs (1), (2), (3), (4), (5), (6), (7), (8), and (9), respectively; and
(C) by adding at the end the following: “(10) CORN, SOYBEAN MEAL, CEREAL GRAINS, AND GRAIN BYPRODUCTS RESEARCH AND EXTENSION.—Research and extension grants may be made under this section for the purpose of improving the digestibility, nutritional value, and efficiency of use of corn, soybean meal, cereal grains, and grain byproducts for the poultry and food animal production industries.”;
(4) by striking subsections (f), (g), and (i); and
(5) by inserting after subsection (e) the following: “(f) Pulse Health Initiative.—
(1) Definitions.—In this subsection:
(A) Initiative.—The term ‘Initiative’ means the pulse health initiative established by paragraph (2).
(B) Pulse.—The term ‘pulse’ means dry beans, dry peas, lentils, and chickpeas or garbanzo beans.
(2) Establishment.—Notwithstanding any other provision of law, during the period beginning on the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013 and ending on September 30, 2018, the Secretary shall carry out a pulse crop health and extension initiative to address the critical role of pulses in relation to global food security, such as—
(i) identifying global dietary patterns of pulse crops in relation to population health;
(ii) researching pulse crop diets and the ability of diets to reduce obesity and associated chronic disease (including cardiovascular disease, type 2 diabetes, and cancer); and
(iii) identifying the underlying mechanisms of the health benefits of pulse crop consumption (including disease biomarkers, bioactive components, and relevant plant genetics); the impact of processing on the health-promoting value of pulse crops;
(B) research in functionality, such as—
(i) improving the functional properties of pulse crops and pulse fractions;
(ii) developing new and innovative technologies to improve pulse crops as an ingredient in food products; and
(iii) developing nutrient-enhanced food products solutions to ameliorate chronic disease and enhance food security worldwide;
(C) research in sustainability to enhance global food security, such as—
(i) plant breeding, genetics and genomics to improve productivity, nutrient density, and phytonutrient content for a growing world population;
(ii) pest and disease management, including resistance to pests and diseases resulting in reduced application management strategies; and
(iii) improving nitrogen fixation to reduce the carbon and energy footprint of agriculture;
(D) optimizing pulse cropping systems to reduce water usage; and
(E) education and technical service, such as—
(i) providing technical expertise to help food companies include nutrient-dense pulse crops in innovative and healthy foods; and
(ii) establishing an educational program to encourage the consumption and production of pulse crops in the United States and other countries.
(3) Eligible Entities.—The Secretary may carry out the Initiative through—
(A) Federal agencies, including the Agricultural Research Service and the National Institute of Food and Agriculture;
(B) National Laboratories;
(C) institutions of higher education;
(D) research institutions or organizations;
(E) private organizations or corporations;
(F) State agricultural experiment stations;
(G) individuals; or
(H) groups consisting of 2 or more entities or individuals described in subparagraphs (A) through (G).
(4) Research Project Grants.—
(A) In General.—In carrying out this subsection, the Secretary shall award grants on a competitive basis.
(B) In General.—The Secretary shall—
(i) seek and accept proposals for grants;
(ii) determine the relevance and merit of proposals through a system of peer review, in consultation with the pulse crop industry; and
(iii) award grants on the basis of merit, quality, and relevance.
(5) Priorities.—In making grants under this subsection, the Secretary shall provide a higher priority to projects that—
(i) are multistate, multinstitutional, and multidisciplinary; and
(ii) include explicit mechanisms to communicate results to the pulse crop industry and the public.
(6) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section $20,000,000 for each of fiscal years 2014 through 2018.
(7) Training Coordination for Food and Agriculture Protection.—
(A) In General.—For purposes of this section, an eligible entity is a multistate, multinstitutional consortium that includes—
(i) a nonprofit institution that provides administrative food protection training; and
(ii) 1 or more training centers in institutions of higher education that have demonstrated expertise in developing and delivering community-based training in food and agricultural safety and defense.
(B) Requirements.—To ensure that coordination and administration is provided across all the disciplines and provide comprehensive food protection training, the Secretary may only consider an entire consortium collectively rather than on an institution-by-institution basis.
(C) Membership.—An eligible entity may alter the consortium membership to meet specific training expertise needs.
(8) Use of Grains.—As a condition of the receipt of assistance under this subsection, an eligible entity, in cooperation
with the Secretary, shall establish and maintain the network for an internationally integrated training system to enhance the quality of the United States food supply, including, among other things—

(a) developing curricula and a training network to provide basic, technical, management, and leadership training to regulatory officials, sanitarians, processors, and other agri-food businesses;

(b) serving as the hub for the administration of an open training network;

(c) implementing standards to ensure the delivery of quality training through a national curricula;

(D) building and overseeing a nationally recognized cadre to ensure the availability of highly qualified instructors;

(E) reviewing training proposed through the National Institute of Food and Agriculture and other relevant Federal agencies that report to the Secretary on the quality and content of proposed and existing courses;

(F) assisting Federal agencies in the implementation of food protection training requirements including requirements contained in the Agriculture Reform, Food, and Jobs Act of 2013, the FDA Food Safety Modernization Act (7 U.S.C. 5933), and amendments made by those Acts; and

(G) performing evaluation and outcome-based studies to provide to the Secretary feedback on the effectiveness and impact of training and metrics on jurisdictions and sectors within the food safety system.

(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $20,000,000 for each of fiscal years 2014 through 2018, to remain available until expended.

(5) in subsection (b), by striking “2012” each place it appears and inserting “2018”;

(7) by redesignating subsection (i) as subsection (j);

(8) in subsection (i) (as so redesignated), by striking “2012” and inserting “2018”;

SEC. 7206. ORGANIC AGRICULTURE RESEARCH AND EXTENSION INITIATIVE.

Section 1672B of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925b) is amended—

(A) in the matter preceding paragraph (1), by inserting “; education,” after “support research”;

(B) in paragraph (1), by inserting “and improvement” after “development”;

(C) in paragraph (2), by striking “to producers and processors who use organic methods” and inserting “for organic agricultural production and methods to producers, processors, and rural communities”;

(D) in paragraph (5), by inserting “and research solutions to” after “identifying” and “and”;

(E) in paragraph (6), by striking “and marketing” and inserting “; marketing, and food safety”;

(F) by striking subsection (e);

(G) by redesignating subsection (f) as subsection (e); and

(H) in paragraph (1) of subsection (e) (as so redesignated)—

(A) in the heading, by striking “FOR FISCAL YEARS THROUGH 2012”;

(B) in subparagraph (A), by striking “and” at the end;

(C) in subparagraph (B), by striking the period at the end and inserting “; and”;

(D) by adding at the end the following—

“(C) $16,000,000 for each of fiscal years 2014 through 2018.”

SEC. 7209. GRAMINEARUM OR BY TILLETIA DISEASES OF WHEAT, TRITICALE, AND EXTENSION COMPETITIVE GRANTS PROGRAM.

Section 1672(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925f(d)) is amended by striking “such sums as are necessary to carry out this section,” and inserting the following: “(2) Relevance and Merit Review of Research, Extension, and Education Grants.”;

(2) in subparagraph (A), by inserting “relevance and” before “merit”;

(B) by striking “extension or education” and inserting “, research, extension, or education”;

(3) in subparagraph (B) by inserting “on a continuous basis” after “procedures”;

SEC. 7202. INTEGRATED RESEARCH, EDUCATION, AND EXTENSION COMPETITIVE GRANTS PROGRAM.

Section 406(f) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7626(f)(1)) is amended by striking “2012” and inserting “2018”.

SEC. 7203. SUPPORT FOR RESEARCH REGARDING DISEASES OF WHEAT, TRITICALE, AND BARLEY CAUSED BY PUSARIUM GRAMINEARUM OR BY TILLETIA INDICA.

Section 406(e) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7626(e)) is amended by striking “such sums as may be necessary for each fiscal years 2010 through 2012” and inserting “$10,000,000 for each of fiscal years 2014 through 2018”.

SEC. 7204. GRANTS FOR YOUTH ORGANIZATIONS.

Section 410(d) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7630(d)) is amended by striking “such sums as are necessary” and all that follows and inserting the following: “(1) such sums as are necessary for each fiscal years 2008 through 2013; and

(2) $3,000,000 for each of fiscal years 2014 through 2016”.

SEC. 7215. SPECIALTY CROP RESEARCH INITIATIVE.

Section 412 of the Agricultural Research, Extension, and Education Reform Act of 2002 (7 U.S.C. 7652) is amended—

(A) in paragraph (1)—

(i) in subparagraph (B), by striking “and” at the end;

(ii) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(iii) by inserting after subparagraph (C) the following:

“(D) consult with the specialty crops committee authorized under section 1481A of the National Agricultural Research, Extension, and Education Policy Act of 1997 (7 U.S.C. 3123a) during the peer and merit review process.”;

(B) in paragraph (3), by striking “non-Federal” and all that follows through the end of the paragraph and inserting “other sources in an amount that is at least equal to the amount provided by a grant received under this section.”;

(C) by adding at the end the following:

“(3) SUBSEQUENT FUNDS.—Of the funds of the Commodity Credit Corporation, the Secretary shall make available to carry out this section—

(A) $25,000,000 for fiscal year 2014;

(B) $30,000,000 for each of fiscal years 2015 and 2016;

(C) $65,000,000 for fiscal year 2017; and

(D) $50,000,000 for fiscal year 2018 and each fiscal year thereafter.”.

SEC. 7205. FOOD ANIMAL RESIDUE AVERTANCE DATABASE PROGRAM.

Section 460(e) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7672(e)) is amended by striking “2012” and inserting “2018”. 
SEC. 7307. OFFICE OF PEST MANAGEMENT POLICY.
Section 614(f) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7635(f)) is amended—
(1) by striking “such sums as are necessary”; and
(2) by striking “section” and all that follows and inserting the following: “section—
“(1) such sums as are necessary for each of fiscal years 1999 through 2013; and
“(2) $3,000,000 for each of fiscal years 2014 through 2018.”

SEC. 7308. AUTHORIZATION OF REGIONAL INTEGRATED PEST MANAGEMENT CENTERS.
Subtitle B of title VI of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7651 et seq.) is amended by adding at the end the following:

“SEC. 621. AUTHORIZATION OF REGIONAL INTEGRATED PEST MANAGEMENT CENTERS.
“(a) In General.—There are established 4 regional integrated pest management centers (referred to in this section as the ‘Centers’), which shall be located at such specific locations in the north central, northeastern, southern, and western regions of the United States as the Secretary shall specify.
“(b) Purposes.—The purposes of the Centers shall be—
“(1) to strengthen the connection of the Department with production agriculture, research programs, and agricultural stakeholders throughout the United States;
“(2) to increase the effectiveness of pest management solutions for the private and public sectors;
“(3) to quickly respond to information needs of the public and private sectors; and
“(4) to improve communication among the relevant stakeholders.
“(c) Duties.—In meeting the purposes described in subsection (b) and otherwise carrying out this section, the Centers shall—
“(1) develop regional strategies to address pest management needs;
“(2) assist the Department and partner institutions of the Department in identifying, prioritizing, and coordinating a national pest management research, extension, and education program implemented on a regional basis;
“(3) establish a national pest management communication network that includes—
“(A) the agencies of the Department and other government agencies;
“(B) scientists at institutions of higher education; and
“(C) stakeholders focusing on pest management issues;
“(4) serve as regional hubs responsible for ensuring efficient access to pest management expertise and data available through institutions of higher education; and
“(5) on behalf of the Department, manage grants that can be most effectively and efficiently delivered at the regional level, as determined by the Secretary.”.

Subtitle D—Other Laws

SEC. 7401. CRITICAL AGRICULTURAL MATERIALS.
Section 16(a) of the Critical Agricultural Materials Act (7 U.S.C. 178n(a)) is amended—
(1) by striking “such sums as are necessary for each of fiscal years 1999 through 2013; and
“(2) $2,000,000 for each of fiscal years 2014 through 2018.”

SEC. 7402. EQUITY IN EDUCATIONAL LAND-GRANT STATUS ACT OF 1994.
(a) DEFINITION OF 1994 INSTITUTIONS.—Section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103–382) is amended to read as follows:

“SEC. 532. DEFINITION OF 1994 INSTITUTIONS.
“In this part, the term ‘1994 Institutions’ means any 1 of the following:
“(1) Anahim Nakoda College.
“(2) Bay Mills Community College.
“(3) Blackfeet Community College.
“(4) Cankdeska Cikana Community College.
“(5) Chief Dull Knife Memorial College.
“(6) College of Menominee Nation.
“(7) College of the Muscogee Nation.
“(8) Comanche Nation College.
“(9) D-Q University.
“(10) Dine College.
“(11) Fond du Lac Tribal and Community College.
“(12) Fort Berthold Community College.
“(13) Fort Peck Community College.
“(14) Haskell Indian Nations University.
“(15) Hilsagvik College.
“(16) Institute of American Indian and Alaska Native Culture and Arts Development.
“(17) Keweenaw Bay Ojibwa Community College.
“(18) Lac Courte Oreilles Ojibwa Community College.
“(19) Liiieh Lake Tribal College.
“(20) Little Falls Community College.
“(21) Little Priest Tribal College.
“(22) Navajo Technical College.
“(23) Nebraska Indian Community College.
“(24) Northwestern Iowa Community College.
“(25) Ogala Lakota College.
“(26) Saginaw Chippewa Tribal College.
“(27) Salish Kootenai College.
“(28) Sinte Gleska University.
“(29) Sisseton Wahpeton College.
“(30) Sitting Bull College.
“(31) Southwestern Indian Polytechnic Institute.
“(32) Stone Child College.
“(33) Tohono O’odham Community College.
“(34) Turtle Mountain Community College.
“(35) United Tribes Technical College.
“(36) White Earth Tribal and Community College.
“(b) ENDOWMENT FOR 1994 INSTITUTIONS.—
“(1) IN GENERAL.—Section 533 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103–382) is amended—
“(A) in subsection (a)(2)(A)(i), by striking “of that Act (7 U.S.C. 343(b)(3)) and for programs for children, youth, and families at risk and for Federally recognized tribes implemented under section 3(d) of that Act (7 U.S.C. 343(d))” and inserting “of that Act (7 U.S.C. 343(d))”;
“(B) in subsection (b), in the first sentence by striking “2012” and inserting “2018”; and
“(C) in subsection (c)(3), by striking “2012” and inserting “2018”.
“(2) CONFORMING AMENDMENT.—Section 3(d) of the Smith-Lever Act (7 U.S.C. 343(d)) is amended in the first sentence by striking “and, in the case of programs for children, youth, and families at risk and for Federally recognized tribes, the 1994 Institutions (as defined in section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103–382))” before “may compete for”.
“(c) INSTITUTIONAL CAPACITY BUILDING GRANTS.—Section 535 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103–382) is amended by striking “2012” each place it appears in subsections (b) and (c) and inserting “2018”.
“(d) RESEARCH GRANTS.—
“(1) AUTHORIZATION OF APPROPRIATIONS.—Section 536(c) of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103–382) is amended in the first sentence by striking “2012” and inserting “2018”.
“(2) RESEARCH GRANT REQUIREMENTS.—Section 536(b) of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103–382) is amended by striking “with another college of land-grant college or university” and all that follows and inserting the following: “with—
“(1) the Agricultural Research Service of the Department of Agriculture; or
“(2) at least 1—
“(A) another land-grant college or university (exclusive of another 1994 Institution); or
“(B) non-land-grant college of agriculture (as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)); or
“(C) cooperating forestry school (as defined in that section).”.

SEC. 7403. RESEARCH FACILITIES ACT.
Section 8(a) of the Research Facilities Act (7 U.S.C. 390d(a)) is amended by striking “2012” and inserting “2018”.

SEC. 7404. COMPETITIVE, SPECIAL, AND FACILITIES RESEARCH GRANT ACT.
Section 2 of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 480) is amended—
(1) in subsection (b)(1)(A), in the matter preceding clause (i), by striking “2012” and inserting “2018”;
(2) by adding at the end the following:
“(i) STREAMLINING GRANT APPLICATION PROCESS.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall submit to Congress a report that includes—
“(1) an analysis of barriers that exist in the competitive grants process administered by the National Institute of Food and Agriculture that prevent eligible institutions and other organizations with limited institutional capacity from successfully applying and competing for competitive grants; and
“(2) specific recommendations for future steps that the Department can take to streamline the competitive grants application process so as to remove the barriers and increase the success rates of applicants described in paragraph (1).”.

SEC. 7405. ENHANCED USE LEASE AUTHORITY.
Section 308(b)(6) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 3125a note; Public Law 103–354) is amended by striking subparagraph (a) and inserting the following:
“(A) on September 30, 2018; or”.

SEC. 7406. RENEWABLE RESOURCES EXTENSION ACT OF 1978.
(a) AUTHORIZATION OF APPROPRIATIONS.—Section 6 of the Renewable Resources Extension Act of 1978 (16 U.S.C. 1675) is amended in the first sentence by striking “2012” and inserting “2018”.

(b) TERMINATION DATE.—Section 8 of the Renewable Resources Extension Act of 1978 (16 U.S.C. 1674) is amended by striking “2012” and inserting “2018”.

SEC. 7407. NATIONAL AQUACULTURE ACT OF 1980.
Section 10 of the National Aquaculture Act of 1980 (16 U.S.C. 2601 note; Public Law 96–306) is amended by striking “2012” each place it appears and inserting “2018”.

SEC. 7408. BEGINNING FARMER AND RANCHER DEVELOPMENT PROGRAM UNDER FARM SECURITY AND RURAL INVESTMENT ACT OF 2002.
Section 705 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3319f) is amended—
(1) in subsection (c)(8)—
(A) in subparagraph (B), by striking “and” at the end;
(B) in subparagraph (C), by striking the period at the end and inserting “,” and “;”;
(C) by adding at the end the following:—
“(D) beginning farmers and ranchers who are veterans (as defined in section 101 of title 38, United States Code);”;
(2) by redesignating subsection (h) as subsection (i); and
(3) by inserting after subsection (g) the following:
“(h) STATE GRANTS.—
“(1) DEFINITION OF ELIGIBLE ENTITY.—In this subsection, the term ‘eligible entity’ means—
“(A) an agency of a State or political subdivision of a State;
“(B) a national, State, or regional organization of agricultural producers; and
“(C) any other entity determined appropriate by the Secretary.
“(2) GRANTS.—The Secretary shall use such sums as are necessary of funds made available to carry out this section for each fiscal year under subsection (1) to make grants to States, on a competitive basis, which State shall use to make grants to eligible entities to establish and improve farm safety programs at the local level; and
“(4) in subsection (i) (as redesignated by paragraph (2))—
(A) in paragraph (1)—
(i) in the heading, by striking “FISCAL YEARS 2009 THROUGH 2012”;
(ii) in subparagraph (A), by striking “and” at the end;
(iii) in subparagraph (B), by striking the period at the end and inserting “,” and “;”;
(iv) by adding at the end the following:—
“(C) $17,000,000 for each of fiscal years 2014 through 2018, to remain available until expended; and
(B) in paragraph (2)—
(i) in the heading, by striking “FISCAL YEARS 2009 THROUGH 2012”;
(ii) striking “2012” and inserting “2018”;
(iii) by striking paragraph (3).

Subtitle E—Food, Conservation, and Energy Act of 2008

PART I—AGRICULTURAL SECURITY

SEC. 7501. AGRICULTURAL BIOSECURITY COMMUNICATION CENTER.

Section 14112 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8912) is amended by striking subsection (c) and inserting the following:
“(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—
“(1) such sums as are necessary for each of fiscal years 2008 through 2013; and
“(2) $2,000,000 for each of fiscal years 2014 through 2018.

SEC. 7502. ASSISTANCE TO BUILD LOCAL CAPACITY IN AGRICULTURAL BIOSECURITY PLANNING, PREPARATION, AND RESPONSE.

Section 14113 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8913) is amended—
(1) in subsection (a)(2)—
(A) by striking “such sums as may be necessary”;
(B) by striking “subsection and all that follows and inserting the following: “subsection—
“(1) such sums as are necessary for each of fiscal years 2008 through 2013; and
“(2) $2,000,000 for each of fiscal years 2014 through 2018.”; and
(2) in subsection (b)(2), by striking “is authorized to be appropriated to carry out this subsection” and all that follows and inserting the following:—
“are authorized to be appropriated to carry out this subsection—
“(1) $25,000,000 for each of fiscal years 2008 through 2013; and
“(2) $15,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 7503. RESEARCH AND DEVELOPMENT OF AGRICULTURAL COUNTERMEASURES.

Section 14121(b)(1) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8921(b)) is amended by striking “is authorized to be appropriated to carry out this section” and all that follows and inserting the following:—
“(1) $50,000,000 for each of fiscal years 2008 through 2013; and
“(2) $15,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 7504. AGRICULTURAL BIOSECURITY GRANT PROGRAM.

Section 14122(e) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8922(e)) is amended—
(1) by striking “such sums as are necessary”;
and
(2) by striking “section” and all that follows and inserting the following:—
“(1) such sums as are necessary for each of fiscal years 2008 through 2013, to remain available until expended; and
“(2) $5,000,000 for each of fiscal years 2014 through 2018, to remain available until expended.”.

PART II—MISCELLANEOUS

SEC. 7511. GRAFTINGLANDS RESEARCH LABORATORY.

Section 7502 of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 112 Stat. 2019) is amended by striking “for the 5-year period beginning on the date of enactment of this Act” and inserting “until September 30, 2018.”.

SEC. 7512. BUDGET SUBMISSION AND FUNDING.

Section 5006 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7561(e)) is amended—
(1) in subsection (a)—
(A) by striking “(a) DEFINITION OF COMPETITIVE PROGRAMS.—In this section, the term ‘competitive programs’ means—
“(1) each competitive program prescribed by the Secretary in the annual budget submission of the President; and
“(2) each competitive program prescribed by the Secretary in the annual budget submission of the President except that is carried out by the Economic Reorganization Act of 1965 (20 U.S.C. 1001)); or
(B) by adding at the end the following:
“(2) COVERED PROGRAM.—The term ‘covered program’ means—
“(A) each research program carried out by the Agricultural Research Service or the Economic Research Service for which annual appropriations are requested in the annual budget submission of the President; and
“(B) each competitive program as defined in section 251(c)(1) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6971(c)(1)) carried out by the National Institute of Food and Agriculture for which annual appropriations are requested in the annual budget submission of the President.

(3) REQUEST FOR AWARDS.—The term ‘request for awards’ means a funding announcement published by the National Institute of Food and Agriculture that provides detailed information on funding opportunities at the Institute, including the purpose, eligibility, application focus areas, evaluation criteria, regulatory information, and instructions on how to apply for such opportunities.”;
and
(2) by adding at the end the following:
“(e) ADDITIONAL PRESIDENTIAL BUDGET SUBMISSION REQUIREMENT.—
“(1) IN GENERAL.—Each year, the President shall submit to Congress, together with the annual budget submission of the President, the information described in paragraph (2) for each funding request for a covered program.

(2) INFORMATION DESCRIBED.—The information described in this paragraph includes—
“(A) baseline information, including with respect to each covered program—
“(i) the funding level for the program for the fiscal year preceding the year the annual budget submission of the President is submitted;
“(ii) the funding level requested in the annual budget submission of the President, including any increase or decrease in the funding level; and
“(iii) an explanation justifying any change from the funding level specified in clause (i) to the level specified in clause (ii);
“(B) with respect to each covered program that is carried out by the Economic Research Service, the location and staff years of the program;
“(C) the proposed funding levels to be allocated, and the expected publication date, scope, and allocation level for each request for awards to be published under—
“(i) each priority area specified in section 2(b)(2) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)(2));
“(ii) each research and extension project carried out under section 1621(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5811(a));
“(iii) each grant awarded under section 1621(b) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5929(b)(a)); and
“(iv) each grant awarded under section 411 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7522(b)); and
“(D) any other information the Secretary determines will increase congressional oversight of the competitive programs.

(3) PROHIBITION.—Unless the President submits the information described in paragraph (2)(C) for a fiscal year, the President may not carry out any program during the fiscal year that is authorized under—
“(A) section 2(b) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b));
“(B) section 1621 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5811); and
“(C) section 1672B of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925b);
“(D) section 411 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7521); or
“(E) section 7405 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3319(c)(1));
“(F) REPORT OF THE SECRETARY OF AGRICULTURE.—Each year on a date that is not later than the date on which the President submits the annual budget submission, the Secretary shall submit to Congress a report containing a description of the agricultural research, extension, and education activities carried out by the Federal Government during the fiscal year that immediately precedes the year for which the report is submitted, including—
“(1) a review of the extent to which those activities—
“(A) are duplicative or overlap within the Department of Agriculture; or
“(B) are similar to activities carried out by—
“(i) other Federal agencies;
“(ii) the States (including the District of Columbia, the Commonwealth of Puerto Rico and other territories or possessions of the United States);
“(iii) institutions of higher education as defined in section 1001(b) of the Higher Education Act of 1965 (20 U.S.C. 1001(b)); or
“(iv) the private sector; and

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"(2) for each report submitted under this section on or after January 1, 2013, a 5-year projection of national priorities with respect to agricultural research, extension, and education, taking into account both domestic and international needs.

SEC. 7513. NATURAL PRODUCTS RESEARCH PROGRAM.

Section 7526 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8114) is amended by striking subsection (e) and inserting the following:

"(e) Authorization of Appropriations.—

There is authorized to be appropriated to carry out this section $7,000,000 for each of fiscal years 2010 through 2018.

SEC. 7514. SUN GRANT PROGRAM.

(a) IN GENERAL.—Section 7526 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8114) is amended—

(1) in subsection (a)(4)(B), by striking "the Department of Energy" and inserting "other appropriate Federal agencies (as determined by the Secretary);"

(2) in subsection (b)(1)—

(A) in subparagraph (A), by striking "at South Dakota State University;"

(B) in subparagraph (B), by striking "at the University of Tennessee at Knoxville;"

(C) in subparagraph (C), by striking "at Oklahoma State University;"

(D) in subparagraph (D), by striking "at Oregon State University;"

(E) in subparagraph (E), by striking "in consultation with the Secretary;"

(F) in subparagraph (F), by striking "at the University of Hawaii;"

(3) in subsection (c)(1)—

(A) in subparagraph (B), by striking "multistate" and all that follows through "technology implementation" and inserting "integrated, multistate research, extension, and education programs on technology development and technology implementation";

(B) by striking subparagraph (C); and

(C) by redesignating subparagraph (D) as subparagraph (C).

(4) in subsection (d)—

(A) in paragraph (1)—

(i) by striking "gastification" and inserting "bioprocesses"; and

(ii) by striking "the Department of Energy" and inserting "other appropriate Federal agencies";

(B) by striking paragraph (2);

(C) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively; and

(D) in paragraph (1), by striking "in accordance with the technology implementation" and inserting "in accordance with the integrated, multistate research, extension, and education programs on technology development and technology implementation";

(5) in subsection (g), by striking "2012" and inserting "2018".

(b) In the case of the Foundation Amendments.—Section 7526(f) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8114(f)) is amended—

(1) in paragraph (1), by striking "subsection (c)(1)(D)(i)" and inserting "subsection (d)(1)(i)";

(2) in paragraph (2), by striking subsection (d)(1)(i) and inserting subsection (d)(4).

Subtitle F—Miscellaneous

SEC. 7601. FOUNDATION FOR FOOD AND AGRICULTURE RESEARCH.

(a) Definition.—In this section:

(1) Board.—The term ‘‘Board’’ means the Board of Directors described in subsection (e).

(2) Department.—The term ‘‘Department’’ means the Department of Agriculture.

(3) Foundation.—The term ‘‘Foundation’’ means the Foundation for Food and Agriculture Research established under subsection (b).

(4) Secretary.—The term ‘‘Secretary’’ means the Secretary of Agriculture.

(b) Foundations.

(1) IN GENERAL.—The Secretary shall establish a nonprofit corporation to be known as the ‘‘Foundation for Food and Agriculture Research’’.

(2) STATUS.—The Foundation shall not be an agency or instrumentality of the United States Government.

(c) Purposes.—The purposes of the Foundation shall be—

(1) to advance the research mission of the Department by supporting agricultural research activities focused on addressing key problems of national and international significance including—

(A) plant health, production, and plant products;

(B) animal health, production, and products;

(C) food safety, nutrition, and health;

(D) renewable energy, natural resources, and the environment;

(E) agricultural and food security;

(F) agricultural systems and technology; and

(G) agriculture economics and rural communities;

(2) to foster collaboration with agricultural researchers from the Federal Government, institutions of higher education, industry, and nonprofit organizations.

(d) Duties.—

(1) IN GENERAL.—The Foundation shall—

(A) award grants, or enter into contracts, memoranda of understanding, or cooperative agreements with, scientists and entities, which may include agricultural research entities of the Department, public universities, university consortia, public-private partnerships, institutions of higher education, nonprofit organizations, and industry, to efficiently and effectively advance the goals and priorities of the Foundation;

(B) in consultation with the Secretary—

(i) identify existing and proposed Federal intramural and extramural research and development programs relating to the purposes of the Foundation described in subsection (c); and

(ii) coordinate Foundation activities with those programs so as to minimize duplication of existing efforts;

(C) identify unmet and emerging agricultural research needs after reviewing the Roadmap for Agricultural Research, Education, and Extension as required by section 7594 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8114a).

(2) DEPARTMENT.—The term ‘‘Department’’ means the Department of Agriculture.

(3) FOUNDATION.—The term ‘‘Foundation’’ means the Foundation for Food and Agriculture Research.

(4) SECURITIES.—The term ‘‘Secretary’’ means the Secretary of Agriculture.

(5) S ECRETARY.—The Secretary shall be governed by a Board of Directors.

(6) BOARD.—The term ‘‘Board’’ means the Board of Directors described in subsection (e).

(7) SECRETARY.—The term ‘‘Secretary’’ means the Secretary of Agriculture.

(i) The Board shall be composed of 15 individuals or designees:

(ii) The Secretary shall select from a list of candidates to be provided by the National Academy of Sciences; and

(iii) The Board shall be appointed by the Secretary.

(e) Board of Directors.

(1) IN GENERAL.—The Board shall be composed of 15 individuals or designees:

(A) appointed by the Secretary;

(B) appointed by the Secretary;

(C) appointed by the Secretary;

(D) appointed by the Secretary;

(E) appointed by the Secretary;

(F) appointed by the Secretary;

(G) appointed by the Secretary;

(H) appointed by the Secretary;

(I) appointed by the Secretary;

(J) appointed by the Secretary;

(K) appointed by the Secretary;

(L) appointed by the Secretary;

(M) appointed by the Secretary;

(N) appointed by the Secretary;

(O) appointed by the Secretary;

(P) appointed by the Secretary;

(Q) appointed by the Secretary;

(R) appointed by the Secretary;

(S) appointed by the Secretary;

(T) appointed by the Secretary;

(U) appointed by the Secretary;

(V) appointed by the Secretary;

(W) appointed by the Secretary;

(X) appointed by the Secretary;

(Y) appointed by the Secretary;

(Z) appointed by the Secretary.

(f) Governance.

(1) COMPOSITION.—The Board shall consist of 15 individuals or designees:

(A) appointed by the Secretary;

(B) appointed by the Secretary;

(C) appointed by the Secretary;

(D) appointed by the Secretary;

(E) appointed by the Secretary;

(F) appointed by the Secretary;

(G) appointed by the Secretary;

(H) appointed by the Secretary;

(I) appointed by the Secretary;

(J) appointed by the Secretary;

(K) appointed by the Secretary;

(L) appointed by the Secretary;

(M) appointed by the Secretary;

(N) appointed by the Secretary;

(O) appointed by the Secretary;

(P) appointed by the Secretary;

(Q) appointed by the Secretary;

(R) appointed by the Secretary;

(S) appointed by the Secretary;

(T) appointed by the Secretary;

(U) appointed by the Secretary;

(V) appointed by the Secretary;

(W) appointed by the Secretary;

(X) appointed by the Secretary;

(Y) appointed by the Secretary;

(Z) appointed by the Secretary.

(2) APPOINTMENT.—The Board shall be appointed by the Secretary within 90 days after the date of enactment of this Act.

(3) INITIAL MEETING.—Not later than 60 days after the date of enactment of this Act, the Secretary shall convene a meeting of the ex-officio members of the Board—

(A) to incorporate the Foundation; and

(B) to appoint the members of the Board in accordance with paragraph (2)(C)(i).

(g) Powers.

(1) IN GENERAL.—The Board shall—

(i) establish bylaws for the Foundation that, at a minimum, include—

(I) policies for the selection of future Board members, officers, employees, agents, and contractors of the Foundation;

(II) policies, including ethical standards, for—

(aa) the acceptance, solicitation, and disposition of donations and grants to the Foundation; and

(bb) the disposition of assets of the Foundation, including appropriate limits on the ability of donors to designate, by stipulation or restriction, the use or recipient of donated funds;

(III) policies that would subject all employees, fellows, trainees, and other agents of the Foundation (including members of the Board) to the conflict of interest standards under section 208 of title 18, United States Code;

(IV) policies for writing, editing, printing, publishing, and vending of books and other materials;

(V) policies for the conduct of the general operations of the Foundation, including a cap on administrative expenses for recipients of a grant, contract, or cooperative agreement from the Foundation; and

(VI) specific duties for the Executive Director;

(ii) prioritize and provide overall direction for the activities of the Foundation;

(iii) evaluate the performance of the Executive Director; and

(iv) carry out any other necessary activities regarding the Foundation.

(h) Establishment of Bylaws.—In establishing bylaws under subsection (a)(4), the Board shall ensure that the bylaws do not—

(i) reflect unfavorably on the ability of the Foundation to carry out the purposes of the Foundation in a fair and objective manner; or
II compromise, or appear to compromise, the integrity of any governmental agency or program, or any officer or employee employed by or involved in a governmental agency or program.

5. TERMS AND VACANCIES.—
(A) TERMS.—
(i) IN GENERAL.—The term of each member of the Board appointed under paragraph (2)(C) shall be 5 years.
(ii) PARTIAL TERMS.—If a member of the Board does not serve the full term applicable under paragraph (3)(C), the individual appointed to fill the resulting vacancy shall be appointed for the remainder of the term of the predecessor of the individual.
(iii) Appointed member of the Board may continue to serve after the expiration of the term of the member until a successor is appointed.
(B) VACANCIES.—Any vacancy in the membership of the Board shall be filled in the manner in which the original position was made and shall not affect the power of the remaining members to execute the duties of the Board.

6. COMPENSATION.—Members of the Board may not receive compensation for service on the Board, nor be reimbursed for travel, subsistence, and other necessary expenses incurred in carrying out the duties of the Board.

7. MEETINGS AND QUORUM.—A majority of the members of the Board shall constitute a quorum for purposes of conducting business of the Board.

8. ADMINISTRATION.—
(A) IN GENERAL.—The Board shall hire an Executive Director who shall carry out such duties and responsibilities as the Board may prescribe.
(B) SERVICE.—The Executive Director shall serve at the pleasure of the Board.

9. ADMINISTRATIVE POWERS.—
(A) IN GENERAL.—In carrying out this section, the Board, acting through the Executive Director, may—
(i) adopt, alter, and use a corporate seal, which shall be judicially noticed;
(ii) hire, promote, compensate, and discharge 1 or more officers, employees, and agents as may be necessary, and define the duties of the officers, employees, and agents;
(iii) solicit and accept any gifts, grants, devises, or bequests of real or personal property or money, which shall include—
(aa) the source of the gifts or grants; and
(bb) any restrictions on the purposes for which the gift or grant may be used.

9. MANDATORY FUNDING.—
(B) LIMIATION.—No appointed member of the Board or officer or employee of the Foundation or of any program established by the Foundation (other than ex-officio members of the Board) shall exercise administrative control over any Federal employee:

9. COMPENSATION.—Members of the Board shall—
(i) provide for annual audits of the financial condition of the Foundation; and
(ii) make the audits, and all other records, documents, and other papers of the Foundation, available to the Secretary and the Comptroller General of the United States for examination or audit.

B) REPORTS.—
(I) ANNUAL REPORT ON FOUNDATION.—
(ii) the Board shall—
(aa) make copies of each report submitted under subclause (I) available for public inspection; and
(bb) on request, provide a copy of the report to any interested person.

IV) PUBLIC MEETING.—The Board shall hold an annual public meeting to summarize the activities of the Foundation.

2. RESTRICTION.—For each fiscal year, the Secretary shall use not more than $1,000,000 of the amounts made available to the National Agricultural Library to carry out this section.

3. INTELLECTUAL PROPERTY.—The Board shall adopt written standards to govern ownership of any intellectual property rights derived from the collaborative efforts of the Foundation.

4. LIABILITY.—The United States shall not be liable for any debts, defaults, acts, or omissions of the Foundation nor shall the full faith and credit of the United States extend to any obligations of the Foundation.

F) FUNDS.—
(1) MANDATORY FUNDING.—
(A) IN GENERAL.—On October 1, 2013, of the funds of the Commodity Credit Corporation, the Secretary shall transfer to the Foundation to carry out this section $100,000,000, to be made available until expended under the conditions described in subparagraph (B).
(B) CONDITIONS ON EXPENDITURE.—The Foundation may use the funds made available under subparagraph (A) to carry out the purposes of the Foundation only to the extent that the Foundation secures an equal amount of non-Federal matching funds for each expenditure.

C) PROHIBITION ON CONSTRUCTION.—None of the funds made available under subparagraph (A) may be used for construction.

D) ADMINISTRATION.—The Executive Director shall ensure that any funds received under paragraph (1) are held in separate accounts from funds received from nongovernmental entities as described in subsection (f)(2)(A)(iii).

5. OBJECTIVE AND SCHOLARLY AGRICULTURAL AND FOOD LAW RESEARCH AND INFORMATION.

SECTION 7602. OBJECTIVE AND SCHOLARLY AGRICULTURAL AND FOOD LAW RESEARCH AND INFORMATION.

_subtitle_A Repeal of Certain Forestry Programs

 SECTION 8001. FOREST LAND ENHANCEMENT PROGRAMS.

(a) REPEAL.—Section 4 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103) is repealed.
SEC. 8001. STATE-WIDE ASSESSMENT AND STRATEGIES FOR FOREST RESOURCES.

Section 246(b)(1) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103a(h)) is amended by striking subsection (g) and inserting the following:

"(2) ADDITIONAL FUNDING SOURCES.—In addition to any funds appropriated for each fiscal year, the Secretary may use any other Federal funds available to the Secretary.".

SEC. 8003. EXPIRED COOPERATIVE NATIONAL FOREST PRODUCTS MARKETING PROGRAM.

Section 18 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2112) is amended by striking "2012" and inserting "2014 through 2018.".

SEC. 8002. TRIBAL WATERSHED FORESTRY ASSISTANCE PROGRAM.

Section 7 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2130c) is amended by striking subsection (m) and inserting the following:

"(m) FINDING.—

"(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $200,000,000 for each of fiscal years 2014 through 2018.

"(2) ADDITIONAL FUNDING SOURCES.—In addition to any funds appropriated for each fiscal year, the Secretary may use any other Federal funds available to the Secretary.".

SEC. 8010. COMMUNITY FOREST AND OPEN SPACE CONSERVATION PROGRAM.

Section 7A of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2130d) is amended by striking subsection (g) and inserting the following:

"(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $50,000,000 for each of fiscal years 2014 through 2018.

"(h) E FFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

SEC. 8101. FOREST STEWARDSHIP PROGRAM.

Section 5(h) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103a(h)) is amended by striking such sums as may be necessary thereafter and inserting "$50,000,000 for each of fiscal years 2014 through 2018.".

SEC. 8102. TRIBAL WATERSHED FORESTRY ASSISTANCE PROGRAM.

Section 7 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2130c) is amended by striking subsection (m) and inserting the following:

"(m) FINDING.—

"(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $200,000,000 for each of fiscal years 2014 through 2018.

"(2) ADDITIONAL FUNDING SOURCES.—In addition to any funds appropriated for each fiscal year, the Secretary may use any other Federal funds available to the Secretary.".

SEC. 8103. FOREST LEGACY PROGRAM.

Section 7 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2130c) is amended by striking subsection (m) and inserting the following:

"(m) FINDING.—

"(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $200,000,000 for each of fiscal years 2014 through 2018.

"(2) ADDITIONAL FUNDING SOURCES.—In addition to any funds appropriated for each fiscal year, the Secretary may use any other Federal funds available to the Secretary.".

SEC. 8104. COMMUNITY FOREST AND OPEN SPACE CONSERVATION PROGRAM.

Section 7A of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2130d) is amended by striking subsection (g) and inserting the following:

"(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $50,000,000 for each of fiscal years 2014 through 2018.

"(h) E FFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

Title VI of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6551 et seq.) is amended—

(a) by redesignating sections 405 and 406 (16 U.S.C. 6553, 6556) as sections 406 and 407, respectively;

(b) in subsection (a)—

(1) by striking paragraphs (3) through (12) as paragraphs (4) through (13), respectively; and

(2) by inserting after paragraph (2) the following:

"(3) the mountain pine beetle is—

(A) threatening and ravaging forests throughout the Western region of the United States, including Arizona, California, Colorado, Idaho, Nevada, New Mexico, Oregon, and South Dakota;

(B) reaching epidemic populations and severely impacting over 41,000,000 acres in western forests;

(C) deteriorating forest health in national forests and, when combined with drought, disease, storm damage, and insect pests, is resulting in extreme fire hazard conditions across the Western United States and endangering the economic stability of surrounding adjacent communities, ranches, and parks; and

(3) road and trail maintenance or obliterating;".

Title IV of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6551 et seq.) is amended—

(a) by redesignating sections 405 and 406 (16 U.S.C. 6553, 6556) as sections 406 and 407, respectively;

(b) by inserting after paragraph 406 (16 U.S.C. 6554) the following:

"SEC. 405. DESIGNATION OF TREATMENT AREAS.

(1) DESIGNATION OF TREATMENT AREAS.—Not later than 60 days after the date of enactment, the Secretary shall designate—

(A) treatment areas on the public lands for the national forests and the public lands services to achieve land management goals of a project under subsection (b); and

(B) treatment areas on the public lands for the national forests and the public lands services to achieve land management goals for the national forests and the public lands that meet local and rural community needs.

(2) PROCUREMENT PROCEDURE.—A source of performance for an agreement or contract under subsection (b) shall be selected on a best-value basis, including consideration of source under other public and private agreements or contracts.

(3) CONTRACT FOR SALE OF PROPERTY.—A contract entered into under this section may, at the discretion of the Secretary of Agriculture, be considered a contract for the sale of property under such terms as the Secretary may prescribe without regard to any other provision of law.

(4) TERMS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Chief and the Director may enter into a contract under subsection (b) in accordance with section 3003 of title 41, United States Code.

(B) MAXIMUM.—The period of the contract under subsection (b) may exceed 5 years but may not exceed 10 years.

(5) OFFSETS.—

(A) IN GENERAL.—The Chief and the Director may apply the value of timber or other forest products remaining after the cost of services received under the agreement or contract described in subsection (b) and described in section 401, to offset under subparagraph (A)—

(i) shall be determined using appropriate methods of appraisal commensurate with the quantity of products to be removed; and

(ii) may—

(I) be determined using a unit of measure appropriate to the contracts; and

(II) may include valuing products on a per-acre basis.

(6) RELATION TO OTHER LAWS.—Notwithstanding subsections (d) and (e) of section 4 of the National Forest Management Act of 1976 (16 U.S.C. 674), the Chief may enter into an agreement or contract under subsection (b).

SEC. 602. STEWARDSHIP END RESULT CONTRACTING PROJECTS.

(a) DEFINITIONS.—In this section:

(i) CHIEF.—The term ‘Chief’ means the Chief of the Forest Service.

(ii) DIRECTOR.—The term ‘Director’ means the Director of the Bureau of Land Management.

(b) PROJECTS.—The Chief and the Director, via agreement or contract as appropriate, may enter into stewardship contracting projects with private persons or other public or private entities to perform services to achieve land management goals for the national forests and the public lands that meet local and rural community needs.

(c) MANAGEMENT GOALS.—The land management goals of a project under subsection (b) may include—

(1) road and trail maintenance or obliterating;".

"(2) soil productivity, habitat for wildlife and fisheries, or other resource values;".

"(3) setting of prescribed fires to improve the composition, structure, condition, and health of stands or to improve wildlife habitat;".

"(4) removing vegetation or other activities to promote healthy forest stands, reduce fire hazards, or achieve other land management objectives;".

"(5) watershed restoration and maintenance;".

"(6) restoration and maintenance of wildlife and fish; or".

"(7) control of noxious and exotic weeds and reestablishing.".

(4) AGREEMENTS OR CONTRACTS.—

(a) PROCUREMENT PROCEDURE.—A source of performance for an agreement or contract under subsection (b) shall be selected on a best-value basis, including consideration of source under other public and private agreements or contracts.

(b) CONTRACT FOR SALE OF PROPERTY.—A contract entered into under this section may, at the discretion of the Secretary of Agriculture, be considered a contract for the sale of property under such terms as the Secretary may prescribe without regard to any other provision of law.

(5) TERM.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Chief and the Director may enter into a contract under subsection (b) in accordance with section 3003 of title 41, United States Code.

(B) MAXIMUM.—The period of the contract under subsection (b) may exceed 5 years but may not exceed 10 years.

(6) OFFSETS.—

(A) IN GENERAL.—The Chief and the Director may apply the value of timber or other forest products remaining after the cost of services received under the agreement or contract described in subsection (b) and described in section 401, to offset under subparagraph (A)—

(i) shall be determined using appropriate methods of appraisal commensurate with the quantity of products to be removed; and

(ii) may—

(I) be determined using a unit of measure appropriate to the contracts; and

(II) may include valuing products on a per-acre basis.

(7) RELATION TO OTHER LAWS.—Notwithstanding subsections (d) and (e) of section 4 of the National Forest Management Act of 1976 (16 U.S.C. 674), the Chief may enter into an agreement or contract under subsection (b).
determine the appropriate contracting officer to enter into and administer an agreement or contract under subsection (b).

(e) RECEPTS.—

"(1) DEFINITION.—The Chief and the Director may collect monies from an agreement or contract under subsection (b) if the collection is a secondary objective of negotiating the contract that will best achieve the purposes of this section.

"(2) USE.—Monies from an agreement or contract under subsection (b) may be retained by the Chief and the Director; and

"(B) shall be available for expenditure without further appropriation at the project site from which the monies are collected or at another project site.

"(3) RELATION TO OTHER LAWS.—

"(A) IN GENERAL.—Notwithstanding any other provision of law, the value of services received by the Chief or the Director under a stewardship contract project conducted under this section, and any payments made or receivable provided by the contractor, Chief, or Director shall not be considered monies received from the National Forest System or the public lands.

"(B) KNUTSON-VANDERBERG ACT.—The Act of June 9, 1930 (commonly known as the 'Knutson-Vanderberg Act') (16 U.S.C. 576 et seq.) shall not apply to any agreement or contract under subsection (b).

"(f) COSTS OF REMOVAL.—Notwithstanding the fact that a contractor did not harvest the timber, the Chief may collect deposits from a contractor covering the costs of removal of timber or other forest products under

"(1) the Act of August 11, 1916 (16 U.S.C. 490); and


"(g) PERFORMANCE AND PAYMENT GUARANTEES.—

"(1) IN GENERAL.—The Chief and the Director may require performance and payment bonds under sections 28.102-2 and 28.102-3 of the Federal Acquisition Regulation, in an amount that the contracting officer considers sufficient to protect the investment in the forest product to be harvested under the agreement or contract under subsection (b).

"(2) EXCESS OFFSET VALUE.—If the offset value of the forest products exceeds the value of the resource improvement treatments, the Chief and the Director may require that, in receipts by the Federal Government generated by the contractor from the estimated value of the forest products to be removed under the agreement or contract under subsection (b),

"(A) any residual receipts under the Act of June 9, 1930 (commonly known as the 'Knutson-Vanderberg Act') (16 U.S.C. 576 et seq.); and

"(B) apply the excess to other authorized stewardship projects.

"(h) MONITORING AND EVALUATION.—

"(1) IN GENERAL.—The Chief and the Director shall establish a multiparty monitoring and evaluation process that assesses the stewardship contracting projects conducted under this section.

"(2) PARTICIPANTS.—Other than the Chief and Director, participants in the process described in paragraph (1) may include

"(A) any cooperating governmental agencies, including tribal governments; and

"(B) any other interested groups or individuals.

"(1) REPORTING.—Not later than 1 year after the date of enactment of this section, and annually thereafter, the Chief and the Director shall report to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives on

"(A) the status of development, execution, and administration of agreements or contracts under subsection (b);

"(2) the specific accomplishments that have resulted; and

"(3) the role of local communities in the development of agreements or contract plans.

"(b) CONFORMING AMENDMENT.—Section 347 of the Department of the Interior and Related Agencies Appropriations Act, 1999 (16 U.S.C. 2194 note; Public Law 105-277) is repealed.

SEC. 8205. HEALTHY FORESTS RESERVE PROGRAM.

"(A) DEFINITION OF ACREAGE OWNED BY INDIAN TRIBES.—Section 502(e)(3) of the Healthy Forests Restoration Act (16 U.S.C. 657(b)(3)) is amended—

"(1) in subparagraph (C), by striking "subparagraphs (A) and (B)" and inserting "clauses (i) and (ii)";

"(B) by redesignating subparagraphs (A) through (C) as clauses (i) through (iii), respectively, and indenting appropriately; and

"(c) EFFECTIVE DATE.—The amendments made by this section take effect on October 1, 2013.

SEC. 8302. REVISION OF STRATEGIC PLAN FOR FOREST INVENTORY AND ANALYSIS.

"(a) REVISION REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture shall revise the strategic plan for forest inventory and analysis initially prepared pursuant to section 3(e) of the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1624(e)) to address the requirements imposed by subsection (b).

"(B) ELEMENTS OF REVISED STRATEGIC PLAN.—In revising the strategic plan, the Secretary of Agriculture shall describe in detail the organizational and funding needed to achieve each of the following:

"(1) Complete the transition to a fully annualized forest inventory program and initialize inventory and analysis of interior Alaska.

"(2) Implement an annualized inventory of trees in urban settings, including the status and trends of trees and forests, and assessments of their ecosystem services, values, health, and risk to pests and diseases.

"(3) Report information on renewable biomasses and carbon stocks at the local, State, regional, and national level, including by ownership type.

"(4) Engage State foresters and other users of information from the forest inventory and analysis in reevaluating the list of core data variables collected on forest inventory and analysis plots with an emphasis onemonstrated need.

"(5) Improve the timeliness of the timber product output program and accessibility of the annualized information on that database.

"(6) Foster greater collaboration among the forest inventory and analysis program, research station leaders, and State foresters and other users of information from the forest inventory and analysis program.

"(7) Availability of and access to non-Federal resources to improve information analysis and information management.

"(8) Collaborate with the Natural Resources Conservation Service, National Aeronautics and Space Administration, National Oceanic and Atmospheric Administration, and United States Geological Survey to integrate remote sensing, spatial analysis techniques, and other new technologies in the forest inventory and analysis program.

"(9) Understand and report on changes in land cover and use.

"(10) Expand existing programs to promote sustainable forest stewardship and increased understanding, in partnership with other Federal agencies, of the over 10 million family forest owners, their demographics, and the barriers to forest management.

"(11) Implement procedures to improve the statistical precision of estimates at the sub-State level.

"(b) SUBMISSION OF REVISED STRATEGIC PLAN.—The Secretary of Agriculture shall submit the revised strategic plan to the Committee on Agriculture of the House of Representatives and the Committees on Agriculture, Nutrition, and Forestry of the Senate.
TITLE IX—ENERGY

SEC. 9001. DEFINITION OF RENEWABLE CHEMICAL.

Section 9001 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8101) is amended—

(1) by redesigning paragraphs (13) and (14) as paragraphs (14) and (15) respectively; and

(2) by inserting after paragraph (12) the following:

"(13) RENEWABLE CHEMICAL.—The term "renewable chemical" means a monomer, polymer, plastic, formulated product, or chemical substance produced from renewable biomass.

SEC. 9002. BIOBASED MARKETS PROGRAM.

(a) In General.—Section 9002 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8102) is amended—

(1) in subsection (a)—

(A) in paragraph (2)(A)(1)—

(i) in clause (I), by striking "and" at the end;

(ii) in clause (II)(bb), by striking the period at the end and inserting "and";

(iii) by adding at the end the following:

"(III) established a targeted biobased-only procurement requirement under which the procuring agency shall issue a certain number of biobased-only contracts when the procuring agency is purchasing products, or purchasing services that include the use of products, that are included in a biobased product category designated by the Secretary;"; and

(B) in paragraph (3)—

(i) in subsection (b), by inserting "as determined to be necessary by the Secretary based on the availability of data," before "provide information;";

(ii) by redesigning clauses (v) and (vi) as clauses (vii) and (viii), respectively; and

(iii) by inserting after clause (iv) the following:

"(v) require reporting of quantities and types of biobased products purchased by procuring agencies;"

"(vi) focus on products that apply an innovative approach to growing, harvesting, processing, or manufacturing biobased products regardless of the date of entry of the products into the marketplace;" and

(ii) by adding at the end the following:

"(F) REQUIREMENTS.—Not later than one year after the date of enactment of this subparagraph, the Secretary shall begin to designate intermediate ingredients or feedstocks and assembled and finished biobased products in the guidelines issued under this paragraph;"

(2) in subsection (b)—

(A) in paragraph (3)—

(i) by striking "The Secretary" and inserting the following:

"(A) IN GENERAL.—The Secretary"; and

(ii) by adding at the end the following:

"(B) AUDITING AND COMPLIANCE.—The Secretary may carry out such auditing and compliance activities as the Secretary determines to be necessary to ensure compliance with the requirements included in a biobased product category designated by the Secretary; and

(B) by adding at the end the following:

"(4) ASSEMBLED AND FINISHED PRODUCTS.—Not later than 1 year after the date of enactment of this paragraph, the Secretary shall begin issuing criteria for determining which assembled and finished products may qualify to receive the label under paragraph (1)."

(3) in subsection (c)—

(A) in paragraph (2)—

(i) in the matter preceding paragraph (A) by striking "The report" and inserting "Each report under paragraph (1)";

(ii) in subparagraph (A), by striking "and" at the end;

(iii) in subparagraph (B)(ii), by striking the period at the end and inserting a semicolon;

(iv) by adding at the end the following:

"(C) the progress made by other Federal agencies in compliance with the biobased procurement requirements, including the quantity of purchases made; and

"(D) the status of outreach, educational, and promotional activities carried out by the Secretary under subsection (d), including the attainment of specific milestones and overall results;" and

(B) by adding at the end the following:

"(D) ECONOMIC IMPACT STUDY AND REPORT.—

'"(A) IN GENERAL.—The Secretary shall conduct a study to assess the economic impact of the biobased products industry, including—

'"(1) the quantity of biobased products sold;

'"(2) the value of the biobased products;

'"(3) the quantity of jobs created;

'"(4) the quantity of greenhouse gas emissions displaced;

'"(5) other environmental benefits; and

'"(6) areas in which the use of manufactured biobased products is more effectively used, including identifying any technical and economic obstacles and recommending how those obstacles can be overcome.

'"(B) REPORT.—Not later than 180 days after the date of enactment of this subparagraph, the Secretary shall submit to Congress a report describing the results of the study conducted under subparagraph (A)."

(6) by inserting after subsection (g) (as redesignated by paragraph (3)) the following:

"(h) FOREST PRODUCTS LABORATORY CO-ORDINATION.—In determining whether products are eligible for the "USDA Certified Biobased Product" label, the Secretary (acting through the Forest Products Laboratory) shall—

"(1) review and approve forest-related products which an application is submitted for the program;

"(2) expedite the approval of innovative products resulting from technology development supported by the Forest Products Laboratory or partners of the Laboratory; and

"(3) provide appropriate technical assistance to applicants, as determined by the Secretary;"

(7) in subsection (j) (as redesignated by paragraph (3))—

(A) in the heading of paragraph (1), by inserting "for fiscal years 2008 through 2012" after "funding";

(B) in the heading of paragraph (2), by inserting "for fiscal years 2009 through 2013" after "funding"; and

(C) by adding at the end the following:

"(5) FISCAL YEARS 2014 THROUGH 2018.—The Secretary shall carry out this section $2,000,000 for each of fiscal years 2014 through 2018.

(6) MANDATORY FUNDING FOR FISCAL YEARS 2014 THROUGH 2018.—On the funds of Commodity Credit Corporation, the Secretary shall carry out this section $3,000,000 for each of fiscal years 2014 through 2018."

(b) CONFORMING AMENDMENT.—Section 902(b)(2)(A) of the Energy Independence and Security Act of 2007 (42 U.S.C. 16253(c)(2)(A)) is amended by striking "section 9002(h)(1)" and inserting "section 9002(b)."

SEC. 9003. BIOREFINERY, RENEWABLE CHEMICAL, AND BIOBASED PRODUCT MANUFACTURING ASSISTANCE.

(a) PROGRAM ADJUSTMENTS.—

(1) IN GENERAL.—Section 9003 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8103) is amended—

(A) in the section heading, by inserting "RENEWABLE CHEMICAL, AND BIOBASED PRODUCT MANUFACTURING" after "BIO-

REFINERY;"

(B) in subsection (a), in the matter preceeding paragraph (1), by inserting "renewable chemicals, and biobased product manufac-

turing" after "advanced biofuels;".

(C) in subsection (b)—

(i) by redesigning paragraphs (1) and (2) as paragraphs (2) and (3) respectively; and

(ii) by inserting before paragraph (2) (as so redesignated) the following:

"(1) BIOBASED PRODUCT MANUFACTURING.—

The term "biobased product manufacturing" means development, construction, and retrofitting of technologically new commercial-scale processing and manufacturing equipment and required facilities that will be used to convert renewable chemicals and other biobased outputs of biorefineries into end-user products on a commercial scale;"; and

(D) in subsection (c)—

(i) (in paragraph (1), by striking "and" at the end;

(ii) in paragraph (2), by striking the period at the end and inserting "and";

(iii) by adding at the end the following:

"(3) grants and loan guarantees to fund the development and construction of renewable chemical and biobased product manufac-

turing facilities.";

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on October 1, 2013.

(b) FUNDING.—Section 9003(b)(5) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8101b)(h) is amended—

(1) by striking paragraph (1) and inserting the following:

"(1) MANDATORY FUNDING.—

"(A) IN GENERAL.—Subject to subparagraph (B), the funds of the Commodity Credit Corporation, the Secretary shall use for the cost of loan guarantees under this section, to remain available until expended—

"(1) $100,000,000 for fiscal year 2013; and

"(2) $85,000,000 for each of fiscal years 2014 and 2015.

"(B) BIOBASED PRODUCT MANUFACTURING.—Of the total amount of funds made available for the purposes of this section not more than $25,000,000 to promote biobased product manufacturing;"; and

(2) in paragraph (2), by striking "2013" and inserting "2013".
SEC. 9004. REPEAL OF REPPOWERING ASSISTANCE PROGRAM AND TRANSFER OF REMAINING FUNDS.

(a) REPEAL.—(1) subsection (b), section 9004 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8104) is repealed.

(b) USE OF REMAINING FUNDING FOR RURAL ENERGY FOR AMERICA PROGRAM.—Funds made available pursuant to subsection (d) of section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107) that are unobligated on the day before the date of enactment of this section shall—

(1) remain available until expended;

(2) be used by the Secretary of Agriculture to carry out financial assistance for energy efficiency improvements and renewable energy projects under section 9007(a)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107(a)(2)); and

(3) be in addition to any other funds made available to carry out that program.

SEC. 9005. BIOENERGY PROGRAM FOR ADVANCED BIOFUELS.

Section 9005(g) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8105(g)) is amended—

(1) in the heading of paragraph (1), by inserting "FOR FISCAL YEARS 2009 THROUGH 2012'' after "FUNDING'';

(2) in the heading of paragraph (2), by inserting "FOR FISCAL YEARS 2009 THROUGH 2013'' after "FUNDING'';

(3) by redesignating paragraph (3) as paragraph (4); and

(4) by inserting after paragraph (2) the following:

"(3) FISCAL YEARS 2014 THROUGH 2018.—There is authorized to be appropriated to carry out this section $20,000,000 for each of fiscal years 2014 through 2018.

SEC. 9006. BIODIESEL FUEL EDUCATION PROGRAM.

Section 9006(d) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8106(d)) is amended—

(1) in paragraph (1)—

(A) in the heading, by striking "FISCAL YEARS 2009 THROUGH 2012'' and inserting "Mandatory Funding''; and

(B) by striking "2012'' and inserting "2018''; and

(2) in paragraph (2), by striking "fiscal year 2013'' and inserting "each of fiscal years 2014 through 2018''.

SEC. 9007. RURAL ENERGY FOR AMERICA PROGRAM.

(a) PROGRAM ADJUSTMENTS.—

(1) IN GENERAL.—Section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107) is amended—

(A) in subsection (b)(2)—

(i) in subparagraph (C), by striking "and'' at the end;

(ii) by redesignating subparagraph (D) as subparagraph (E); and

(iii) by inserting after subparagraph (C) the following:

"(D) no council (as defined in section 1528 of the Agriculture and Food Act of 1981 (16 U.S.C. 3415)); and''; and

(B) in subsection (c)—

(i) in project area available, by inserting ", such as for agricultural and associated residential purposes'' after "electricity'';

(ii) by striking paragraph (3);

(iii) by redesignating paragraph (4) as paragraph (3);

(iv) in paragraph (3) (as so redesignated), by striking paragraph (A) and inserting the following:

"(A) GRANTS.—The amount of a grant under this subsection shall not exceed the lesser of

(1) $300,000; and

(2) 25 percent of the cost of the activity carried out using funds from the grant.''; and

(v) by adding at the end the following:

"(4) TIERED APPLICATION PROCESS.—

"(A) IN GENERAL.—In providing loan guarantees and grants under this subsection, the Secretary shall use a 3-tiered application process that reflects the size of proposed projects in accordance with this paragraph.

"(B) Tier 1.—The Secretary shall establish a separate application process for projects for which the cost of the activity funded under this subsection is not more than $50,000.

"(C) Tier 2.—The Secretary shall establish a separate application process for projects for which the cost of the activity funded under this subsection is greater than $50,000 but less than $200,000.

"(D) Tier 3.—The Secretary shall establish a separate application process for projects for which the cost of the activity funded under this subsection is equal to or greater than $200,000.

"(E) APPLICATION PROCESS.—The Secretary shall establish an application, evaluation, and oversight process that is the most simplified for tier I projects and more comprehensive for each subsequent tier.'';

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on October 1, 2013.

(b) FUNDING.—Section 9007(g) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107(g)) is amended—

(1) in the heading of paragraph (1), by inserting "FOR FISCAL YEARS 2009 THROUGH 2012'' after "FUNDING'';

(2) in the heading of paragraph (2), by inserting "FOR FISCAL YEARS 2009 THROUGH 2012'' after "FUNDING'';

(3) in the heading of paragraph (3), by inserting "FOR FISCAL YEARS 2009 THROUGH 2012'' after "FUNDING'';

(4) by adding at the end the following:

"(4) FISCAL YEARS 2014 THROUGH 2018.—There is authorized to be appropriated to carry out this section $100,000,000 for each of fiscal years 2014 through 2018.

SEC. 9010. BIOMASS CROP ASSISTANCE PROGRAM.

Section 9010(b)(1) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8110(b)) is amended—

(1) in paragraph (1)(A), by striking "2013'' and inserting "2018''; and

(2) in paragraph (1)(A), by striking "2013'' and inserting "2018''.

SEC. 9011. BIOMASS CROP ASSISTANCE PROGRAM.

(a) DEFINITIONS.—In this section:

"(1) BCAP.—The term ‘BCAP’ means the Biomass Crop Assistance Program established under this section.

"(2) BCAP PROJECT AREA.—The term ‘BCAP project area’ means an area that—

(A) has specified boundaries that are submitted to the Secretary by the project sponsor and subsequently approved by the Secretary;

(B) includes producers with contract acreage that will supply a portion of the renewable biomass needed by a biomass conversion facility; and

(C) is physically located within an economically practicable distance from the biomass conversion facility.

"(3) CONTRACT ACREAGE.—The term ‘contract acreage’ means eligible land that is covered by a BCAP contract entered into with the Secretary.

"(4) ELIGIBLE CROP.—

(A) IN GENERAL.—The term ‘eligible crop’ means a crop of renewable biomass.

(B) EXCLUSIONS.—The term ‘eligible crop’ does not include—

(i) any crop that is eligible to receive payments under title 1 of the Food, Conservation and Energy Act of 2008 (7 U.S.C. 8702 et seq.) or an amendment made by that title;

(ii) any plant that is invasive or noxious or species or varieties of plants that credible risk assessment tools or other credible sources determine are potentially invasive, as determined by the Secretary in consultation with other appropriate Federal or State departments and agencies; or

(iii) algae.

"(5) ELIGIBLE LAND.—

(A) IN GENERAL.—The term ‘eligible land’ includes—

(i) agricultural and nonindustrial private forest lands (as defined in section 5(c) of the Cooperative Forest Assistance Act of 1978 (16 U.S.C. 2103a(c))); and

(ii) land enrolled in the agricultural conservation easement program established under subtitle H of title XII of the Food Security Act of 1985.

"(B) EXCLUSIONS.—The term ‘eligible land’ does not include—

(i) Federal- or State-owned land;

(ii) land that is native sod, as of the date of enactment of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8701 et seq.); or

(iii) land enrolled in the conservation reserve program established under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.);

(iv) land enrolled in the Agricultural Conservation Easement Program established under subtitle H of title XII of that Act; or

(v) land enrolled in the conservation reserve program or the Agricultural Conservation Easement Program under a contract that will expire at the end of the current fiscal year.

"(6) ELIGIBLE MATERIAL.—

(A) IN GENERAL.—The term ‘eligible material’ means renewable biomass harvested directly from the land, including crop residue from any crop that is eligible to receive payments under title 1 of the Agriculture Reform, Food, and Jobs Act of 2013 or an amendment made by that title.

(B) INCLUSIONS.—The term ‘eligible material’ shall only include—

(i) eligible material that is collected or harvested by the eligible material owner—

"(1) directly from—

(aa) National Forest System;

(bb) Bureau of Land Management land;

(cc) non-Federal land;

(dd) land owned by an individual Indian or Indian tribe that is held in trust by the
United States for the benefit of the individual Indian or Indian tribe or subject to a restriction against alienation imposed by the United States.

"(i) a manner that is consistent with—

(aa) a conservation plan;

(bb) a forest stewardship plan; or

(cc) a plan that the Secretary determines is equivalent to a plan described in item (aa) or (bb) and consistent with Executive Order 13112 (42 U.S.C. 4321 note; relating to invasive species);

(ii) if woody eligible material, woody eligible material that is produced on land other than contract acreage that—

(I) is a product of a preventative treatment that is removed to reduce hazardous fire or to reduce or contain disease or insect infestation; and

(ii) if harvested from Federal land, is harvested in accordance with section 102(e) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6512(e)); and

(iii) eligible material that is delivered to a qualified biomass conversion facility to be used for heat, power, biobased products, research, or advanced biofuels.

"(C) Exclusive definition.—The term "eligible material" does not include—

(i) material that is whole grain from any crop that is eligible to receive payments under this title, the Food, Agriculture, Conservation, and Trade Act of 1990, or the Food, Agriculture, Nutrition, and Rural Development Act of 2002, or an amendment to a plan described in item (aa), (bb), or (cc) of this subparagraph;

(ii) barley, corn, grain sorghum, oats, rice, or wheat;

(iii) honey;

(iv) oilseeds, including canola, crambe, flaxseed, mustard seed, rapeseed, safflower seed, soybeans, sesame seed, and sunflower seed;

(v) peanuts;

(vi) pulse;

(vii) chickpeas, lentils, and dry peas;

(viii) dairy products;

(ix) sugar;

(X) wool and cotton boll fiber;

(iii) animal waste and byproducts, including fat, oil, grease, and manure;

(iii) food waste and yard waste;

(iv) algae;

(v) woody eligible material that—

(I) is removed outside contract acreage; and

(ii) is not a byproduct of a preventative treatment to reduce hazardous fuel or to reduce or contain disease or insect infestation;

(vi) biobased material collected or harvested outside contract acreage that would otherwise be used for existing market products; or

(vii) bagasse.

(7) PRODUCER.—The term "producer" means an owner or operator of contract acreage that is physically located within a BCAP project area.

"(8) PROJECT SPONSOR.—The term "project sponsor" means—

(A) a group of producers; or

(B) a biomass conversion facility.

"(9) SOCIALLY DISADVANTAGED FARMER OR RANCHER.—The term "socially disadvantaged farmer or rancher" means a producer of any eligible crop that is determined to be socially disadvantaged and that is an owner or operator of contract acreage that is necessary to carry out this section.

"(B) CONTRACT.—

(A) IN GENERAL.—On approval of a BCAP project area by the Secretary, each producer in the BCAP project area shall enter into a contract directly with the Secretary.

(B) MINIMUM TERMS.—At a minimum, a contract under this subsection shall include terms that cover—

(i) the volume of the eligible crops produced on BCAP contract acreage; or

(ii) any other information about the biomass conversion facility or proposed biomass conversion facility that the Secretary determines necessary for the Secretary to reasonably assure that the plant will be in operation by the date on which the eligible crops are ready for harvest.

"(C) DURATION.—A contract under this subsection shall have a term of not more than—

(i) 5 years for annual and perennial crops; or

(ii) 15 years for woody biomass.

"(D) EXCLUSION.—The Secretary shall not make any BCAP payments on land for which payments are received under the conservation reserve program established under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.) or the agricultural conservation easement program established under subtitle H of title XII of that Act.

(8) ASSISTANCE WITH COLLECTION, HARVEST, STORAGE, AND TRANSPORTATION.—The Secretary shall make a payment for the delivery of eligible material to a biomass conversion facility to—

(A) a producer of an eligible crop that is produced on BCAP contract acreage; or

(B) a person with the right to collect or harvest eligible material, regardless of whether the eligible material is produced on contract acreage.

(9) ADJUSTMENT OF ELIGIBLE MATERIAL.—In the case of socially disadvantaged farmers or ranchers, the costs of establishment and production of eligible crops on contract acreage shall be determined by the Secretary.

"(A) IN GENERAL.—The Secretary shall make establishment and annual payments directly to producers to support the establishment and production of eligible crops on contract acreage.

(B) AMOUNT OF ESTABLISHMENT PAYMENTS.—

(A) IN GENERAL.—Subject to clause (ii), the amount of an establishment payment under this subsection shall be not more than 50 percent of the costs of establishing an eligible crop covered by the contract but not to exceed $750 per acre, including—

(i) the cost of seeds and stock for perennial crops;

(ii) the cost of planting the perennial crop, as determined by the Secretary; and

(iii) the cost of planting the perennial crop, as determined by the Secretary.

"(C) AMOUNT OF ANNUAL PAYMENTS.—

(A) IN GENERAL.—Subject to clause (ii), the amount of an annual payment under this subsection shall be determined by the Secretary.

(B) REDUCTION.—The Secretary shall reduce an annual payment by an amount determined to be appropriate by the Secretary if—

(i) an eligible crop is used for purposes other than the producer of energy at the biomass conversion facility;

(ii) an eligible crop is delivered to the biomass conversion facility;

(iii) the producer receives a payment under subsection (d); or

(iv) the producer violates a term of the contract;

(V) the Secretary determines a reduction is necessary to carry out this section.

(10) DEDUCTION.—The Secretary shall not make any BCAP payments on land for which payments are received under the conservation reserve program established under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.) or the agricultural conservation easement program established under subtitle H of title XII of that Act.

(11) ASSISTANCE WITH COLLECTION, HARVEST, STORAGE, AND TRANSPORTATION.—The Secretary shall make a payment for the delivery of eligible material to a biomass conversion facility to—

(A) a producer of an eligible crop that is produced on BCAP contract acreage; or

(B) a person with the right to collect or harvest eligible material, regardless of whether the eligible material is produced on contract acreage.

(12) DEDUCTION.—The Secretary shall not make any BCAP payments on land for which payments are received under the conservation reserve program established under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.) or the agricultural conservation easement program established under subtitle H of title XII of that Act.

(13) DEDUCTION.—The Secretary shall make payments to—

(A) a producer of an eligible crop that is produced on BCAP contract acreage; or

(B) a person with the right to collect or harvest eligible material, regardless of whether the eligible material is produced on contract acreage.
“(A) COSTS COVERED.—A payment under this subsection shall be in an amount described in subparagraph (B) for—

(i) collection;

(ii) harvest;

(iii) storage; and

(iv) transportation to a biomass conversion facility.

(B) AMOUNT.—Subject to paragraph (3), the Secretary may provide matching payments at a rate of up to $1 for each $1 per ton provided by the biomass conversion facility, in an amount not to exceed $20 per dry ton for a period of 4 years.

(3) LIMITATION ON ASSISTANCE FOR BCAP CONTRACT ACREAGE.—As a condition of the receipt of a payment under subsection (c), a producer receiving a payment under this subsection for collection, harvest, storage, or transportation of an eligible crop produced on BCAP acreage shall agree to a reduction in the annual payment.

(4) REPORT.—Not later than 4 years after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and to the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on the dissemination by the Secretary of the best practice data and information gathered from participants receiving assistance under this section.

(5) FUNDING.—

(A) IN GENERAL.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section $35,620,000 for each of fiscal years 2014 through 2018.

(B) COLLECTION, HARVEST, STORAGE, AND TRANSPORTATION PAYMENTS.—Of the amount made available under paragraph (1) for each fiscal year, the Secretary shall use not less than 10 percent, nor more than 50 percent, of the amount for collection, harvest, transportation, and storage payments under subsection (d)(2).”;

SEC. 9011. REDUCTION OF FOREST BIOMASS FOR ENERGY.

Section 9012 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8112) is repealed.

SEC. 9012. COMMUNITY WOOD ENERGY PROGRAM.

(a) DEFINITION OF BIOMASS CONSUMER COOPERATIVE.—Section 9013(a) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8113(a)) is amended—

(1) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3) respectively, and—

(2) by inserting before paragraph (2) as so redesignated the following:

“(1) BIOMASS CONSUMER COOPERATIVE.—The term ‘biomass consumer cooperative’ means a consumer membership organization the purpose of which is to provide members with services related to the purchase of biomass heating products or biomass heating systems.”;

(b) GRANT PROGRAM.—Section 9013(b)(1) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8113(b)(1)) is amended—

(1) in subparagraph (A), by striking “and after” the semicolon at the end;

(2) in subparagraph (B), by striking the period at the end and inserting ‘‘;’’; and

(3) by adding at the end the following:

“(C) the delivery and storage of biomass of heating products.”;

(c) MATCHING FUNDS.—Section 9013(d) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8113(d)) is amended—

(1) by striking “A State or local government that receives a grant under subsection (b) and inserting the following:

“(1) STATE AND LOCAL GOVERNMENTS.—A State or local government that receives a grant under subparagraph (A) or (B) of subsection (b)(1)’’; and

(2) by adding at the end the following:

“(2) BIOMASS CONSUMER COOPERATIVES.—A biomass consumer cooperative that receives a grant under subsection (b)(1) shall provide an amount not to exceed $20 per dry ton received for that purpose.”;

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 9013(e) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8113(e)) is amended by striking ‘‘2013’’ and inserting ‘‘2018’’.

SEC. 9013. REPEAL OF RENEWABLE FERTILIZER AND STORAGE GRANT PROGRAM.

Section 9003 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2006) is repealed.

TITLE X—HORTICULTURE

SEC. 10001. SPECIALTY CROPS MARKET NEWS ALLOCATION.

Section 1001(b) of the Food, Conservation, and Energy Act of 1998 (7 U.S.C. 1622(b)) is amended by striking ‘‘2012’’ and inserting ‘‘2018’’.

SEC. 10002. REPEAL OF GRANT PROGRAM TO IMPROVE MOVEMENT OF SPECIALTY CROPS.

Section 1004 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 1622c) is repealed.

SEC. 10003. FARMERS MARKET AND LOCAL FOOD PROGRAM.

Section 6 of the Farmer-to-Consumer Direct Marketing Act of 1976 (7 U.S.C. 3005) is amended—

(1) in the section heading, by adding ‘‘AND LOCAL FOOD’’ after ‘‘MARKET’’;

(2) in subsection (a)—

(A) by inserting ‘‘and Local Food’’ after ‘‘Market’’;

(B) by striking ‘‘farmers’ markets and to promote’’; and

(C) by inserting ‘‘and local food capacity development’’ after the end;

(3) in subsection (b), by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—The purposes of the Program are to increase domestic consumption of and access to locally and regionally produced agricultural products by developing, improving, expanding, and providing outreach, training, and technical assistance to, or assisting in the development, improvement, and expansion of—

(A) domestic farmers’ markets, roadside stands, and farmers’ markets supported agriculture network or association, including——

(i) agriculture programs, agritourism activities, and other direct producer-to-consumer market opportunities; and

(ii) local and regional food enterprises that are not direct producer-to-consumer markets but process, distribute, aggregate, store, and market locally or regionally produced food products;

(4) in subsection (c)(1)—

(A) by inserting ‘‘or other business entity’’ after ‘‘cooperative’’; and

(B) by inserting ‘‘including a community supported agriculture network or association’’ after ‘‘association’’;

(5) by redesignating subsection (e) as subsection (f); and

(6) by inserting after subsection (d) the following:

“(e) PRIORITIES.—In providing grants under the Program, priority shall be given to applications that include projects that—

(1) benefit underserved communities;

(2) develop opportunities for small and mid-sized farms and ranch operations; and

(3) include a strategic plan to maximize the use of funds to build capacity for local and regional food systems in a community;’’;

(7) in subsection (f) as redesignated by paragraph (5)—

(A) in paragraph (1)—

(i) in the heading, by striking ‘‘FISCAL YEARS 2008 THROUGH 2012’’ and inserting ‘‘MANUFACTURING AND PROCESSING’’;

(ii) in subparagraph (B), by striking ‘‘and’’ after the semicolon at the end;

(iii) in subparagraph (C), by striking the period at the end and inserting ‘‘; and’’; and

(iv) by adding at the end the following:

“(D) $20,000,000 for each of fiscal years 2014 through 2018.’’;

(B) by striking paragraphs (3) and (5); and

(C) by inserting after paragraph (2) the following:

“(3) AUTHORIZATION OF APPROPRIATIONS.—In addition to funds made available under paragraph (1), there is authorized to be appropriated to carry out this section $20,000,000 for each of fiscal years 2014 through 2018.’’.

(D) by adding at the end the following:

“(5) USE OF FUNDS.—

(A) IN GENERAL.—Of the funds made available to carry out the Program for each fiscal year, 50 percent shall be used for the purposes described in subsection (b)(1)(A) and 50 percent shall be used for the purposes described in subsection (b)(1)(B).

(B) COST SHARE.—To be eligible to receive a grant for a project described in subsection (b)(1)(B), a recipient shall provide a match in the form of cash or in-kind contributions in an amount equal to 25 percent of the total cost of the project.

(C) ADMINISTRATIVE EXPENSES.—Not more than 10 percent of the total amount made available to carry out this section for a fiscal year may be used for administrative expenses.

(4) LIMITATIONS.—An eligible entity may not use a grant or other assistance provided under the Program for the purchase, construction, or rehabilitation of a building or structure.’’.  

SEC. 10004. STUDY ON LOCAL FOOD PRODUCTION AND MARKETING PROGRAMS.

(a) IN GENERAL.—The Secretary shall—

(1) collect data on the production and marketing of locally or regionally produced agricultural food products;

(2) facilitate interagency collaboration and data sharing on programs related to local and regional food systems; and

(3) monitor the effectiveness of programs designed to expand or facilitate local food systems.

(b) REQUIREMENTS.—In carrying out this section the Secretary shall—

(1) collect and distribute comprehensive reporting of prices of locally or regionally produced agricultural food products;

(2) conduct surveys and analysis and publish reports relating to the production, handling, distribution, retail sales, and trend studies (including consumer purchasing patterns) of locally or regionally produced agricultural food products;

(3) evaluate the effectiveness of existing programs in growing local and regional food systems, including—

(A) the impact of local food systems on job creation and economic development;

(B) the level of participation in the Farm-to-Consumer Direct Marketing Act established under section 6 of the Farmer-to-Consumer Direct Marketing Act
of 1976 (7 U.S.C. 2005), including the percentage of projects funded in comparison to applicants and the types of eligible entities receiving funds;
(C) redisclosure for participants to leverage private capital and a synopsis of the places from which non-Federal funds are derived; and
(D) any additional resources required to aid in the development or expansion of local and regional food systems;
(4) expand the Agricultural Resource Management Survey to include questions on locally or regionally produced agricultural food products; and
(5) seek to establish or expand private-public partnerships, to the maximum extent practicable, the collection of data on locally or regionally produced agricultural food products, including the development of a nationally coordinated and regionally balanced evaluation of the reestablishment of locally or regionally produced food systems.
(c) Report.—Not later than 1 year after the date of enactment of this Act and annually thereafter, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the progress that has been made in implementing this section and identifying any additional needs related to developing local and regional food systems.
SEC. 10005. ORGANIC AGRICULTURE.
"(c) MODERNIZATION AND TECHNOLOGY UPGRADE FOR NATIONAL ORGANIC PROGRAM.—
(1) In General.—The Secretary shall modernize database and technology systems of the national organic program.
(2) Funding.—Of the funds of the Commodity Credit Corporation and in addition to any other funds made available for that purpose, the Secretary shall make available to carry out this subsection $5,000,000 in fiscal years 2014 to 2017, to remain available until expended.
(3) Report.—Not later than 180 days after the date of enactment of this subsection, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that—
(1) describes the efforts of the Secretary to ensure that activities conducted through programs and promotion programs adequately reflect the priorities of all members of the applicable orders; and
(2) includes an assessment of the feasibility of allowing an entity to receive funding for research and promotion programs, including any current barriers to establishment and challenges related to implementation.
SEC. 10006. FOOD SAFETY EDUCATION INITIATIVES.
"(c) NATIONAL CLEAN PLANT NETWORK.—
(1) IN GENERAL.—Section 420 of the Plant Protection Act (7 U.S.C. 7702c) is amended—
(A) by striking ''subsection (b)'' and inserting ''subsection (c)''
(B) by redesignating paragraph (2) as paragraph (3); and
(C) by redesignating paragraph (3) as paragraph (4).
SEC. 10007. COORDINATED PLANT MANAGEMENT PROGRAM.
"(a) In General.—Section 420 of the Plant Protection Act (7 U.S.C. 7721) is amended—
(1) by striking the section heading and inserting "COORDINATED PLANT MANAGEMENT PROGRAM.
(2) by redesigning subsection (e) as subsection (f); and
(3) by inserting after subsection (d) the following:
"(e) NATIONAL CLEAN PLANT NETWORK.—
(1) IN GENERAL.—The Secretary shall establish a program to be known as the "National Clean Plant Network" as described in this subsection as the "Program".
(2) REQUIREMENTS.—Under the Program, the Secretary shall establish a network of clean plant centers for diagnostic and pathogen elimination services—
(A) to produce clean propagative plant material; and
(B) to maintain blocks of pathogen-tested plant material in sites located throughout the United States.
(3) AVAILABILITY OF CLEAN PLANT SOURCE MATERIAL.—Clean plant source material, or portions of it, produced or maintained under the Program may be made available to—
(A) a State for a certified plant program of the State; and
(B) private nurseries and producers.
(4) CONSULTATION AND COLLABORATION.—In carrying out the Program, the Secretary shall—
(A) consult with—
(i) State departments of agriculture; and
(ii) land-grant colleges and universities and 3000 institutions (as those terms are defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)); and
(B) to the extent practicable and with input from the appropriate State officials and industry representatives, use existing Federal or State facilities to serve as clean plant centers.
(5) FUNDING.—Subsection (f) of section 420 of the Plant Protection Act (7 U.S.C. 7721) (as redesignated by subsection (a)(1)) is amended—
(A) in paragraph (1), by striking "and" at the end;
(B) in paragraph (4), by striking "and each fiscal year thereafter." and inserting a semicolon; and
(C) by adding at the end the following:
"(6) $65,000,000 for each of fiscal years 2014 through 2017; and
(6) $65,000,000 for fiscal year 2018 and each fiscal year thereafter.
SEC. 10008. SPECIALTY CROP BLOCK GRANTS.
Section 101 of the Specialty Crops Competitiveness Act of 2004 (7 U.S.C. 1621 note; Public Law 108–465) is amended—
(1) in subsection (a)—
(A) by striking "subsection (i)" and inserting "subsection (j)"; and
(B) by striking "2012" and inserting "2016";
(2) in subsection (b) and inserting the following:
"(b) GRANTS BASED ON VALUE AND ACHIEVEMENT.—Subject to subsection (c) in the case of each State with an application for a grant for a fiscal year that is accepted by the Secretary of Agriculture under subsection (f), the amount of a grant for a fiscal year to a State under this section shall bear the same ratio to the total amount made available under subsection (f) for that fiscal year as—
(1) the average of the most recent available value of specialty crop production in the State and the acreage of specialty crop production in the State, as demonstrated in the most recent Census of Agriculture data, bears to
(2) the average of the most recent available value of specialty crop production in all States and the acreage of specialty crop production in all States, as demonstrated in the most recent Census of Agriculture data.
(3) by redesignating subsection (j) as subsection (k);
(4) by inserting after subsection (k) the following:
"(i) MULTISTATE PROJECTS.—
(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, the Secretary of Agriculture shall issue guidance for the purpose of making grants to multistate projects under this section for projects involving—
(A) food safety;
(B) plant pests and disease;
(C) crop-specific projects addressing common issues; and
(D) any other area that furthers the purposes of this section, as determined by the Secretary.
(2) FUNDING.—Of the funds provided under subsection (l), the Secretary of Agriculture shall allocate $50,000,000 for this subsection, to remain available until expended—
(A) $1,000,000 for fiscal year 2014;
"(B) $2,000,000 for fiscal year 2015;"
"(C) $3,000,000 for fiscal year 2016;"
"(D) $1,000,000 for fiscal year 2017; and"
"(E) $5,000,000 for fiscal year 2018.

"(k) UNAUTHORIZED USE.—If the Secretary shall find that an unlawful use or violation of this title for any person covered by this title—

(1) to fail to provide, or delay the timely provision of, accurate information required by the Secretary under this section;

(2) to violate—

(A) an order of the Secretary;

(B) a suspension or revocation of the organic certification of a producer or handler; or

(3) a suspension or revocation of the accreditation of a certifying agent; or

"(5) in subsection (i) (as redesignated by paragraph (b)(3))—

(A) in paragraph (2), by striking “and”) at the end;

(B) in paragraph (3), by striking the period at the end and inserting “; and”;

(C) by adding at the end the following:

“(4) $70,000,000 for fiscal year 2014 and each fiscal year thereafter.”

SEC. 10009. RECORDKEEPING, INVESTIGATIONS, AND ENFORCEMENT. 

The Organic Foods Production Act of 1990 is amended by inserting after section 2120 (7 U.S.C. 6519) the following:

“SEC. 2120A. RECORDKEEPING, INVESTIGATIONS, AND ENFORCEMENT.

“(a) Recordkeeping.—

(1) in general.—Except as otherwise provided in this title, all persons, including processors, handlers, and certifying agents, required to report information to the Secretary under this title shall maintain, and make available to the Secretary on request of the Secretary, all contracts, agreements, receipts, and other records associated with the organic certification program established by the Secretary under this title.

(2) Duration of recordkeeping requirement.—A record covered by paragraph (1) shall be maintained for a period of 10 years beginning on the date of the creation of the record; and

(3) confidences.—(A) by a person covered by this title, except for a certifying agent, for a period of 5 years beginning on the date of the creation of the record; and

(B) by a certifying agent, for a period of 10 years beginning on the date of the creation of the record.

“(b) Substituting the following:

“(1) in general.—The Secretary may suspend the organic certification of a producer or handler, or the accreditation of a certifying agent, for a period not to exceed 30 days, and may renew the suspension for an additional period, not to exceed 30 days, if the Secretary determines subsequent to an investigation that a violation of this title by a person covered by this title has occurred, the suspension shall remain in effect until the Secretary issues a revocation of the certification or accreditation, is not satisfied with the findings of the administrative findings, or the administrative findings are not in accordance with the terms hereof.

“(ii) an area yield and loss basis;

(iii) an area yield and loss basis, or

(b) CONTENTS.—In preparing the report under subsection (a), the Secretary shall take into consideration the March 2006 Standard of Identity citizens petition filed with the Food and Drug Administration, in consultation with affected persons, including producers, handlers, and processors, and other comments or clarifications necessary to update that 2006 petition.

SEC. 10011. EFFECTIVE DATE. 

This title and the amendments made by this title take effect on October 1, 2013.

TITLE XI—CROP INSURANCE

SEC. 11001. SUPPLEMENTAL COVERAGE OPTION. 

(a) Availability of supplemental coverage option.—(A) No later than 180 days after the date of enactment of this Act, the Secretary, in consultation with affected stakeholders, shall submit to the Commission of Food and Drugs a report describing how an appropriate Federal standard that the identity of honey would protect honey and fair dealing and be in the interest of the honey industry, and United States agriculture.

(b) Contents.—In preparing the report under subsection (a), the Secretary shall take into consideration the March 2006 Standard of Identity citizens petition filed with the Food and Drug Administration, in consultation with affected persons, including producers, handlers, and processors, and other comments or clarifications necessary to update that 2006 petition.

SEC. 10011. EFFECTIVE DATE. 

This title and the amendments made by this title take effect on October 1, 2013.

TITLE XI—CROP INSURANCE

SEC. 11001. SUPPLEMENTAL COVERAGE OPTION. 

(a) Availability of supplemental coverage option.—The Federal Crop Insurance Act (7 U.S.C. 1508c) is amended by inserting paragraph (2) after paragraph (2)(B) of section 1508c:

“(2) LEVEL OF COVERAGE.—Section 508(c) of the Federal Crop Insurance Act (7 U.S.C.

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(4) **LEVEL OF COVERAGE.**—(A) **DOLLAR DENOMINATION AND PERCENTAGE OF U.S. AGRICULTURE.**—In the case of the supplemental coverage option described in paragraph (C), the level of coverage—

(1) shall be dollar denominated; and

(ii) may be purchased at any level not to exceed 85 percent of the individual yield or 95 percent of the area yield (as determined by the Corporation).

(B) **INFORMATION.**—The Corporation shall provide producers with information on catastrophe risk and additional coverage in terms of dollar coverage (within the allowable limits of coverage provided in this paragraph).

(C) **SUPPLEMENTAL COVERAGE OPTION.**—

(1) **IN GENERAL.**—Notwithstanding subparagraph (A), in the case of the supplemental coverage option described in paragraph (3)(B), the Corporation shall offer producers the opportunity to purchase coverage in combination with a policy or plan of insurance offered under this subtitle that would allow indemnities to be paid to a producer equal to all or part of the deductible under the policy or plan of insurance, if sufficient area data is available (as determined by the Corporation).

(ii) **TRIGGER.**—Coverage offered under this subparagraph shall be triggered only if the losses in the area exceed 10 percent of normal levels (as determined by the Corporation).

(III) **COVERAGE.**—Subject to the trigger described in clause (ii) and the deductible imposed by clause (iv), coverage offered under this subparagraph shall cover the first loss incurred by a producer, not to exceed the difference between—

(I) 100 percent; and

(ii) the coverage level selected by the producer for the underlying policy or plan of insurance.

(iv) **DEDUCTIBLE.**—Coverage offered under this subparagraph shall subject to a deductible in an amount equal to—

(I) in the case of a producer who participates in the agriculture risk insurance program under section 1105(c) of the Agriculture Reform, Food, and Jobs Act of 2013, 21 percent of the expected value of the crop of the producer covered by the underlying policy or plan of insurance, as determined by the Corporation; and

(II) in the case of all other producers, 10 percent of the expected value of the crop of the producer covered by the underlying policy or plan of insurance, as determined by the Corporation.

(v) **CALCULATION OF PREMIUM.**—Notwithstanding subsection (d), the premium shall—

(I) be sufficient to cover anticipated losses and a reasonable reserve; and

(II) include an amount for operating and administrative expenses established in accordance with subsection (k)(4)(F).

(c) **PAYMENT OF PORTION OF PREMIUM BY CORPORATION.**—Section 508(e)(2) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)(2)) is amended by striking subparagraph (A) and inserting the following:

(’A) In the case of catastrophic risk protection, the amount of the premium established by the Corporation for each crop for which catastrophic risk protection is available shall be reduced by the percentage equal to the difference between the average loss ratio for the crop and 100 percent, plus a reasonable reserve, as determined by the Corporation.

(d) **INFORMATION.**—Section 508(e)(2) of the Federal Crop Insurance Act (7 U.S.C. 1508(d)(2)) is amended by striking subparagraph (A) and inserting the following:

(’A) In general.—The Corporation may allow indemnities to be paid to a producer equal to all or part of the deductible under the policy or plan of insurance, if sufficient area data is available (as determined by the Corporation).

(ii) **TRIGGER.**—Coverage offered under this subparagraph shall be triggered only if the losses in the area exceed 10 percent of normal levels (as determined by the Corporation).

(iii) **COVERAGE.**—Subject to the trigger described in clause (ii) and the deductible imposed by clause (iv), coverage offered under this subparagraph shall cover the first loss incurred by a producer, not to exceed the difference between—

(I) 100 percent; and

(ii) the coverage level selected by the producer for the underlying policy or plan of insurance.

(iv) **DEDUCTIBLE.**—Coverage offered under this subparagraph shall be subject to a deductible in an amount equal to—

(I) in the case of a producer who participates in the agriculture risk insurance program under section 1105(c) of the Agriculture Reform, Food, and Jobs Act of 2013, 21 percent of the expected value of the crop of the producer covered by the underlying policy or plan of insurance, as determined by the Corporation; and

(II) in the case of all other producers, 10 percent of the expected value of the crop of the producer covered by the underlying policy or plan of insurance, as determined by the Corporation.

(v) **CALCULATION OF PREMIUM.**—Notwithstanding subsection (d), the premium shall—

(I) be sufficient to cover anticipated losses and a reasonable reserve; and

(II) include an amount for operating and administrative expenses established in accordance with subsection (k)(4)(F).

(e) **EFFECTIVE DATE.**—The Federal Crop Insurance Corporation shall begin to provide additional coverage based on an individual yield and loss basis, supplemented with coverage based on an area loss basis, not later than for the 2013 crop year.

(f) **SEC. 11002. PREMIUM AMOUNTS FOR CATASTROPHIC RISK PROTECTION.**—Section 508(e)(5) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)(5)) is amended by striking subparagraph (A) and inserting the following:

(’A) In the case of catastrophic risk protection, the amount of the premium established by the Corporation for each crop for which catastrophic risk protection is available shall be reduced by the percentage equal to the difference between the average loss ratio for the crop and 100 percent, plus a reasonable reserve, as determined by the Corporation.

(g) **SEC. 11003. PERMANENT ENTERPRISE UNIT.**—Section 508(e)(6) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)(6)) is amended by striking subparagraph (A) and inserting the following:

(’A) In general.—The Corporation may provide crop insurance coverage in a significantly improved form or in a manner that addresses a recognized flaw or problem in an existing policy; or

(II) provide a new kind of coverage for a commodity that previously had no available crop insurance, or has demonstrated a low level of participation under existing coverage; and

(III) make the priorities available on the website of the Corporation.

(h) **SEC. 11004. ENTERPRISE UNITS FOR IRRIGATED AND NONIRRIGATED CROPS.**—Section 508(e)(7) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)(7)) is amended by striking paragraph (A) and inserting the following:

(’A) In general.—The Corporation may provide crop insurance coverage in a significantly improved form or in a manner that addresses a recognized flaw or problem in an existing policy; or

(i) the interests of producers are adequately protected;

(ii) the rates of premium and price election methodology are actuarially appropriate;

(iii) the terms and conditions for the proposed policy or plan of insurance are appropriate and would not unfairly discriminate among producers;

(iv) the proposed policy or plan of insurance will, at the sole discretion of the Board—

(I) likely result in a viable and marketable policy that can reasonably attain levels of participation similar to other like policies or plans of insurance;

(II) provide crop insurance coverage in a significantly improved form or in a manner that addresses a recognized flaw or problem in an existing policy; or

(III) provide a new kind of coverage for a commodity that previously had no available crop insurance, or has demonstrated a low level of participation under existing coverage;

(v) the proposed policy or plan of insurance will, at the sole discretion of the Board, not have a significant adverse impact on the crop insurance delivery system; and

(vi) the proposed policy or plan of insurance meets such other requirements as are determined appropriate by the Board.

(i) **PRIORITIES.**—

(I) **ESTABLISHMENT.**—The Board, at the sole discretion of the Board, may—

(i) annually establish priorities under this subsection that satisfy the priorities established by the Board under this subsection shall be considered by the Board for approval prior to other submissions.

(ii) consider providing the highest priorities for policies or plans of insurance that underwrite coverage for existing policies for which there is inadequate coverage or there exists low levels of participation.
“(iii) Other criteria.—The Board may establish such other criteria as the Board determines to meet the needs of producers and the priorities of this subsection, consistent with the requirements of this subtitle.”

SEC. 1100. CONSIDERATION.

Section 508(h)(4) of the Federal Crop Insurance Act (7 U.S.C. 1508(h)) is amended by adding at the end the following:

“(i) requirement.—As part of the feasibility and research associated with the development of a policy or other material conducted to support the submission to the Board under this subsection, the submitter shall consult with groups representing producers of agricultural commodities in all major producing areas for the commodity for the consideration to be served or potentially impacted, either directly or indirectly.

(ii) submission to the Board.—Any submission made to the Board under this subsection shall contain a summary and analysis of the feasibility and research findings from the impacted groups described in clause (i), including a summary assessment of the support for or against development of the policy and an assessment on the impact of the proposed policy to the general marketing and production of the crop from both a regional and national perspective.

(iii) evaluation of the Board.—In evaluating whether the market conditions are adequately protected pursuant to paragraph (3) with respect to a submission made under this subsection, the Board shall review the information provided pursuant to clause (ii) to determine if the submission will create adverse market distortions with respect to the production of commodities that are the subject of the submission.

SEC. 11010. BUDGET LIMITATIONS ON NEGOTIATION OF THE STANDARD REINSURANCE AGREEMENT.

Section 508(k)(4) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(4)) is amended by inserting at the end the following:

“(F) Budget.—

“(I) In general.—The Board shall ensure that any Standard Reinsurance Agreement negotiated under subparagraph (A)(ii), as compared to the previous Standard Reinsurance Agreement negotiated under subparagraph (A)(i), shall be equal to the Rotterdam price index plus 

“(ii) submission to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate, with respect to plans of all risk insurance that includes a price index for peanuts, as determined to reflect the farmer stock price of peanuts in the United States.

“(2) Adjustments.—

“(A) In general.—The effective price for peanuts established under paragraph (1) may be adjusted by the Risk Management Agency and the Corporation to reflect the current market conditions.

“(B) Administrative Procedure.—Subject to paragraph (2), for purposes of the policies and plans of insurance offered under subsections (a) and (b) of section 508, the effective price for peanuts shall be equal to the Rotterdam price index for peanuts, as adjusted to reflect the farmer stock price of peanuts in the United States.

“(3) corrections.—

“(A) In general.—The Corporation shall establish procedures that allow an agent and approved insurance provider within a reason- able amount of time following the applicable sales closing date to correct information regarding the entity name, social security number, tax identification number, or such other eligibility information as determined by the Corporation that is provided by a producer for the purpose of obtaining coverage under any policy or plan of insurance made available under this subdivision to ensure that the eligibility information is consistent with the information reported by the producer to the Farm Service Agency.

“(B) Administrative Procedure.—In accordance with the procedures of the Corporation, procedures under paragraph (A) may include any subsequent correction to the eligibility information made by the Farm Service Agency if the corrections do not allow the producer—
“(i) to obtain a disproportionate benefit under the crop insurance program or any related program of the Department of Agriculture;

(ii) to avoid ineligibility requirements for insurance; or

(iii) to avoid an obligation or requirement under any Federal or State law.”.

SEC. 11014. IMPLEMENTATION.

Section 515 of the Federal Crop Insurance Act (7 U.S.C. 1525) is amended—

(1) in subsection (j), by striking paragraph (1) and inserting the following:

“(1) SYSTEMS MAINTENANCE AND UPGRADES—

“(A) IN GENERAL.—The Secretary shall maintain and upgrade the information management systems of the Corporation used in the administration and enforcement of this section.

“(B) REQUIREMENT.—In maintaining and upgrading the systems, the Secretary shall ensure that new hardware and software are compatible with the hardware and software used by other agencies of the Department to maintain information data sharing and promote the purpose of this section.

“(ii) ACREAGE REPORT STREAMLINING INITIATIVE PROJECT.—As soon as practicable, the Secretary shall develop and implement an acreage report streamlining initiative project to allow producers to report acreage and other information directly to the Department.

(2) in subsection (k), by striking paragraph (1) and inserting the following:

“(1) INFORMATION TECHNOLOGY—

“(A) IN GENERAL.—For purposes of subsection (j)(i), the Corporation may use, from amounts made available from the insurance fund established under section 516(c), not more than—

“(I) for each fiscal year 2014, $25,000,000; and

“(II) for each of fiscal years 2015 through 2018, $10,000,000; or

“(B) if the Acreage Crop Reporting Streamlining Initiative (ACRSI) project is substantially completed by September 30, 2013, not more than—

“(i) for fiscal year 2014, $25,000,000; and

“(ii) for each of fiscal years 2015 through 2018, $10,000,000; or

“(3) in subsection (m), by striking the words ‘40 percent of the’ and inserting the following:

“(40 percent of the)

SEC. 11015. APPROVAL OF COSTS FOR RESEARCH AND DEVELOPMENT.

Section 522(b)(2) of the Federal Crop Insurance Act (7 U.S.C. 1522(b)(2)) is amended by striking subparagraph (E) and inserting the following:

“(E) APPROVAL.—

“(1) IN GENERAL.—The Board may approve up to 50 percent of the projected total research and development costs to be paid in advance to an applicant, in accordance with the procedures developed by the Board for the method of the payments, if, after consideration of the reviewer reports described in subsection (D) and such other information as the Board determines appropriate, the Board determines that—

“(I) the concept, in good faith, will likely result in a viable and marketable policy consistent with section 508(h); and

“(II) the concept proposal meets any other requirements that the Board determines appropriate.

“(ii) Waiver.—The Board may waive the 50-percent requirement for producers to repay the costs in order to fund the research and development costs, if, at the sole discretion of the Board, the Board determines that—

“(I) the intended policy or plan of insurance developed by the submitter will provide coverage for a region or crop that is under-served by the Federal crop insurance program, in accordance with the submitter’s request, and the research and development activities, the proposed budget and timetable for research and development costs, if any, are reasonable, as determined by the Board; and

“(III) the concept proposal meets any other requirements that the Board determines appropriate.

“(B) ELIGIBILITY.—Eligibility for the policy approval is not limited to the applicant that develops the concept proposal.

“(C) IMPLEMENTATION.—The Corporation shall permit producers (including dairy producers) to purchase insurance in a significantly improved form; and

“(D) REPORT.—Not later than 1 year after the date of enactment of this paragraph, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study conducted under subsection (A).

SEC. 11016. WHOLE FARM RISK MANAGEMENT INSURANCE.

Section 522(c) of the Federal Crop Insurance Act (7 U.S.C. 1522(c)) is amended by adding at the end the following:

“(B) ELIGIBILITY.—The Corporation shall offer to enter into a contract with one or more qualified entities to conduct a study to determine the feasibility of insuring whole farm risk management programs for a catastrophic event.

“(C) REPORT.—Not later than 1 year after the date of enactment of this paragraph, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study conducted under subsection (A).

SEC. 11019. MARGIN COVERAGE FOR CATFISH.

Section 522(c) of the Federal Crop Insurance Act (as amended by section 11016) is amended by adding at the end the following:

“(B) ELIGIBILITY.—The Corporation shall offer to enter into a contract with one or more qualified entities to conduct a study to determine the feasibility of insuring whole farm risk management programs for a catastrophic event.

“(C) REPORT.—Not later than 1 year after the date of enactment of this paragraph, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study conducted under subsection (A).

SEC. 11020. POULTRY BUSINESS DISRUPTION INSURANCE POLICY.

Section 522(c) of the Federal Crop Insurance Act (7 U.S.C. 1522(c)) (as amended by sections 11016, 11017, and 11018) is amended by adding at the end the following:
‘‘(21) POULTRY BUSINESS DISRUPTION INSURANCE POLICY AND CATASTROPHE DISEASE PROGRAM.—

‘‘(A) DEFINITION OF POULTRY.—In this paragraph—

‘‘(i) the term ‘poultry’ has the meaning given in the definition section of the Packers and Stockyards Act, 1921 (7 U.S.C. 162(a));

‘‘(B) AUTHORITY.—The Corporation shall offer to enter into 1 or more contracts with producers of poultry for insurance for a catastrophic event.

‘‘(C) BUSINESS DISRUPTION STUDY.—The study described in subparagraph (B)(i) shall—

(i) evaluate the market place for business disruption insurance that is available to poultry producers;

(ii) assess the feasibility of a policy to allow producers to ensure against a portion of losses from loss under contract due to business disruption from integrator bankruptcy;

(iii) analyze the costs to the Federal government of a Federal business disruption insurance program for poultry producers.

‘‘(D) REPORTS.—Not later than 1 year after the date of enactment of this paragraph, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of—

(i) the study carried out under subparagraph (B)(i); and

(ii) the study carried out under subparagraph (B)(ii).’’

SEC. 11022. CROP INSURANCE FOR ORGANIC CROPS.

(a) IN GENERAL.—Section 508(c)(6) of the Federal Crop Insurance Act (7 U.S.C. 1522(c)(6)) is amended by adding at the end the following:

‘‘(D) ORGANIC CROPS.—

‘‘(i) IN GENERAL.—As soon as possible, but not later than the 2015 reinsurance year, the Corporation shall offer producers of organic crops price elections for all organic crops produced in compliance with standards issued by the Department of Agriculture under the organic national program established under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.) that reflect the actual retail or wholesale prices, as appropriate, received by producers for organic crops, as determined by the Secretary using all relevant sources of information.

‘‘(ii) ANNUAL REPORT.—The Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate an annual report on progress made in developing and improving Federal crop insurance for organic crops, including—

(I) the number and varieties of organic crops insured;

(II) the progress of implementing the price elections required under this subparagraph, including the rate at which additional price elections are adopted for organic crops;

(III) the development of new insurance approaches relevant to organic producers; and

(IV) any recommendations the Corporation considers appropriate to improve Federal crop insurance coverage for organic crops.’’

(b) CONFORMING AMENDMENT.—Section 522(c) of the Federal Crop Insurance Act (7 U.S.C. 1522(c)) (as amended by section 11018) is amended—

(1) by striking paragraph (10); and

(2) by redesigning paragraphs (11) through (20) as paragraphs (10) through (19), respectively.

SEC. 11023. PILOT PROGRAMS.

Section 523(a) of the Federal Crop Insurance Act (7 U.S.C. 1523(a)) is amended—

(1) by striking ‘‘Under’’ inserting the following:

‘‘(A) AUTHORITY.—’’ and inserting ‘‘(A) CONDUCTING AND CONTRACTING FOR RESEARCH AND DEVELOPMENT.’’;

(B) in subparagraph (A), by inserting ‘‘conduct research and development and’’ after ‘‘the Corporation may use’’; and

(C) in subparagraph (B), by inserting ‘‘the study carried out under subclause (I) shall not exceed 60 per cent of the premium assistance’’ after ‘‘for the fiscal year’’.

(2) by redesigning paragraphs (6) through (10), respectively.

SEC. 11024. INDEX-BASED WEATHER INSURANCE PILOT PROGRAM.

Section 523(a) of the Federal Crop Insurance Act (7 U.S.C. 1523(a)) is amended—

(1) by striking ‘‘Under’’ inserting the following:

‘‘(A) IN GENERAL.—’’ and inserting ‘‘(B) INDEX-BASED WEATHER INSURANCE PILOT PROGRAM.—

‘‘(1) IN GENERAL.—Notwithstanding subparagraph (A), the Corporation, at the sole discretion of the Corporation, may conduct a pilot program to provide financial assistance for producers of underserved crops and livestock or livestock products to purchase an index-based weather insurance product from a private insurance company, subject to the requirements of this subparagraph.

‘‘(I) PAYMENTS.—(A) IN GENERAL.—Subject to subclause (II) and clause (v), the Corporation may pay a portion of the premium for producers who purchase index-based weather insurance protection from a private insurance company for a crop and policy that is not reinsured by the Corporation.

‘‘(B) CONDITION.—The premium assistance under subclause (I) shall not exceed 60 percent of the estimated amount, based on expected losses, representative operating expenses, and representative profit margins, as determined by the Corporation.

‘‘(II) ELIGIBLE PROVIDERS.—Before providing premium assistance to producers to purchase index-based weather insurance from a private insurance company pursuant to this subparagraph, the Corporation shall verify that the company has adequate experience—

(I) to develop and manage the index-based weather insurance products, including adequate resources, experience, and assets or sufficient reinsurance to meet the obligations of the company under this subparagraph; and

(II) to support and deliver the index-based weather insurance products.

‘‘(iv) PROCEDURES.—The Corporation shall develop and publish procedures for the pilot program under this subparagraph that—

(I) require each applicant for private insurance compensation to report claim and sales data, and any other data the Corporation determines to be appropriate, to allow the Corporation to evaluate product pricing and performance;

(II) allow the private insurance company exclusive rights over the private insurance offered under this subparagraph, including the right to select policies, protection of intellectual property rights on the product or policy, and associated rating methodology, for the period during which the companies are eligible under this provision; and

(III) contain such other requirements as the Corporation determines to be necessary to ensure that the interests of producers are protected; and

(aa) the program operates in an actuarially sound manner;

(bb) the program operates in an actuarially sound manner.

‘‘(b) CONFORMING AMENDMENT.—The words ‘of the funds of the Corporation, the Corporation shall use to carry out this subparagraph’ after ‘‘$10,000,000 for each of fiscal years 2014 through 2018, to remain available until expended.’’

SEC. 11025. ENHANCING PRODUCER SELF-HELP THROUGH FARM FINANCIAL BENCHMARKING.

(a) DEFINITION.—Section 502(b) of the Federal Crop Insurance Act (7 U.S.C. 1522(b)) is amended—

(1) by redesigning paragraphs (6) through (9) as paragraphs (7) through (10), respectively; and

(2) by inserting after paragraph (5) the following:

‘‘(f) FARM FINANCIAL BENCHMARKING.—The term ‘farm financial benchmarking’ means—

(A) the process of comparing the performance of an agricultural enterprise against the performance of other similar enterprises, through the use of comparable and reliable data, in order to identify business management strengths, weaknesses, and steps necessary to improve management performance and business profitability; and

(B) benchmarking of the type conducted by farm management and producer associations consistent with the activities described in or funded pursuant to section 1672D of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 9825f).’’

(c) CROP INSURANCE EDUCATION AND RISK MANAGEMENT ASSISTANCE.—Section 524(a) of the Federal Crop Insurance Act (7 U.S.C. 1524(a)) is amended—

(1) in paragraph (3)(A), by inserting “farm financial benchmarking,” after “risk reduction,”; and

(2) in paragraph (4), in the matter preceding subparagraph (A), by inserting “including farm financial benchmarking” after “management strategies.”

SEC. 11026. BEGINNING FARMER AND RANCHER PROVISIONS.

(a) DEFINITION.—Section 502(b) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)) (as amended by section 11025(a)) is amended—

(1) by redesignating paragraphs (3) through (10) as paragraphs (4) through (11), respectively; and

(2) by inserting after paragraph (2) the following:

“(3) BEGINNING FARMER OR RANCHER.—The term ‘beginning farmer or rancher’ means a farmer or rancher who was previously involved in a farming or ranching operation, which has not actively operated and managed a farm or ranch with a bona fide insurable interest in a crop or livestock as an owner-operator, landlord, tenant, or share安排, for more than 5 crop years, as determined by the Secretary.”.

(b) PREMIUM ADJUSTMENTS.—Section 508 of the Federal Crop Insurance Act (7 U.S.C. 1508) is amended—

(1) in subsection (b)(5)(E), by inserting “and beginning farmers or ranchers” after “limited resource farmers”;

(2) in subsection (e), by adding at the end the following:

“(B) PREMIUM FOR BEGINNING FARMERS OR RANCHERS.—Notwithstanding any other provision of this subsection regarding payment of a portion of premiums, a beginning farmer or rancher shall receive premium assistance that is 10 percentage points greater than premium assistance that would otherwise be available under paragraphs (2) (except for subparagraph (A) of that paragraph), (5), (6), and (7) for the applicable policy, plan of insurance, and coverage level selected by the beginning farmer or rancher.”;

(3) in subsection (A) (in paragraph (2)(B)—

(i) in clause (i), by striking “or” and inserting “or”;

(ii) in clause (iv) and (v), by inserting the period at the end and inserting “; or”;

(iii) by adding at the end the following:

“(3) if the producer is a beginning farmer or rancher who was previously involved in a farming or ranching operation, including involvement in the decisionmaking or physical involvement in the production of the crop or livestock on the farm or ranch for any acreage obtained by the beginning farmer or rancher, a yield that is the higher of—

(1) the actual production history of the previous producer of the crop or livestock on the acreage determined under subparagraph (A); or

(2) a yield of the producer, as determined in clause (v) of section 1601(b);”;

(4) in paragraph (2)(A) (as amended by section 11006)—

(i) by inserting “(D) after “(ii);”;

(ii) by adding after the period at the end and inserting “; or”;

(iii) by adding at the end the following:

“(D) in the case of beginning farmers or ranchers, reducing each excluded yield with a yield equal to 80 percent of the applicable transitional yield.”;

SEC. 11027. AGRICULTURAL MANAGEMENT ASSISTANCE, RISK MANAGEMENT EDUCATION, AND ORGANIC CERTIFICATION COST SHARE ASSISTANCE.

Section 524 of the Federal Crop Insurance Act (7 U.S.C. 1524) is amended by striking subsection (b) and inserting the following:

“(b) AGRICULTURAL MANAGEMENT ASSISTANCE, RISK MANAGEMENT EDUCATION, AND ORGANIC CERTIFICATION COST SHARE ASSISTANCE.—

(1) AUTHORITY FOR PROVISION OF ASSISTANCE.—The Secretary shall provide assistance under this section to producers for—

(A) provision of organic certification cost share assistance pursuant to section 16006 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 6523),

(B) activities to support risk management education and community outreach partnerships pursuant to section 522(d), including—

(i) entering into futures or hedging;

(ii) entering into agricultural trade options as a hedging transaction to reduce production, price, or revenue risk; or

(iii) conducting any other activity relating to a transition to a clause (i) or (ii), including farm financial benchmarking, as determined by the Secretary.

(C) provision of agricultural management assistance grants for farmers in States which have traditionally, and continue to be, a low level of Federal crop insurance participation and availability, and producers underserved by the Federal crop insurance program, as determined by the Secretary, for the purposes of—

(i) constructing or improving—

(A) irrigation and drainage structures; or

(B) irrigation structures;

(ii) planting trees to form windbreaks or to improve water quality; and

(iii) mitigating risk through production or marketing diversification or resource conservation practices, including—

(A) soil erosion control;

(B) integrated pest management;

(C) organic farming; or

(D) to develop and implement a plan to create marketing opportunities for the producer, including through value-added processing.

(2) PAYMENT LIMITATION.—The total amount of payments made to a person (as defined in section 1601(b) of the Food Security Act (7 U.S.C. 1508)) as in existence before the amendment made by section 1603(b) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246) (Public Law 110–246) shall be limited to—

(A) 30 percent of the applicable transitional yield; and

(B) a yield of the producer described in paragraph (2)—

(i) 50 percent to carry out paragraph (1)(A); or

(ii) 26 percent to carry out paragraph (1)(B); and

(iii) 24 percent to carry out paragraph (1)(C).

SEC. 11028. CROP PRODUCTION ON NATIVE SOD.

(a) FEDERAL CROP INSURANCE.—Section 508(b) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)) is amended—

(1) in paragraph (2)(A), by striking “for benefits under—” and all that follows through the period at the end and inserting “for—

(i) a portion of crop insurance premium subsidies under this subtitle in accordance with paragraph (3); and

(ii) the crop insurance premium subsidy provided for the producer under this subtitle shall be 50 percentage points less than the premium subsidy that would otherwise apply.

(B) YIELD SUBSTITUTION.—During the period native sod acreage is covered by this subsection, a producer may substitute yields for the native sod acreage.

(b) NONINSURED CROP DISASTER ASSISTANCE.—Section 196(a)(4) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333(a)(4)) is amended—

(1) in paragraph (2), by striking “for benefits under—” and all that follows through the period at the end and inserting “for—

(i) benefits under this section;

(ii) a portion of crop insurance premium subsidies under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) in accordance with subparagraph (C); and

(iii) payments described in subsection (b) of section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308b);”;

(2) by striking subparagraph (B) and inserting “65 percent of the applicable transitional yield; and

(B) the crop insurance premium subsidy provided for the producer under this subsection shall be 50 percentage points less than the premium subsidy that would otherwise apply.

(C) ADMINISTRATION.—

(1) IN GENERAL.—During the first 4 crop years of planting on native sod acreage by a producer described in paragraph (2)—

(i) by striking “for benefits under—” and all that follows through the period at the end and inserting “for—

(ii) payments described in subsection (b) of section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308b);”;

(3) by striking subparagraph (C) and inserting the following:

“(C) ADMINISTRATION.—

(1) IN GENERAL.—The Committee shall carry out this subsection through the Commodity Credit Corporation.

(2) FUNDING.—For each of fiscal years 2014 through 2018, the Commodity Credit Corporation shall make available to carry out this subsection $23,000,000.

(3) DISTRIBUTION OF FUNDS.—Of the amount made available to carry out this subsection for a fiscal year, the Commodity Credit Corporation shall use not less than—

(A) 50 percent to carry out paragraph (1)(A);

(B) 26 percent to carry out paragraph (1)(B); and

(C) 24 percent to carry out paragraph (1)(C).

SEC. 11029. CROP PRODUCTION ON ARCHIVAL LAND.

(a) FEDERAL CROP INSURANCE.—Section 508(b) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)) is amended—

(1) in paragraph (2)(A), by striking “for benefits under—” and all that follows through the period at the end and inserting “for—

(i) a portion of crop insurance premium subsidies under this subtitle in accordance with paragraph (3); and

(ii) benefits under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333); and

(iii) payments described in subsection (b) of section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308b);”;

(3) by striking paragraph (3) and inserting the following:

“(3) ADMINISTRATION.—

(i) IN GENERAL.—During the first 4 crop years of planting on native sod acreage by a producer described in paragraph (2)—

(ii) payments described in subsection (b) of section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308b);”;

(4) payments described in subsection (b) of section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308b);”;

(5) by striking subparagraph (B) and inserting “50 percentage points less than the premium subsidy that would otherwise apply.

(ii) the crop insurance premium subsidy provided for the producer under this subsection shall be 50 percentage points less than the premium subsidy that would otherwise apply.

(C) OCPALAND REPORT.—

(1) BASELINE.—Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the cropacreage by each county and State, and the change in cropacreage from the preceding year in each county and State, beginning with calendar year 2000 and including information for the most recent year for which that information is available.

(2) ANNUAL UPDATES.—Not later than January 1, 2014, and each January 1 thereafter through January 1, 2017, the Secretary of Agriculture shall submit to the Committee on Agriculture of the House of Representatives
and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes—

(A) the cropland acreage in each county and State as of the date of submission of the report; and

(B) the change in cropland acreage from the preceding year in each county and State.

SEC. 11002. LIMITATION ON PREMIUM SUBSIDY BASED ON AVERAGE ADJUSTED GROSS INCOME.

Section 588(e) of the Federal Crop Insurance Act (7 U.S.C. 1508(b) as amended by section 11023(b) is amended by adding at the end the following:

"(9) LIMITATION ON PREMIUM SUBSIDY BASED ON AVERAGE ADJUSTED GROSS INCOME.—In this paragraph, the term ‘average adjusted gross income’ has the meaning given the term in section 1001(d) of the Food Security Act of 1985 (7 U.S.C. 1308-3a(a))."

"(10) LIMITATION.—Notwithstanding any other provision of this subchapter and beginning with the 2014 reinsurance year, in the case of any person that is a producer or person or legal entity that has an average adjusted gross income in excess of $750,000 based on the most recent data available from the Farm Service Agency as of the beginning of the reinsurance year, the total amount of premium subsidy provided with respect to additional coverage under subsection (c), section 508b, or section 508C issued on behalf of the producer for a reinsurance year shall be 15 percentage points less than the premium subsidy provided in accordance with this subsection that would otherwise be available for the applicable policy, plan of insurance, and coverage level selected by the producer.

"(11) LIMITATION.—In this paragraph—

(A) provide answers in an easily accessible and understandable format to frequently asked questions; and

(B) include published materials of the Department of Agriculture that relate to plans and policies of crop insurance offered under that Act.

SEC. 11003. OFFICE OF ADVOCACY AND OUTREACH.

(a) FINDINGS.—Congress finds that—

(1) due to changes in commodity and other agricultural programs made by the Agriculture, Food, and Jobs Act of 2013, it is more important than ever that agricultural producers be able to fully understand the terms of plans and policies of crop insurance offered under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.), and

(2) proposed reductions by the Secretary in the number of State and local offices of the Federal Crop Insurance Corporation.

(b) REQUIREMENT FOR USE OF PLAIN LANGUAGE.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Government Accountability Office, shall carry out a study to determine the effects of the limitation described in subparagraph (B) on—

(I) the overall operations of the Federal crop insurance program;

(II) the number of producers participating in the Federal crop insurance program;

(III) the amount of coverage purchased by participating producers;

(IV) the amount of premiums paid by participating producers and the Federal Government;

(V) any potential liability for participating producers, approved insurance providers, and the Federal Government;

(VI) different crops or growing regions;

(VII) program rating structures;

(VIII) creation of schemes or devices to evade the implementation of the limitation; and

(ix) administrative and operating expenses paid to approved insurance providers and underwriting gains and loss for the Federal government and approved insurance providers.

(2) EFFECTIVENESS.—The limitation described in subparagraph (B) shall not take effect unless the Secretary determines, through the study described in clause (i), that the limitation would not—

(I) significantly increase the premium amount paid by producers with an average adjusted gross income of less than $750,000;

(II) result in a decline in the crop insurance coverage available to producers; and

(III) increase the total cost of the Federal crop insurance program.

"(c) APPLICATION.—

"(1) STUDY.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Government Accountability Office, shall carry out a study to determine the effects of the limitation described in subparagraph (B) on—

(I) the overall operations of the Federal crop insurance program;

(II) the number of producers participating in the Federal crop insurance program;

(III) the amount of coverage purchased by participating producers;

(IV) the amount of premiums paid by participating producers and the Federal Government;

(V) any potential liability for participating producers, approved insurance providers, and the Federal Government;

(VI) different crops or growing regions;

(VII) program rating structures;

(VIII) creation of schemes or devices to evade the implementation of the limitation; and

(ix) administrative and operating expenses paid to approved insurance providers and underwriting gains and loss for the Federal government and approved insurance providers.

(2) EFFECTIVENESS.—The limitation described in subparagraph (B) shall not take effect unless the Secretary determines, through the study described in clause (i), that the limitation would not—

(I) significantly increase the premium amount paid by producers with an average adjusted gross income of less than $750,000;

(II) result in a decline in the crop insurance coverage available to producers; and

(III) increase the total cost of the Federal crop insurance program.

"(d) DEFINITION OF AVERAGE ADJUSTED GROSS INCOME.—In this paragraph, the term ‘average adjusted gross income’ has the meaning given the term in section 1001(d) of the Food Security Act of 1985 (7 U.S.C. 1308-3a(a))."

"(e) LIMITATION.—Notwithstanding any other provision of this subchapter and beginning with the 2014 reinsurance year, in the case of any person that is a producer or person or legal entity that has an average adjusted gross income in excess of $750,000 based on the most recent data available from the Farm Service Agency as of the beginning of the reinsurance year, the total amount of premium subsidy provided with respect to additional coverage under subsection (c), section 508b, or section 508C issued on behalf of the producer for a reinsurance year shall be 15 percentage points less than the premium subsidy provided in accordance with this subsection that would otherwise be available for the applicable policy, plan of insurance, and coverage level selected by the producer.

TITLED XII—MISCELLANEOUS

Subtitle A—Socially Disadvantaged Producers and Limited Resource Producers

SEC. 12001. OUTREACH AND ASSISTANCE FOR SOCIALLY DISADVANTAGED FARMERS AND RANCHERS AND VETERAN FARMERS AND RANCHERS.

(a) OUTREACH AND ASSISTANCE FOR SOCIALLY DISADVANTAGED FARMERS AND RANCHERS AND VETERAN FARMERS AND RANCHERS.

(1) IN GENERAL.—To be eligible for a grant under this section, an eligible entity shall conduct research and development of surveil-
“(A) a wildlife reservoir in the United States; or “(B) domestic livestock or wildlife present a potential concern to public health. “(2) The Secretary may award grants under this section, the Secretary shall give priority to grants that address— “(A) Brucella abortus (Bovine Brucellosis); “(B) Mycobacterium bovis (Bovine Tuberculosis); or “(C) other zoonotic disease in livestock that is covered by a high-priority research and extension initiative conducted under section 1672 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 9525).”

(d) ELIGIBLE ENTITIES.—The Secretary shall carry out the initiative established under subsection (b) through public scientific research consortia that may consist of members from— “(1) Federal agencies; “(2) National Laboratories; “(3) institutions of higher education; “(4) research institutions and organizations; or “(5) State agricultural experiment stations. “(e) RESEARCH PROJECTS.—In carrying out this section, the Secretary shall award grants on a competitive basis.

(f) ADMINISTRATION.— “(1) IN GENERAL.—In the case of grants awarded under this section, the Secretary shall— “(A) seek and accept proposals for grants; “(B) determine the relevance and merit of proposals through a system of peer and merit review in accordance with section 103; “(C) award grants on the basis of merit, quality, and relevance; and “(D) manage the initiative established under subsection (b) using a Coordinated Agricultural Project format. “(2) TERM.—The term of a grant under this section may not exceed 10 years. “(3) MATCHING FUNDS REQUIRED.—The Secretary shall require the recipient of a grant under this section to provide funds or in-kind support from non-Federal sources in an amount that is not less than 25 percent of the amount provided by the Federal Government. “(4) OTHER CONDITIONS.—The Secretary may establish conditions on the award of a grant under this section as the Secretary determines to be appropriate. “(g) BUILDINGS AND FACILITIES.—Funds made available under this section shall not be used for— “(1) the construction of a new building or facility; or “(2) the acquisition, expansion, remodeling, or alteration of an existing building or facility (including site grading and improvement and architect fees). “(h) AUTHORIZATION OF APPROPRIATIONS.— “(1) IN GENERAL.—There is authorized to be appropriated for the modernization and improvement of the facilities at the National Veterinary Services Laboratories in Ames, Iowa, St. Paul, Minnesota, and Ft. Collins, Colorado, $500,000,000 for each of fiscal years 2013 through 2017. “(2) IN GENERAL.—There is authorized to be appropriated to carry out this section $1,500,000 for each of fiscal years 2013 through 2017. “(j) IN GENERAL.—Subject to clause (ii), in the case of a State agency, political subdivision, or local governmental agency that is charged with implementing an agriculture or conservation program under State law, in the case of a State agency, political subdivision, or local governmental agency that is charged with implementing an agriculture or conservation program under State law, or in the case of a State agency, political subdivision, or local governmental agency if

SEC. 12104. SHEEP PRODUCTION AND MARKETING GRANT PROGRAM.

(a) IN GENERAL.—Subject A of the Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) is amended by adding at the end the following: “SEC. 209. SHEEP PRODUCTION AND MARKETING GRANT PROGRAM. “(a) ESTABLISHMENT.—The Secretary, acting through the Administrator of the Agricultural Marketing Service (referred to in this section as the ‘Secretary’), shall establish a competitive grant program for the purpose of improving the United States sheep industry. “(b) PURPOSE.—The purpose of the grant program shall be to strengthen and enhance the production and marketing of sheep and sheep products, including improvement of— “(1) infrastructure; “(2) business; “(3) resource development; and “(4) innovative approaches to solve long-term needs. “(c) ELIGIBILITY.—The Secretary shall make grants under this section to 1 or more national entities, or a combination of 1 or more national entities, who are consistent with the purpose of the grant program. “(d) FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section $1,500,000 for each of fiscal years 2013 through 2017 for each place it appears and inserting ‘2012’ each place it appears and inserting ‘2013’.

SEC. 12105. FERAL SWINE ERADICATION PILOT PROGRAM.

(a) IN GENERAL.—To eradicate or control the threat of feral swine pose to the domestic swine population, the entire livestock industry, and the destruction of crops and natural plant communities habitat, the Secretary of Agriculture may establish a feral swine eradication pilot program. “(b) PILOT.—Subject to the availability of appropriations under this section, the Secretary may provide financial assistance for the cost of carrying out a pilot program— “(1) to study and assess the nature and extent of damage to the pilot area caused by feral swine; “(2) to develop methods to eradicate or control feral swine in the pilot area; and “(3) to develop methods to restore damage caused by feral swine. “(c) COORDINATION.—The Secretary shall ensure that the Natural Resource Conservation Service and the Animal and Plant Health Inspection Service coordinate to carry out the pilot program.

(d) COST SHARING.— “(1) FEDERAL SHARE.—The Federal share of the costs of the pilot program under this section may not exceed 75 percent of the total costs of carrying out the pilot program. “(2) IN GENERAL.—The non-Federal share of the costs of the pilot program may not exceed 25 percent of the total costs of carrying out the pilot program. “(3) USE.—The non-Federal share of the costs of the pilot program may be provided in the form of in-kind contributions of materials or services.

SEC. 12102. TRICHINA CERTIFICATION PROGRAM.

Section 10406(d)(1) of the Animal Health Protection Act (7 U.S.C. 8304(d)(1)) is amended by adding in subparagraphs (A) and (B) by striking “2012” each place it appears and inserting “2013”.

SEC. 12103. NATIONAL AQUATIC ANIMAL HEALTH STRATEGIES.

Section 11013(d) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8322(d)) is amended by striking “2012” and inserting “2018”.

SEC. 12104. SHEEP PRODUCTION AND MARKETING GRANT PROGRAM.

(a) IN GENERAL.—Subject A of the Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) is amended by adding at the end the following: “SEC. 209. SHEEP PRODUCTION AND MARKETING GRANT PROGRAM. “(a) ESTABLISHMENT.—The Secretary, acting through the Administrator of the Agricultural Marketing Service (referred to in this section as the ‘Secretary’), shall establish a competitive grant program for the purpose of improving the United States sheep industry. “(b) PURPOSE.—The purpose of the grant program shall be to strengthen and enhance the production and marketing of sheep and sheep products, including improvement of— “(1) infrastructure; “(2) business; “(3) resource development; and “(4) innovative approaches to solve long-term needs. “(c) ELIGIBILITY.—The Secretary shall make grants under this section to 1 or more national entities, or a combination of 1 or more national entities, who are consistent with the purpose of the grant program. “(d) FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section $1,500,000 for each of fiscal years 2013 through 2017. “(f) AUTHORIZATION OF APPROPRIATIONS.— There is authorized to be appropriated to carry out this section $1,500,000 for each of fiscal years 2013 through 2017.

Subtitle C—Other Miscellaneous Provisions

SEC. 12201. MILITARY VETERANS AGRICULTURAL LIASON.

(a) AUTHORIZATION.—The Secretary shall establish in the Department the position of Military Veterans Agricultural Liaison. “(b) DUTIES.—The Military Veterans Agricultural Liaison shall— “(1) provide information to returning veterans about, and connect returning veterans with, beginning farmer training and agricultural vocational and rehabilitation programs appropriate to the needs and interests of returning veterans, including assisting veterans in using Federal veterans educational benefits for purposes relating to beginning a farming or ranching enterprise; “(2) provide information to veterans concerning the availability of and eligibility requirements for participation in agricultural programs, with particular emphasis on beginning farmer and rancher programs; “(3) serving as a resource for assisting veteran farmers and ranchers, and potential farmers and ranchers, in applying for participation in agricultural programs; and “(4) advocating on behalf of veterans in interactions with employees of the Department. “(c) CONTRACTS AND COOPERATIVE AGREEMENTS.—For purposes of carrying out the duties under subsection (b), the Military Veterans Agricultural Liaison may enter into contracts or cooperative agreements with the research centers of the Agricultural Research Service, institutions of higher education, or nonprofit organizations for— “(1) the conduct of regional research on the profitability of small farms; “(2) the development of educational materials; “(3) the conduct of workshops, courses, and certified vocational training; “(4) the conduct of mentoring activities; or “(5) the provision of internship opportunities. “(d) AMENDMENTS.—Section 296 of the Department of Agriculture Reorganization Act of 1993 (7 U.S.C. 7206(b)) is amended by adding the following— “(1) in paragraph (8), by striking the “or” at the end; “(2) in paragraph (9), by striking the period at the end and inserting “; or”; and “(3) by adding at the end the following: “(10) the authority of the Secretary to establish in the Department the position of Military Veterans Agricultural Liaison in accordance with section 219.”

SEC. 12202. INFORMATION GATHERING.

Section 1619(b)(3) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8791) is amended by adding at the end the following: “(B) COOPERATION WITH STATE AND LOCAL GOVERNMENTS.— “(1) IN GENERAL.—Subject to clause (ii), in the case of a State agency, political subdivision, or local governmental agency that is charged with implementing an agriculture or conservation program under State law, on request of the State agency, political subdivision, or local governmental agency, the information described in paragraph (2) shall be disclosed to the State agency, political subdivision, or local governmental agency if
the Secretary determines that the State agency, political subdivision, or local governmental agency demonstrates that the disclosure is required for implementing the State program.

‘‘(ii) Restraint.—Any information disclosed to a closed agency, political subdivision, or local governmental agency under clause (i) shall be—

‘‘(I) used solely by the State agency, political subdivision, or local governmental agency; and

‘‘(II) exempt from disclosure to the public, including under any State law that allows a citizen to petition a State agency for that information.’’

SEC. 12205. GRANTS TO IMPROVE SUPPLY, STABILITY, SAFETY, AND TRAINING OF AGRICULTURAL LABOR FORCE.

Section 12204(d) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 2087q-1(d)) is amended to read as follows:

‘‘(d) Authorization of Appropriations.—There are authorized to be appropriated to carry out this section—

‘‘(1) such sums as are necessary for each of fiscal years 2008 through 2013; and

‘‘(2) $10,000,000 for each of fiscal years 2014 through 2018.’’

SEC. 12204. NONINSURED CROP ASSISTANCE PROGRAM.

(a) In General.—Section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting—

‘‘(1) IN GENERAL.—The Secretary shall make available to a producer eligible for noninsured assistance under this section a payment equivalent to an indemnity for additional coverage made available under subsections (c) and (h) of section 508 of the Federal Crop Insurance Act (7 U.S.C. 1508) that does not exceed 65 percent, computed by multiplying—

‘‘(A) the quantity that is less than 50 to 65 percent of the established yield for the crop, as determined by the Secretary, specified in increments of 5 percent;

‘‘(B) 100 percent of the average market price for the crop, as determined by the Secretary; and

‘‘(C) a payment rate for the type of crop, as determined by the Secretary, that reflects—

‘‘(i) in the case of a crop that is produced without a significant and variable harvesting expense, the decreasing cost incurred in the production cycle for the crop that is, as applicable—

‘‘(I) harvested;

‘‘(II) planted but not harvested; or

‘‘(III) prevented from being planted because of drought or other natural disaster, as determined by the Secretary; or

‘‘(ii) in the case of a crop that is produced without a significant and variable harvesting expense, such rate as shall be determined by the Secretary.

‘‘(2) PREMIUM.—To be eligible to receive a payment under this subsection, a producer shall pay—

‘‘(A) the service fee required by subsection (k); and

‘‘(B) a premium for the applicable crop year that is equal to—

‘‘(i) the product obtained by multiplying—

‘‘(I) the number of acres devoted to the eligible crop by the premium rate provided to such producer under paragraph (2);

‘‘(II) the yield, as determined by the Secretary under subsection (e); and

‘‘(II) the coverage level elected by the producer;

‘‘(IV) the average market price, as determined by the Secretary; and

‘‘(V) 5.25-percent premium fee.

‘‘(3) LIMITED FUNDING.—In a case in which funds are not available under subsection (c), (c), or (h) of section 508 of the Federal Crop Insurance Act (7 U.S.C. 1508(b)); or

‘‘(4) ADDITIONAL AVAILABILITY.—

‘‘(I) such sums as necessary to provide assistance under subsections (c) and (h) of section 508 of that Act (7 U.S.C. 1508) that does not exceed 65 percent.

‘‘(B) Administration.—The Secretary shall carry out this section through the Farm Service Agency (referred to in this section as the ‘Agency’), and

‘‘(B) in paragraph (2)—

‘‘(I) in clause (i), by striking—

‘‘(A) the matter before clause (i), by striking—

‘‘(B) (except livestock) and inserting—

‘‘(except livestock and crops and grasses used for grazing);

‘‘(II) in clause (i), by striking ‘‘and’’ after the semicolon at the end; and

‘‘(III) by redesignating clause (ii) as clause (iii); and

‘‘(IV) by inserting after clause (i) the following:

‘‘(ii) for which additional coverage under subsection (a) is equal to or less than 50 percent of the established yield and is not included in any other insurance or disaster assistance program established by the Secretary, excluding the coverage made available under this subsection, the Secretary may make assistance available to producers of such crop described in subsection (a)(2)(B) that suffered losses—

‘‘(I) to a 2012 annual fruit crop grown on a bush or tree;

‘‘(II) in a county covered by a declaration by the Secretary of a natural disaster for production losses due to a freeze or frost;

‘‘(III) by striking ‘‘in a county covered by a declaration by the Secretary of a natural disaster for production losses due to a freeze or frost’’ and inserting—

‘‘(I) shall make assistance available under this subsection—

‘‘(A) in a county covered by a declaration by the Secretary of a natural disaster for production losses due to a freeze or frost;

‘‘(B) Assistance.—The Secretary shall make assistance available under this subsection—

‘‘(1) IN GENERAL.—Effective October 1, 2013, subsections (a) and (b) of section 12201 (a) and (b) of section 12201 (b) of title 7 (7 U.S.C. 7333) shall be applied and administered as if subsection (a) and the amendments made by subsection (a) (other than the amendments made by clauses (i)(I) and (ii) of subsection (a)(I)(B)) had not been enacted.

SEC. 12205. REGIONAL ECONOMIC AND INFRASTRUCTURE DEVELOPMENT.

Section 19751 of title 46, United States Code, is amended—

(1) in subsection (a), by striking ‘‘2012’’ and inserting ‘‘2013’’; and

(2) in subsection (b)—

(A) by striking ‘‘Not more than’’ and inserting the following:

‘‘(1) In general.—Except as provided in paragraph (2), not more than—

‘‘(B) by adding at the end the following:

‘‘(2) LIMITED FUNDING.—In a case in which less than $10,000,000 is made available to a Commission for a fiscal year under this section, paragraph (1) shall not apply.’’.

SEC. 12206. CANADA GEESE REMOVAL.

(a) In General.—On a determination by the Administrator of the Federal Aviation Administration that the population of Canada geese residing on land under the jurisdiction of the National Park Service that is located within 5 miles of commercial air-}

port poses a risk to flight safety, the Secretary (acting through the Administrator of the Animal and Plant Health Inspection Service), in consultation with the Secretary of the Interior and the Administrator of the Federal Aviation Administration, shall—

(1) by the first subsequent melting period for Canada geese that occurs after the date of enactment of this Act, publish a management plan that provides for the removal, by not later than 1 year after the date of publication of such plan, of Canada geese residing on the applicable land; and

(2) as soon as practicable after the date of publication of the management plan under paragraph (1), commence removal of Canada geese from the applicable land.

(b) JFK International Airport.—Not later than June 1, 2012, the Secretary (acting through the Administrator of the Animal and Plant Health Inspection Service) shall—

(1) issue a record of decision for the document entitled ‘‘Supplement to the Environmental Impact Statement Bird Hazard Reduction Program; John F. Kennedy International Airport’’; and

(2) commence consultation with the Secretary of the Interior to complete the collection and removal of Canada geese from the applicable National Park Service land to ensure that the removal is completed by not later than August 1, 2012.

SEC. 12207. OFFICE OF TRIBAL RELATIONS.

(a) In General.—Title III of the Department of Agriculture Reorganization Act of 1994 is amended by adding after section 308 (7 U.S.C. 3123a note; Public Law 103-354) the following:

‘‘SEC. 309. OFFICE OF TRIBAL RELATIONS.

‘‘(1) The Secretary shall establish in the Office of the Secretary an Office of Tribal Relations.

‘‘(b) Conforming Amendments.—Section 296(b) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 7014(b)) is amended by adding after section 308 (7 U.S.C. 7014(b)) the following:

‘‘SEC. 309. OFFICE OF TRIBAL RELATIONS.

‘‘(1) (A) Title III of the Department of Agriculture Reorganization Act of 1994 is amended by adding after section 308 (7 U.S.C. 3123a note; Public Law 103-354) the following:

‘‘(B) The authority of the Secretary to establish in the Office of the Secretary the Office of Tribal Relations in accordance with section 309.

SEC. 12208. REPEAL OF DUPLICATIVE PROGRAM.

(a) In General.—Effective on the date of enactment of the Food, Conservation, and
SEC. 12211. DEFINITION OF RURAL AREA FOR PURPOSES OF THE HOUSING ACT OF 1949.

The second sentence of section 520 of the Housing Act of 1949 (42 U.S.C. 1460) is amended—

(1) by striking "1990, 2000, or 2010'' and inserting "1990, 2000, or 2010''; and

SEC. 12212. PROHIBITION ON ATTENDING AN ANIMAL FIGHT OR CAUSING A MINOR TO ATTEND AN ANIMAL FIGHT. 

Section 26 of the Animal Welfare Act (7 U.S.C. 2156) is amended—

(1) in subsection (a)—

(A) in the heading, by striking "Sponsoring or Exhibiting an Animal in'' and inserting "Sponsoring or Exhibiting an Animal in, Attending, or Causing a Minor to Attend'';

(B) in paragraph (1)—

(i) in the heading, by striking "In General" and inserting "Sponsoring or Exhibiting''; and

(ii) by striking paragraph (2) and inserting paragraph (3); and

(C) by redesignating paragraph (2) as paragraph (3); and

(D) by inserting after paragraph (1) the following new paragraph:

"(2) ATTENDING OR CAUSING A MINOR TO ATTEND.—It shall be unlawful for any person to—

(A) knowingly attend an animal fighting venture; or

(B) knowingly cause a minor to attend an animal fighting venture.''; and

(2) in subsection (g), by adding at the end the following new subsections:

"(1) a description of the activities to be supported using the grant funds;

(2) a description of the benefits that the State or tribal government intends to achieve as a result of engaging in such activities; and

(3) an estimate of the increase in maple-sugar activities or maple syrup production that the State or tribal government anticipates will occur as a result of engaging in such activities.

SEC. 12210. ACER ACCESS AND DEVELOPMENT PROGRAM.

(a) GRANTS AUTHORIZED; AUTHORIZED ACTIVITIES. —The Secretary of Agriculture may make grants to States and tribal governments to support their efforts to promote the domestic maple syrup industry through the following activities:

(1) Promotion of research and education related to maple syrup production.

(2) Promotion of natural resource sustainability in the maple syrup industry.

(3) Marketing promotion for maple syrup and maple-sap products.

(4) Encouragement of owners and operators of privately held land containing species of trees in the genus Acer to—

(A) to initiate or expand maple-sugar activities on the land; or

(B) to voluntarily make the land available, by lease or other means, for access by the public for maple-sugar activities.

(b) APPLICATIONS.—In submitting an application for a grant under this section, a State or tribal government shall include—

(1) a description of the activities to be supported using the grant funds;

(2) a description of the benefits that the State or tribal government intends to achieve as a result of engaging in such activities; and

(3) an estimate of the increase in maple-sugar activities or maple syrup production that the State or tribal government anticipates will occur as a result of engaging in such activities.

SEC. 216. ANTI-RETALIATION PROTECTION FOR WHISTLEBLOWERS.

(a) WHISTLEBLOWER PROTECTIONS FOR EMPLOYEES, CONTRACTORS, SUBCONTRACTORS, AND AGENTS.—

"(1) IN GENERAL.—No person, or any officer, employee, contractor, subcontractor, or agent of such person, may discharge, demote, suspend, threaten, or otherwise discriminate against a whistleblower in the terms and conditions of employment because—

(i) the individual has provided to the person or the Federal Government information relating to—

(ii) any violation of, or any act or omission the whistleblower reasonably believes to be a violation of the antitrust laws; or

(iii) any violation of, or any act or omission the whistleblower reasonably believes to be a violation of the antitrust laws.

"(ii) any violation of, or any act or omission the whistleblower reasonably believes to be a violation of the antitrust laws;

(b) the whistleblower filed, testified, participated in, or otherwise assisted in an investigation or a proceeding; or

(b) the whistleblower filed, testified, participated in, or otherwise assisted in an investigation or a proceeding filed or about to be filed (with any knowledge of the employer) relating to—
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"(1) any violation of, or any act or omission the whistleblower reasonably believes to be a violation of the antitrust laws; or

(2) any violation of, or any act or omission that the whistleblower reasonably believes to be a violation of another criminal law committed in conjunction with a potential violation of the antitrust laws or in conjunction with the antitrust laws.

SEC. 11. LIMITATION ON RELIEF.

(a) LIMITATION ON ACTIONS AGAINST PERSONS OTHER THAN EMPLOYERS. — A complaint filed under subsection (a) of section 42121(b) of the Immigration and Nationality Act (8 U.S.C. 1320a(b)) may be dismissed under the procedures in section 42121(b)(2) of such Act if the court determines that the complaint fails to state a claim upon which relief can be granted.

(b) LIMITATION ON ACTIONS AGAINST PERSONS OTHER THAN CONTRACTORS. — A complaint filed under subsection (a) of section 42121(b) of title 49, United States Code, may be dismissed under the procedures in section 42121(b)(2) of such Act if the court determines that the complaint fails to state a claim upon which relief can be granted.

(c) LIMITATION ON ACTIONS AGAINST PERSONS OTHER THAN AGENTS. — A complaint filed under subsection (a) of section 42121(b) of title 49, United States Code, may be dismissed under the procedures in section 42121(b)(2) of such Act if the court determines that the complaint fails to state a claim upon which relief can be granted.

(d) LIMITATION ON ACTIONS AGAINST PERSONS OTHER THAN EMPLOYERS, CONTRACTORS, OR AGENTS. — A complaint filed under subsection (a) of section 42121(b) of the Immigration and Nationality Act (8 U.S.C. 1320a(b)) may be dismissed under the procedures in section 42121(b)(2) of such Act if the court determines that the complaint fails to state a claim upon which relief can be granted.

(e) LIMITATION ON ACTIONS AGAINST PERSONS OTHER THAN EMPLOYERS, CONTRACTORS, OR AGENTS. — A complaint filed under subsection (a) of section 42121(b) of title 49, United States Code, may be dismissed under the procedures in section 42121(b)(2) of such Act if the court determines that the complaint fails to state a claim upon which relief can be granted.

(f) LIMITATION ON ACTIONS AGAINST PERSONS OTHER THAN EMPLOYERS, CONTRACTORS, OR AGENTS. — A complaint filed under subsection (a) of section 42121(b) of title 49, United States Code, may be dismissed under the procedures in section 42121(b)(2) of such Act if the court determines that the complaint fails to state a claim upon which relief can be granted.

(g) LIMITATION ON ACTIONS AGAINST PERSONS OTHER THAN EMPLOYERS, CONTRACTORS, OR AGENTS. — A complaint filed under subsection (a) of section 42121(b) of title 49, United States Code, may be dismissed under the procedures in section 42121(b)(2) of such Act if the court determines that the complaint fails to state a claim upon which relief can be granted.

(h) LIMITATION ON ACTIONS AGAINST PERSONS OTHER THAN EMPLOYERS, CONTRACTORS, OR AGENTS. — A complaint filed under subsection (a) of section 42121(b) of title 49, United States Code, may be dismissed under the procedures in section 42121(b)(2) of such Act if the court determines that the complaint fails to state a claim upon which relief can be granted.

(i) LIMITATION ON ACTIONS AGAINST PERSONS OTHER THAN EMPLOYERS, CONTRACTORS, OR AGENTS. — A complaint filed under subsection (a) of section 42121(b) of title 49, United States Code, may be dismissed under the procedures in section 42121(b)(2) of such Act if the court determines that the complaint fails to state a claim upon which relief can be granted.

(j) LIMITATION ON ACTIONS AGAINST PERSONS OTHER THAN EMPLOYERS, CONTRACTORS, OR AGENTS. — A complaint filed under subsection (a) of section 42121(b) of title 49, United States Code, may be dismissed under the procedures in section 42121(b)(2) of such Act if the court determines that the complaint fails to state a claim upon which relief can be granted.

(k) LIMITATION ON ACTIONS AGAINST PERSONS OTHER THAN EMPLOYERS, CONTRACTORS, OR AGENTS. — A complaint filed under subsection (a) of section 42121(b) of title 49, United States Code, may be dismissed under the procedures in section 42121(b)(2) of such Act if the court determines that the complaint fails to state a claim upon which relief can be granted.

(l) LIMITATION ON ACTIONS AGAINST PERSONS OTHER THAN EMPLOYERS, CONTRACTORS, OR AGENTS. — A complaint filed under subsection (a) of section 42121(b) of title 49, United States Code, may be dismissed under the procedures in section 42121(b)(2) of such Act if the court determines that the complaint fails to state a claim upon which relief can be granted.
needed U visa increase is adopted. I intend to work to include it in comprehensive immigration reform legislation that we should consider early in this Congress. It will be part of our immigration reform effort.

We have included, as well, in this year’s bill the specific provisions of the SAFE bill that I worked out with Senator CORNYN and Senator GRASSLEY last year and that then passed the Senate unanimously late in the session. I hope that Senators who opposed VAWA last year while supporting those provisions will now join with us in our effort to enact VAWA reauthorization that includes those provisions, as well.

All of the provisions in our bill were developed with the help of victims and with those who assist them every day. They are common sense measures that will help real people. It is past time for Congress to move beyond partisan politics in order to provide help to victims of domestic and sexual violence.

We can make these concrete and important changes in the law that will prevent terrible violence and provide more help to victims. There is no excuse for delay. I hope all Senators will join me in quickly moving this bill through the Senate and that the House will quickly work with us to get a strong VAWA bill to the President.

I thank Senator CRAPO, the lead Senate Republican cosponsor of our bill and Senators MURkowski, MikULski, AytoT, Collins, Coons, durbin, Ben-Net, KLobuchar, Shaheen, Kink, Cant-well, Murray, udall (co), Casey, and Mccaskill, who join us as original co-sponsors and have all been strong supporters of VAWA. I look forward to many others joining us to move forward on this vital legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the Record.

There being no objection, the text of the bill was ordered to be printed in the Record as follows:

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Be it enacted by the Senate and House of Representa-tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE. This Act may be cited as the “Violence Against Women Reauthorization Act of 2013”.

SEC. 2. TABLE OF CONTENTS. The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. Universal definitions and grant conditions.
Sec. 4. Effective date.

TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST WOMEN

Sec. 101. Stop grants.
Sec. 102. Grant to encourage arrest policies and enforcement of protection orders.
Sec. 103. Legal assistance for victi-mms.
Sec. 104. Coordination of grants to support fami-lies in the justice system.
Sec. 105. Sex offender management.
Sec. 106. Court-appointed special advocate program.
Sec. 107. Criminal provision relating to stalking, including protective orders.
Sec. 108. Outreach and services to under-served populations grant.
Sec. 109. Culturally specific services grant.

TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

Sec. 201. Sexual assault services program.
Sec. 203. Training and services to end vio-lence against women with dis-abilities grants.
Sec. 204. Enhanced training and services to end abuse in later life.

TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE

Sec. 301. Rape prevention and education programs.
Sec. 302. Creating hope through outreach, options, services, and education for children and youth.
Sec. 303. Grants to combat violent crimes on campuses.
Sec. 304. Campus sexual violence, domestic violence, dating violence, and stalking education and prevention.

TITLE IV—VIOLANCE REDUCTION PRACTICES

Sec. 401. Study conducted by the centers for disease control and prevention.
Sec. 402. Saving money and reducing tragedies through prevention grants.

TITLE V—STRENGTHENING THE HEALTHCARE SYSTEM’S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

Sec. 501. Consolidation of grants to strengthen the healthcare sys-tem’s response to domestic vio-lence, dating violence, sexual assault, and stalking.

TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

Sec. 601. Housing protections for victims of domestic violence, dating violence, sexual assault, and stalking.
Sec. 602. Transitional housing assistance grants for victims of domestic violence, dating violence, sexual assault, and stalking.
Sec. 603. Addressing the housing needs of victims of domestic violence, dating violence, sexual assault, and stalking.

TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

Sec. 701. National Resource Center on Work-place Responses to assist vic-tims of domestic and sexual vio-lence.

TITLE VIII—PROTECTION OF RATTED IMMIGRANTS

Sec. 801. U nonimmigrant definition.
Sec. 802. Amendment to the Immigration ap-plications made by victims of abuse.
Sec. 803. Protection for children of VAWA recipients.
Sec. 804. Public charge.
Sec. 805. Requirements applicable to U visas.
Sec. 806. Hardship waivers.
Sec. 807. Protections for a fiancée or fiancé of a citizen.
Sec. 808. Regulation of international mar-riage brokers.
Sec. 809. Eligibility of crime and trafficking vic-tims in the Commonwealth of the Northern Mariana Is-lands to land status.
Sec. 810. Disclosure of information for na-tional security purposes.

TITLE IX—SAFETY FOR INDIAN WOMEN

Sec. 901. Grants to Indian tribal govern-ments.
Sec. 902. Grants to Indian tribal coalitions.
Sec. 903. Consultation.
Sec. 904. Tribal jurisdiction over crimes of domestic violence.
Sec. 905. Tribal protection orders.
Sec. 906. Amendments to the Federal assault statute.
Sec. 907. Analysis and research on violence against Indian women.
Sec. 908. Effective dates; pilot project.
Sec. 909. Indian law and order commission; Report on the Alaska Rural Justice and Law Enforcement Commission.
Sec. 910. Limitation.

TITLE X—SAFER ACT

Sec. 1001. Short title.
Sec. 1002. Debbie Smith grants for auditing sexual assault evidence back-logs.
Sec. 1003. Reports to congress.
Sec. 1004. Reducing the rape kit backlog.
Sec. 1005. Oversight and accountability.
Sec. 1006. Sunset.

TITLE XI—OTHER MATTERS

Sec. 1101. Sexual abuse in custodial settings.
Sec. 1102. Anonymous online harassment.
Sec. 1103. Stalker data and打击.
Sec. 1104. Federal victim assistants reau-thorization.
Sec. 1105. Child abuse training programs for judicial personnel and practi-tioners reauthorization.

SEC. 3. UNIVERSAL DEFINITIONS AND GRANT CONDITIONS

(a) DEFINITIONS.—Subsection (a) of section 4002 of the Violence Against Women Act of 1994 (42 U.S.C. 19925(a)) is amended—

(1) by striking paragraphs (5), (17), (18), (20), (30), (33), (36), and (37);

(2) by redesignating—

(A) paragraphs (34) and (35) as paragraphs (1) and (42), respectively;

(B) paragraphs (30), (31), and (32) as para-graphs (36), (37), and (38), respectively;

(C) paragraphs (24) through (26) as para-graphs (30) through (33), respectively;

(D) paragraphs (21) and (22) as paragraphs (26) and (27), respectively;

(E) paragraphs (19) and (20) as paragraphs (23) and (24), respectively;

(F) paragraphs (10) through (16) as para-graphs (13) through (19), respectively;

(G) paragraphs (6), (7), (8), and (9) as para-graphs (8), (9), (10), and (11), respectively; and

(H) paragraphs (1), (2), (3), and (4) as para-graphs (2), (3), (4), and (5), respectively;

(3) by inserting before paragraph (2), as re-designated, the following:

“(1) ALASKA NATIVE VILLAGE.—The term ‘Alaska Native village’ has the same mean-ing given such term in the Alaska Native Claims Settlement Act (48 U.S.C. 161 et seq.),”;

(4) in paragraph (3), as redesignated, by striking “serious harm.” and inserting “seri-ous harm to an unemancipated minor”;

(5) in paragraph (4), as redesignated, by striking “the term” through “that—” and inserting ‘‘The term ‘community-based organ-ization’ means a nonprofit, nongovern-mental, or tribal organization that serves a specific geographic community that—’’.
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(6) by inserting after paragraph (5), as redesignated, the following:

(6) CULTURALLY SPECIFIC.—The term "culturally specific" means primarily directed toward minority groups as defined in section 170(f) of the Public Health Service Act (42 U.S.C. 300u-8(g)).

(7) CULTURALLY SPECIFIC SERVICES.—The term "culturally specific services" means community-based services that include culturally relevant and linguistically specific services and resources to culturally specific community-based groups.

(7) in paragraph (8), as redesignated, by inserting "or "intimate partner" after "former spouse" and "as a spouse";

(8) by striking paragraph (11), as redesignated, the following:

(ii) disclose, reveal, or release to offer a comparable level of confidentiality as a nonprofit entity that provides similar victim services;'';

(14) in paragraph (26), as redesignated—

(A) by striking paragraph (A), by striking "or" after the semicolon;

(B) in subparagraph (B), by striking the period and inserting "; or";

and

(C) by inserting after paragraph (28), as redesignated—

( "C) any federally recognized Indian tribe;'';

(15) in paragraph (27), as redesignated—

(A) by striking "32" and inserting "57";

and

(B) by striking "150,000" and inserting "250,000;'';

(16) by inserting after paragraph (27), as redesignated, the following:

(28) SEX TRAFFICKING.—The term "sex trafficking" means any conduct prescribed by section 1591 of title 18, United States Code, whether or not the conduct occurs in interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States.

(29) SEXUAL ASSAULT.—The term "sexual assault" means any nonconsensual sexual act prescribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.

(17) by inserting after paragraph (34), as redesignated, the following:

(35) TRIBAL COALITION.—The term "tribal coalition" means an established nonprofit, nongovernmental Indian organization, Alaskan Native organization, or a Native Hawaiian organization that—

(A) provides education, support, and technical assistance to member Indian service providers in a manner that enables those member providers to establish and maintain culturally appropriate services, including shelter and rape crisis services, designed to assist Indian women and the dependents of those women who are victims of domestic violence, dating violence, sexual assault, and stalking; and

(B) is comprised of board and general members that are representative of—

(i) the member service providers described in subparagraph (A); and

(ii) the tribal communities in which the services are being provided.;'';

(18) by inserting after paragraph (38), as redesignated, the following:

(39) UNDERSERVED POPULATIONS.—The term "underserved populations" means populations that are underserved by other victim services, including use victim services, and includes populations underserved because of geographic location, religion, sexual orientation, gender identity, or other cultural, ethnic, or racial populations, populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age), and any other population determined to be underserved by the Attorney General or by the Secretary of Health and Human Services, as appropriate.

(40) USE OF LOCAL GOVERNMENT.—The term "unit of local government" means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State;'';

(19) by inserting after paragraph (42), as redesignated, the following:

(43) VICTIM SERVICES OR SERVICES.—The term "victim services or services" means provided to victims of domestic violence, dating violence, sexual assault, or stalking, including telephone hotlines, legal advocacy, economic advocacy, emergency and transitional shelter, accompaniment and advocacy through medical, criminal justice, and social support systems, crisis intervention, short-term individual and group support services, information and referrals, culturally specific services, population specific services, and other related supportive services.

(45) YOUTH.—The term "youth" means a person who is 11 to 24 years of age, inclusive.

(b) GRANTS CONDITIONS.—Subsection (b) of section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)) is amended—

(1) in paragraph (6)—

(A) in subparagraph (B), by striking clauses (i) and (ii) and inserting the following:

(1) disclose, reveal, or release any personally identifying information or individual information collected in connection with services requested, utilized, or denied through grants and subgrants' program regardless of whether the information has been encoded, encrypted, hashed, or otherwise protected; or

(2) disclose, reveal, or release individual client information without the informed, written, reasonably time-limited consent of the person (or in the case of an emancipated minor, the person, the parent or guardian or in the case of legal incapacity, a court-appointed guardian) about whom information is sought, whether for the program or any other Federal, State, tribal, or territorial grant program, except that consent for release may not be given by the abuser of the minor, incapacitated person, or the abuser of the other parent of the minor.

If a minor or a person with a legally appointed guardian is permitted by law to receive services without the parent's or guardian's consent, the minor or person with a guardian may release information without additional consent.;'';

(b) by amending subparagraph (D), to read as follows:

(1) INFORMATION SHARING.—

(i) Grantees and subgrantees may aggregate services to their clients and nonpersonally identifying demographic information in order to comply with Federal, State, tribal, or territorial reporting, evaluation, or data collection requirements.

(ii) Court- or other government-generated and law enforcement-generated information contained in secure, governmental registries for protection order enforcement purposes; and

(iii) law enforcement-generated and prosecution-generated information necessary for law enforcement and prosecution purposes.

(2) In no circumstances may—

(i) an adult, youth, or child victim of domestic violence, dating violence, sexual assault, or stalking be required to provide a consent to release his or her personally identifying information as a condition of eligibility for the services provided by the grantee or subgrantee;

(ii) any personally identifying information be shared in order to comply with Federal, tribal, or State reporting, evaluation, or data collection requirements, whether for this program or any other Federal, tribal, or State grant program.;'';

(C) by redesignating subparagraph (E) as subparagraph (D);

(D) by inserting after subparagraph (D) the following:
Programs to enforce this paragraph shall be covered by voluntary agreements, and other assistance administered by the Attorney General or funded in whole or in part under any program or activity funded in whole or in part under the Violence Against Women Act of 2010 (22 U.S.C. 1902), the Violence Against Women Act of 1994 (title IV of Public Law 103–322; 108 Stat. 3342), the Violence Against Women Act of 2000 (22 U.S.C. 7102). The Office on Violence Against Women shall establish a biennial conference process with State and tribal coalitions and technical assistance providers who receive such assistance administered by the Office on Violence Against Women and authorized by this Act, and other key stakeholders.

**13. AREAS COVERED.**—The areas of confer—

**14. CLARIFICATION OF VICTIM SERVICES AND LEGAL ASSISTANCE.**—Victim services and legal assistance under this title also include services and assistance to victims of domestic violence, dating violence, sexual assault, or stalking who are also victims of severe forms of trafficking in persons. The term ‘‘trafficking in persons’’ means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

**15. PROHIBITION.**—The Attorney General may not award a grant under any grant program described in this Act to a nonprofit organization that holds active accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

**DISCLOSURE.**—Each nonprofit organization that is awarded a grant under a grant program described in this Act and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonable—

**16. RIGHTS.**—

(A) NONDISCRIMINATI—No one in the United States shall, on the basis of actual or perceived race, color, religion, national origin, sex, gender identity, sexual orientation, or disability, be excluded from participation in, or be denied the benefits of, or be subjected to discrimination in any program or activity funded in whole or in part with funds made available under the Violence Against Women Act of 2010 (22 U.S.C. 7102; 104 Stat. 7102), the Violence Against Women Act of 2000 (division B of Public Law 106–388; 114 Stat. 1330), and the Violence Against Women and Department of Justice Reauthorization Act of 2005 (title IX of Public Law 109–162; 119 Stat. 3080), the Violence Against Women Reauthoriza—

**17. DELIVERY OF LEGAL ASSISTANCE.**—Any grantee or subgrantee providing legal assistance with funds awarded under this title shall comply with the eligibility requirements in section 1201(d) of the Violence Against Women Act of 2000 (42 U.S.C. 3796c–6(d)).

**18. CIVIL RIGHTS.**—

(A) NONDISCRIMINATI—No one in the United States shall, on the basis of actual or perceived race, color, religion, national origin, sex, gender identity, sexual orientation, or disability, be excluded from participation in, or be denied the benefits of, or be subjected to discrimination in any program or activity funded in whole or in part with funds made available under the Violence Against Women Act of 1994 (title IV of Public Law 103–322; 108 Stat. 1032), the Violence Against Women Act of 2000 (division B of Public Law 106–388; 114 Stat. 1330), and the Violence Against Women Act of 2000 (division B of Public Law 106–388; 114 Stat. 1330). The Attorney General and the Department of Justice Reauthoriza—

(B) AREAS COVERED.**—The areas of confer—

**19. INITIAL CONFERRAL.**—The first con—

**20. AUDIT REQUIREMENT.**—

(A) IN GENERAL.—Beginning in the first fiscal year beginning after the date of enactment of this Act, and each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this Act to prevent waste, fraud, and abuse of funds by grant recipients. For fiscal year 2013, the Inspector General shall examine the appropriate number of grants to be audited each year.

(B) AREAS COVERED.**—The areas of confer—

**21. CONFERENCE EXPENDITURES.**—

(C) CONFERENCE EXPENDITURES.—

(iv) written approval.**—Written appro—

(D) REPORT.—Not later than 90 days after the conclusion of each fiscal year, the Office on Violence Against Women shall publish a comprehensive report that summarizes the information presented during the conference, whether or not any policies or guidelines are developed or implemented to address those issues:

(i) made available to the public on the Office on Violence Against Women’s website and submitted to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representa—

(E) CONFIDENTIALITY ASSESSMENT AND ASSURA—

**22. AUDIT REQUIREMENT.**—

(A) IN GENERAL.—Beginning in the first fiscal year beginning after the date of enactment of this Act, and each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this Act to prevent waste, fraud, and abuse of funds by grant recipients. For fiscal year 2013, the Inspector General shall examine the appropriate number of grants to be audited each year.

(B) AREAS COVERED.**—The areas of confer—


(C) REPORT.—Not later than 90 days after the conclusion of each fiscal year, the Office on Violence Against Women shall publish a comprehensive report that:

(i) summaries the issues presented during the conference, whether or not any policies or guidelines are developed or implemented to address those issues:

(ii) made available to the public on the Office on Violence Against Women’s website and submitted to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representa—

**24. ACCOUNTABILITY.**—All grants awarded by the Attorney General under this Act shall be subject to the following accountability provisions:

(A) AUDIT REQUIREMENT.**—

(i) in general.**—Beginning in the first fiscal year beginning after the date of the enactment of this Act, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this Act to prevent waste, fraud, and abuse of funds by grant recipients. For fiscal year 2013, the Inspector General shall examine the appropriate number of grants to be audited each year.

(ii) definition.**—In this paragraph, the term ‘‘unallowable cost’’ means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise for an unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

(iii) mandatory exclusion.**—A recipient of grant funds under this Act that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this Act during the following 2 fiscal years.

(iv) priority.**—In awarding grants under this Act, the Attorney General shall give prior—

**25. AUDIT REQUIREMENT.**—

(A) IN GENERAL.—Beginning in the first fiscal year beginning after the date of enactment of this Act, the Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all approved congressional expenditures referenced in this paragraph.

(B) ANNUAL CERTIFICATION.**—Beginning in the first fiscal year beginning after the date of enactment of this Act, the Attorney General shall certify that the funds are being expended to host a conference.

(C) CONFERENCE EXPENDITURES.**—

(iv) written approval.**—Written appro—

**26. ACCOUNTABILITY.**—All grants awarded by the Attorney General under this Act shall be subject to the following accountability provisions:

(A) AUDIT REQUIREMENT.**—

(i) in general.**—Beginning in the first fiscal year beginning after the date of the enactment of this Act, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification that:

**27. EFFECTIVE DATE.**—Except as otherwise specifically provided in this Act, the provisions of titles I, II, III, IV, VII, and sections 3, 602, 901, and 902 of
this Act shall not take effect until the beginning of the fiscal year following the date of enactment of this Act.

TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT RESPONSE TO DOMESTIC VIOLENCE AGAINST WOMEN

SEC. 101. STOP GRANTS.

Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(1) in section 101(a)(18) (42 U.S.C. 3739(a)(18)), by striking "$225,000,000 for each of fiscal years 2007 through 2011" and inserting "$222,000,000 for each of fiscal years 2014 through 2018";

(2) in section 2001(b) (42 U.S.C. 3796gg(b)—(A) by striking "and" at the end;

(i) by striking "equipment" and inserting "resources"; and

(ii) by inserting "for the protection and safety of victims," after "women;"

(B) in paragraph (1), by striking "sexual assault" and all that follows through "dating violence" and inserting "domestic violence, dating violence, sexual assault, and stalking," including the appropriate use of nonimmigrant status under subparagraphs (T) and (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a));

(C) in paragraph (2), by striking "sexual assault and domestic violence" and inserting "domestic violence, dating violence, sexual assault, and stalking;"

(D) in paragraph (3), by striking "sexual assault and domestic violence" and inserting "domestic violence, dating violence, sexual assault, and stalking, as well as the appropriate treatment of victims;"

(E) in paragraph (4)—

(i) by striking "sexual assault and domestic violence" and inserting "domestic violence, dating violence, sexual assault, and stalking;" and

(ii) by inserting ", classifying," after "identifying;"

(F) in paragraph (5)—

(i) by inserting "and legal assistance" after "victim services;" and

(ii) by striking "domestic violence and dating violence" and inserting "domestic violence, dating violence, sexual assault, and stalking;"

(G) by striking paragraph (6) and redesignating paragraphs (7) through (14) as paragraphs (3) through (13), respectively;

(H) in paragraph (6), as redesignated by subparagraph (G), by striking "sexual assault and domestic violence" and inserting "domestic violence, dating violence, sexual assault, and stalking;"

(i) by striking paragraph (7), as redesignated by subparagraph (G), by striking "domestic violence and dating violence" and inserting "dating violence, sexual assault, and stalking;"

(ii) in paragraph (9), as redesignated by subparagraph (G), by striking "sexual assault and domestic violence" and inserting "domestic violence, dating violence, sexual assault, or stalking;"

(iii) by redesigning paragraph (12), as redesignated by subparagraph (G)—

(A) in subparagraph (A), by striking "tragic protocols" to ensure that dangerous or potentially dangerous cases are identified and prioritized" and inserting "the use of evidence-based indicators to assess the risk of domestic and dating violence homicide and prioritize dangerous or potentially lethal cases;" and

(B) by striking "and" at the end;

(L) in paragraph (13), as redesignated by subparagraph (G)—

(i) by striking "to provide" and inserting "providing;"

(ii) by striking "nonprofit nongovernmental;"

(iii) by striking the comma after "local governments;"

(iv) in the matter following subparagraph (C), by striking "(14)" and inserting "(13);" and

(v) by striking the period at the end and inserting a semicolon; and

(M) by inserting after paragraph (13), as redesignated by subparagraph (G), the following:

"(14) developing, and promoting State, local, or tribal legislation and policies that enhance best practices for responding to domestic violence, dating violence, sexual assault, and stalking;"

"(15) developing, implementing, or enhancing Sexual Assault Response Teams, or other similar coordinated community responses to sexual assault;"

"(16) developing and strengthening policies, protocols, best practices, and training for law enforcement agencies and prosecutors relating to the investigation and prosecution of sexual assault cases and the appropriate treatment of victims;"

"(17) developing, enlarging, or strengthening programs addressing sexual assault against men, women, and youth in correctional and detention settings;

"(18) identifying and conducting inventories of backlogs of sexual assault evidence collection kits and developing protocols and policies for responding to and addressing such backlogs, including protocols and policies for notifying and involving victims;

"(19) developing, enlarging, or strengthening programs and projects to provide services and responses targeting male and female victims of domestic violence, dating violence, sexual assault, or stalking, whose ability to access traditional services and responses is affected by their sexual orientation or gender identity, as defined in section 249(c) of title 18, United States Code; and

"(20) developing, enhancing, or strengthening prevention and educational programming to address domestic violence, dating violence, sexual assault, or stalking, with not more than 5 percent of the amount allocated to a State to be used for this purpose.;"

(3) in section 2007 (42 U.S.C. 3796gg—1)—

(A) in subsection (a), by striking "nonprofit nongovernmental victims service programs" and inserting "victim service providers;"

(B) in subsection (b), by striking "not including populations of Indian tribes;"

(C) in subsection (c)—

(i) by striking paragraph (2) and inserting the following:

"(2) grantees and subgrantees shall develop a plan for implementation and shall consult and coordinate with—"

"(A) the State or local domestic assault coalition;"

"(B) the State domestic violence coalition;"

"(C) the law enforcement entities within the State;"

"(D) prosecution offices;"

"(E) State and local courts;"

"(F) Tribal governments in those States with State or federally recognized Indian tribes;"

"(G) representatives from underserved populations, including culturally specific populations;"

"(H) victim service providers;"

"(i) population specific organizations; and

"(J) other entities that the State or the Attorney General identifies as needed for the planning process;"

(ii) by redesigning paragraph (3) as paragraph (4);

(iii) by inserting after paragraph (2), as amended by paragraph (2), as amended by amendment (2), as amended by amendment (1), as amended by amendment (3), and as amended by amendment (4)—

"(3) grantsee shall coordinate the State implementation plan described in paragraph (2) with the State plans described in section 307 of the Family Violence Prevention and Services Act (42 U.S.C. 10407) and the programs described in section 1404 of the Violence Against Women Act of 1994 (42 U.S.C. 3376) and section 393A of the Public Health Service Act (42 U.S.C. 2806–1b);"

(iv) in paragraph (4), as redesignated by clause (i)—

(I) in subparagraph (A), by striking "and not less than 25 percent shall be allocated for prosecutors;"

(ii) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D); and

(III) by inserting after subparagraph (A), the following:

"(IV) not less than 25 percent shall be allocated for prosecutors;" and

(v) by adding at the end the following:

"(V) not later than 2 years after the date of enactment of this Act, and every year thereafter, not less than 20 percent of the total amount granted to a State under this subchapter shall be allocated for programs or projects in 2 or more allocations listed in this subchapter;"

(4) of compliance with the requirements for the payment of forensic medical exams and judicial notification, described in section 2010;

(4) in paragraph (3), as redesignated by subsection (a), by striking "the requirements prohibiting polygraph examinations of victims of sexual assault, described in section 2013 of this title;"

(4) in paragraph (4) of subparagraphs (B) and (C), by striking "in the following:

"(d) APPLICATION REQUIREMENTS.—An application for a grant under this section shall include—

"(1) the certifications of qualification required under subsection (c);"

"(2) proof of compliance with the requirements for the payment of forensic medical exams and judicial notification, described in section 2010;

(3) in paragraph (2), by striking "the requirements prohibiting polygraph examinations of victims of sexual assault, described in section 2013 of this title;"

(4) in paragraph (2)(e) of subparagraphs (B) and (C), by striking "in the following:

"(e) CONDITIONS.—In disbursing grants under this part, the Attorney General may impose reasonable conditions on grant awards to ensure that the State meets statutory, regulatory, and other program requirements.

(5) in subsection (b), by striking the period at the end and inserting ", except that, for purposes of this subsection, the costs of the projects for victim services or tribes for which there is an exemption under section 4002(b)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)(1)) shall not count toward the total costs of the projects;" and

(6) by adding at the end the following:

"(1) IMPLEMENTATION PLANS.—A State applying for a grant under this part shall—

"(i) develop an implementation plan in consultation with the entities listed in subsection (c)(2), that identifies how the State will use the funds awarded under this part,

"(ii) by redesigning subparagraphs (B) and (C) as subparagraphs (C) and (D); and

(III) by inserting after subparagraph (A), the following:

"(IV) not less than 25 percent shall be allocated for prosecutors;" and

(v) by adding at the end the following:

"(V) not later than 2 years after the date of enactment of this Act, and every year thereafter, not less than 20 percent of the total amount granted to a State under this subchapter shall be allocated for programs or projects in 2 or more allocations listed in this subchapter;"
including how the State will meet the requirements of subsection (c)(5); and

"(2) submit to the Attorney General—

"(A) the implementation plan developed under paragraph (1);

"(B) documentation from each member of the planning committee as to their participation in the planning process;

"(C) data from the prosecution, law enforcement, court, and victim services programs to be assisted, describing—

"(i) the need for the grant funds;

"(ii) the intended use of the grant funds;

"(iii) the expected result of the grant funds; and

"(iv) the demographic characteristics of the populations to be served, including age, disability, race, ethnicity, and language background;

"(D) a description of how the State will ensure that any subgrantees will consult with victim service providers during the course of developing their grant applications in order to ensure that the proposed activities are designed to promote the safety, confidentiality, and economic independence of victims;

"(E) demographic data on the distribution of underserved populations within the State and a description of how the State will meet the needs of underserved populations, including the implementation of four population-specific services required under subsection (c)(4)(C);

"(F) as described of how the State plans to meet the requirements pursuant to subsection (c)(2);

"(G) goals and objectives for reducing domestic violence-related homicides within the State; and

"(H) any other information requested by the Attorney General.

"(ii) GRANTS FOR VICTIMS OF SEXUAL ASSAULT.

"(A) FUNDING LEVELS.—A State may use any returned or remaining funds for any authorized purpose under this part if—

"(1) funds from a subgrant awarded under this part are returned to the State;

"(2) the State does not receive sufficient eligible applications to award the full funding within the allocations in subsection (c)(4)(A);

"(3) in section 2010 (42 U.S.C. 3796g–4),—

"(A) in subsection (a), by striking paragraph (1) and inserting the following:

"(i) in paragraph (1), by inserting ‘‘or’’ after the semicolon;

"(ii) in paragraph (2), by striking ‘‘or’’ and inserting a period; and

"(iii) by striking paragraph (3) and adding the following:

"(C) by amending subsection (d) to read as follows:

"(1) NONCOOPERATION.—

"(I) IN GENERAL.—To be in compliance with this section, a State, Indian tribal government, or unit of local government shall comply with subsection (b) without regard to whether the victim participates in the criminal justice system or cooperates with law enforcement.

"(2) COMPLIANCE PERIOD.—States, territories, and Indian tribal governments shall have 1 year from the date of enactment of this Act to come into compliance with this section; and


"(A) by inserting ‘‘modification, enforcement, dismissal, withdrawal’’ after ‘‘reg- istration,’’ each place it appears;

"(B) by inserting ‘‘dating violence, sexual assault, or stalking’’ after ‘‘felony domestic violence’’; and

"(C) by striking ‘‘victim of domestic violence’’ and all that follows through ‘‘sexual assault’’ and inserting ‘‘victim of domestic violence, dating violence, sexual assault, or stalking’’; and

"(4) in section 2011(a)(2) (42 U.S.C. 3796gh–1)—

"(A) in subsection (b)—

"(i) in the matter preceding paragraph (1), by striking ‘‘States’’ and all that follows through ‘‘units of local government’’ and inserting ‘‘grantees’’;

"(ii) in paragraph (1), by inserting ‘‘and enforcement of protection orders across State and tribal lines’’ before the period;

"(iii) in paragraph (2), by striking ‘‘and training in police departments to improve tracking of criminal track col- lection systems, and training in police depart- ments to improve tracking of cases and classification of complaints’’;

"(iv) by inserting ‘‘and provide the appropriate training and education about domestic violence, dating violence, sexual assault, and stalking’’ after ‘‘computer systems’’;

"(v) in paragraph (5), by inserting ‘‘and other victim services’’ after ‘‘legal advocacy service programs’’;

"(vi) in paragraph (6), by striking ‘‘judges’’ and inserting ‘‘Federal, State, tribal, terri- torial, and local judges, courts, and court-based and court-related personnel’’;

"(vii) in paragraph (8), by striking ‘‘and sexual assault’’ and inserting ‘‘dating violence, sexual assault, and stalking’’;

"(viii) in paragraph (9), by striking ‘‘non- profit, non-governmental victim services or- ganizations,’’ and inserting ‘‘victim service providers, staff from population specific organiza- tions,’’ and

"(ix) by adding at the end the following:

"(14) To develop and implement training programs for prosecutors and other prosecu- tors–related personnel regarding best prac- tices to ensure offender accountability, vic- tim safety, and victim consultation in cases involving domestic violence, dating violence, sexual assault, and stalking;

"(15) To develop or strengthen policies, protocols, and training for law enforcement, prosecutors, and the judiciary in recogn- izing and prosecuting instances of domestic violence, dating violence, sexual assault, and stalking against immigrant victims, including the appro- priate use of applications for nonimmigrant stat- us under subparagraphs (T) and (U) of section 101(a)(15) of the Immigration and Na- tionality Act (8 U.S.C. 1101(a)(15));

"(16) To develop and implement State, local, or tribal legislation and policies that en- hance best practices for responding to the crimes of domestic violence, dating violence, sexual assault, and stalking, including the appropriate treatment of victims.

"(17) To develop, implement, or enhance sexual assault nurse examiner programs or sexual assault forensic examiner programs, including the hiring and training of such ex- aminers.

"(18) To develop, implement, or enhance evidence-based intervention programs for a similar coordinated community responses to sexual assault.

"(19) To develop and strengthen policies, protocols, and training for law enforcement officers and prosecutors regarding the investiga- tion and prosecution of sexual assault cases, and the appropriate treatment of vic- tims.

"(20) To provide human immunodeficiency virus testing programs, counseling, and preven- tion programs for victims of sexual assault.

"(21) To identify and inventory backlogs of sexual assault evidence collection kits and to develop protocols for responding to and investigating sexual assault evidence.

"(22) To develop multidisciplinary high- risk teams focusing on reducing domestic vi- olence and dating violence homicides by—

"(A) using evidence-based indicators to as- sess the risk of homicide and link high-risk victims to immediate crisis intervention services;

"(B) identifying and managing high-risk offenders; and

"(C) providing ongoing victim advocacy and referrals to comprehensive services in- cluding legal, housing, health care, and eco- nomic assistance.

"(B) in subsection (c)—

"(i) in paragraph (1)—

"(A) in the matter preceding subparagraph (A), by striking ‘‘except for a court,’’ before ‘‘certify’’; and

"(B) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), and adjusting the margin accordingly;

"(ii) in paragraph (2), by inserting ‘‘except for a court,’’ before ‘‘demonstrate’’;

"(iii) in paragraph (3)—

"(A) by striking ‘‘spouses’’ each place it ap- pears and inserting ‘‘parties’’; and

"(B) by striking ‘‘spouse’’ and inserting ‘‘party’’;

"(iv) in paragraph (4)—

"(A) by inserting ‘‘dating violence, sexual assault, or stalking’’ after ‘‘felony domestic violence’’;

"(B) by inserting ‘‘modification, enforce- ment, dismissal,’’ after ‘‘registration,’’ each place it appears;

"(C) by inserting ‘‘dating violence,’’ after ‘‘victim of domestic violence,’’ and

"(D) by striking ‘‘and’’ and inserting ‘‘or’’ at the end;

"(v) in paragraph (6)—

"(A) in the matter preceding subparagraph (A), by striking ‘‘, not later than 3 years after January 5, 2006’’;

"(B) by striking ‘‘trial of, or sentencing for’’ after ‘‘investigation of’’ each place it appears;

"(C) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), and adjusting the margin accordingly;

"(D) in clause (ii), as redesignated by sub- clause (III) of this clause, by striking ‘‘sub- paragraph (A)’’ and inserting ‘‘clause (i)’’; and

"(E) by redesigning paragraphs (1) through (5), as amended by this subpara- graph, as subparagraphs (A) through (E), re- spectively;

"(F) in the matter preceding subparagraph (A), as redesignated by clause (v) of this sub- paragraph—

"(I) by striking the comma that imme- diately follows another comma; and

"(II) by striking ‘‘grantees are States’’ and inserting the following: ‘‘grantees are—

"(1) ‘‘States’’; and

"(2) a State, tribal, or territorial domestic violence or sexual assault coalition or a vic- tim service provider that partners with a State, Indian tribal government, or unit of local government that certifies that the State, Indian tribal government, or unit of
Section 1201 of the Violence Against Women Act of 2000 (Public Law 106–386; 114 Stat. 1599) is amended by striking the section preceding section 1302 (42 U.S.C. 1995), (A) by striking ''$75,000,000'' and all that follows and inserting ''$73,000,000 for each of fiscal years 2014 through 2018.''; and

``(g) ALLOCATION FOR SEXUAL ASSAULT.—Of the amounts appropriated for purposes of this part for each fiscal year, not less than 5 percent shall be available for grants under section 2001 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796).''

``(i) by inserting ‘‘SEC. 1301. GRANTS TO SUPPORT FAMILIES IN THE JUSTICE SYSTEM.’’; in section 1301(a)(19) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 13925), (A) by striking ''non-profit, private sexual assault and domestic violence programs'' and inserting ''victim service providers and, as appropriate, public or private organizations'';

``(ii) by amending—

``(A) in paragraph (1), by striking ‘‘court,’’ after ‘‘tribal government,’’ and;

``(B) in paragraph (2), by striking ‘‘non-profit, private sexual assault and domestic violence programs’’ and inserting ‘‘victim service providers and, as appropriate, public or private organizations’’;

``(iii) in subsection (b), by striking subparagraphs (A) through (D) and inserting—

``(A) in paragraph (1), by striking ‘‘court,’’ after ‘‘tribal government,’’ and;

``(B) in paragraph (2), by striking ‘‘non-profit, private sexual assault and domestic violence programs’’ and inserting ‘‘victim service providers and, as appropriate, public or private organizations’’;

``(iv) in subsection (c), by striking subparagraphs (A) through (D) and inserting—

``(A) in paragraph (1), by striking ‘‘victims service organizations’’ and inserting ‘‘victim service providers and;’’

``(B) by striking paragraph (3) and inserting—

``(1) provide supervised visitation and safe visitation exchange of children and youth by and between parents in situations involving domestic violence, dating violence, sexual assault, sexual abuse, sexual assault, or stalking, including custody evaluators and guardians ad litem and child protective services workers on the dynamics of domestic violence, dating violence, sexual assault, and stalking, including information on perpetrator behavior, evidence-based risk factors for domestic and dating violence homicide, and on issues relating to legal issues, including safety, security, privacy, and confidentiality, including cases in which the victim proceeds pro se;’’

``(3) educate court-based and court-related personnel for personnel (including custody evaluators and guardians ad litem) and child protective services workers on the dynamics of domestic violence, dating violence, sexual assault, and stalking, including information on perpetrator behavior, evidence-based risk factors for domestic and dating violence homicide, and on issues relating to legal issues, including safety, security, privacy, and confidentiality, including cases in which the victim proceeds pro se;’’

``(4) provide appropriate resources in juvenile court matters to respond to dating vio- lence, domestic violence, sexual assault (including child sexual abuse), and stalking and ensure necessary services dealing with the health and mental health of victims are available;’’

``(5) enable courts or court-based or court-related programs to develop or enhance—

``(A) court infrastructure (such as specialized courts, consolidated courts, dockets, intake centers, or interpreter services);’’

``(B) community-based initiatives within the court system (such as court watch pro- grams, victim assistance, pro se victim assistance programs, or community-based sup- port organizations);’’

``(C) offender management, monitoring, and accountability programs;’’

``(D) safe and confidential information- storage and information-sharing databases within and between court systems;’’

``(E) education and outreach programs to improve community access, including enhanced access for underserved populations;’’ and

``(F) other projects likely to improve court responses to domestic violence, dating vio- lence, sexual assault, and stalking;’’

``(v)合金 safe legal assistance and advo- cacy services, including legal information and resources in cases in which the victim proceeds pro se, to—

``(A) victims of domestic violence; and

``(B) nonoffending parents in matters that involve allegations of child sexual abuse;’’

``(ii) that relate to family matters, including civil protection orders, custody, and di- vorce; and

``(iii) in which the other parent is rep- resented by counsel;’’

``(7) to collect data and provide training and technical assistance, including developing State, local, and tribal model codes and poli- cies, to improve the capacity of grantees and communities to address the civil justice needs of victims of domestic violence, dating violence, sexual assault, and stalking who have legal representation, who are pro- ceeding pro se, or who are proceeding with the assistance of a legal advocate;’’

``(8) to improve training and education to assist judges, judicial personnel, attorneys, child welfare personnel, and legal advocates in the civil justice system. ’’

``(c) CONSIDERATIONS.—

``(1) IN GENERAL.—In making grants for purposes described in paragraphs (1) through (4) of subsection (b), the Attorney General shall consider—

``(A) the number of families to be served by the proposed programs and services;

``(B) the extent to which the proposed programs and services serve underserved popula- tions;

``(C) the extent to which the applicant demonstrates cooperation and collaboration with nonprofit, nongovernmental entities in the local community with demonstrated his- tories of effective work on domestic vio- lence, sexual assault, and stalking, including State or tribal domestic violence coalitions, State or tribal sexual assault coalitions, local shelters, and programs for domestic violence and sexual assault vic- tims; and

``(D) the extent to which the applicant demonstrates coordination and collaboration with State, tribal, and local court systems, including mechanisms for communication and referral.

``(2) OTHER GRANTS.—In making grants under subsection (b)(8) the Attorney General shall take into account the extent to which the grantee has expertise addressing the ju- dicial system’s handling of family violence, in custody, child custody and neglect, adop- tion, foster care, supervised visitation, di- vorce, and parenthood.

``(d) APPLICANT REQUIREMENTS.—The At- torney General may make a grant under this section to an applicant that—

``(1) demonstrates expertise in the areas of domestic violence, dating violence, sexual assault, stalking, or child sexual abuse, as appropriate;

``(2) ensures that any fees charged to indi- viduals for use of supervised visitation pro- grams and services are based on the income of those individuals, unless otherwise pro- vided by court order;

``(3) for a court-based program, certifies that the programs of domestic violence vi- olence, sexual assault, or stalking are not charged fees or any other costs related to the
filings, petitioning, modifying, issuance, registra-
tion, enforcement, withdrawal, or dismissal of mat-	ers of relations relating to the domestic violence,
dating violence, sexual assault, or stalking—
“(4) demonstrates that adequate security
measures, including adequate facilities, pro-
cedures, and personnel capable of preventing
violence and ensuring due process; and
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be, in place (including the development of
protocols or policies to ensure that confiden-
tial information is not shared with courts,
law enforcement agencies, or child welfare
agencies unless necessary to ensure the safety
of any child or adult using the services of a
program funded under this section), if the appli-
cant is a State or tribal government entity that
provides and/or administers services through a
program and services or safe visitation
exchange;
“(5) certifies that the organizational poli-
cies of the applicant do not require medi-
cation or counseling involving offenders and
victims being physically present in the same
place, in cases where domestic violence, dat-
ing violence, sexual assault, or stalking is
alleged;
“(6) certifies that any person providing
legal assistance through a program funded
under this section has completed or will complete
training on domestic violence, dating
violence, sexual assault, and stalking, in-
cluding child sexual abuse, and related legal
issues; and
“(7) certifies that any person providing
custody evaluation or guardian ad litem
services through a program funded under this
section has completed or will complete
training developed with input from and in
*collaboration with a tribal, State, territo-
rial, or local domestic violence, dating
violence, sexual assault, or stalking victim
service provider or coalition on the dynam-
ics of domestic violence and sexual assault,
including child sexual abuse, that includes
training and supervision to review evidence of
past abuse and the use of evidenced-based theo-
ries to make recommendations on custody and
visitation.
“(e) AUTHORIZATION OF APPROPRIATIONS.—
There is authorized to be appropriated to
carry out this section, $22,000,000 for each of
cy financial years 2014 through 2016. Amounts
appropriated under this section shall remain
available until expended.
“(1) ALLOTMENT FOR INDIAN TRIBES.—
“(1) not less than 10 percent of the total amount available under this
section for each fiscal year shall be available for grants under the program authorized by section 1015(b) of this title.
“(2) APPLICABILITY OF PART.—The require-
ments of this section shall not apply to funds
allocated for the program described in para-
graph (1).”.
“(b) TECHNICAL AND CONFIRMING AMEND-
MENT.—Subtitle J of the Violence Against
Women Act of 1994 (42 U.S.C. 14943 et seq.) is
repealed.
SEC. 105. SEX OFFENDER MANAGEMENT.
Section 4012(c) of the Violence Against
Women Act of 1994 (42 U.S.C. 13941) is amend-
ed by striking “$5,000,000” and all that fol-
ows and inserting “$5,000,000 for each of fis-
cal years 2014 through 2018.”.
SEC. 106. COURT-APPOINTED SPECIAL ADVOCATE
PROGRAM.
Subtitle B of title II of the Crime Control
Act of 1990 (42 U.S.C. 13011 et seq.) is amend-
ed—
“(1) in section 216 (42 U.S.C. 13012), by strik-
ing “February 1, 2010” and inserting “January
1, 2015”;
“(2) in section 217 (42 U.S.C. 13013)—
“(A) by striking “Code of Ethics” in section
(c)(2) and inserting “Standards for Pro-
grams”; and
“(B) by adding at the end the following:
“(e) REPORTING.—An organization that re-
ceives a grant under this section for a fis-
cal year shall submit to the Attorney General a re-
port regarding the use of the grant for the
program and the effectiveness of out-
come performance measures (which shall be
established by the Administrator) to deter-
mine the effectiveness of the programs of the
organization in meeting the needs of chil-
dren in the child welfare system.”; and
“(2) in section 219(a) (42 U.S.C. 13014(a)), by
inserting “fiscal years 2007 through 2011” and
inserting “through” after “through”.
SEC. 107. CRIMINAL PROVISION RELATING TO
STALKING, INCLUDING VICTIM SERVICES.
(a) INTERSTATE DOMESTIC VIOLENCE.—Sec-
tion 2261(a)(1) of title 18, United States Code, is
amended—
“(1) by inserting “is present” after “Indian
Country” and;
“(2) by inserting “or presence” after “as a
result of such travel”;
“(b) Section 2261A of title 18, United
States Code, is amended to read as follows:
“§ 2261A. Stalking
“Whoever—
“(1) travels in interstate or foreign com-
merce or is present within the special mari-
time and territorial jurisdiction of the
United States, or enters or leaves Indian
country, with the intent to kill, injure, har-
ass, intimidate, or place under surveillance
with intent to kill, injure, harass, or intimi-
date another person, and in the course of, or
as a result of such travel or presence en-
gages in conduct that—
“(A) places that person in reasonable fear
of the death of, or seriously bodily injury to—
“(i) that person;
“(ii) an immediate family member as de-
defined in section 115 of this title; or
“(iii) a spouse or intimate partner of that
person; or
“(B) causes, attempts to cause, or would be
reasonably expected to cause substantial
emotional distress to a person described in
clause (i), (ii), or (iii) of subparagraph (A); or
“(2) with the intent to kill, injure, harass,
imitidiate, or place under surveillance with
intent to kill, injure, harass, or intimidate
and combine them to award grants to eligi-
bleserved populations and to provide victim
services to meet the needs of adult and youth
victims of domestic violence, dating
violence, sexual assault, and stalking in under-
served populations. The requirements of
the grant programs identified in paragraph
(2) shall not apply to the programs.
“(2) PROGRAMS COVERED.—The programs
covered by paragraph (1) are the programs
carried out under the following provisions:
“(A) Section 3796gg–4 of the Crime Control
and Safe Streets Act of 1968 (Grants to
Encourage Arrest Policies and Enforce-
ment of Protection Orders Program),
“(B) Section 2101 of the Omnibus Crime
Control and Safe Streets Act of 1968 (Grants
for Designed Prevention and Mandatory
Victim Services),
“(C) Section 502 of the Victims of
State,
tribal, or local organizations that has demonstrated ex-
perience and expertise in providing popu-
lation specific services in the relevant under-
served population.
“(c) PLANNING GRANTS.—The Attorney
General may use up to 25 percent of funds
available under this section to make one-
time planning grants to eligible entities to
support the planning and development of
specially designed and targeted programs for
adult and youth victims in one or more un-
dererved populations, including—
“(1) identifying, building and strength-
ening partnerships with potential collabor-
ators within underserved populations, Fed-
eral, State, tribal, territorial or local gov-
ernment entities, and public and private or-
ganizations;
“(2) conducting a needs assessment of the
community and the targeted underserved
population or populations to determine what
the barriers are to service access and what
factors contribute to those barriers and how
they can be removed; and
“(3) identifying promising prevention, out-
reach and intervention strategies that work
for victims from a targeted underserved popu-
lation or populations; and
“(4) developing a plan, with the input of the
targeted underserved population or popula-
tions, for implementing prevention, out-
reach and intervention strategies to address
the barriers to accessing services, promoting
community engagement in the prevention of
domestic violence, dating violence, sexual
assault, and stalking within the targeted un-
dererved populations, and evaluating the
impact of those strategies.
“(d) IMPLEMENTATION GRANTS.—The Attor-
ney General shall make grants to eligible en-
tities for the purpose of providing or enhanc-
ing population specific services to adult and
youth victims in one or more underserved
populations, including—
“(1) working with Federal, State, tribal,
territorial and local governments, non-
profit organizations, and organizations to develop or enhance pop-
ulation specific services;
TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 201. GENERAL ASSAULT SERVICES PROGRAM.
(a) GRANTS TO STATES AND TERRITORIES.—Section 41601(b) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(b)) is amended—
(1) in paragraph (1), by striking “other programs” and all that follows and inserting “other nongovernmental or tribal programs that are designed to assist individuals who have been victimized by sexual assault, without regard to the age of the individual.”;
(2) in paragraph (2)—
(A) in subparagraph (B), by inserting “or tribal programs and activities” after “nongovernmental organizations”; and
(B) in subparagraph (C)(v), by striking “linguistically and”; and
(3) in paragraph (4)—
(A) by inserting “(including the District of Columbia and Puerto Rico)” after “The Attorney General shall allocate to each State”;
(B) by striking “the District of Columbia, Puerto Rico,” after “Guam”;
(C) by striking “0.125 percent” and inserting “0.25 percent”;
(D) by striking “and” at the end; and
(E) by striking subsection (a)(2) and inserting—
“(5) working in cooperation with an under- served population to develop and implement outreach, education, prevention, and intervention strategies that highlight available resources and the specific issues faced by victims of domestic violence, dating violence, sexual assault, or stalking in under served populations.”

(e) APPLICATION.—An eligible entity desiring a grant under this section shall submit an application to the Director of the Office on Violence Against Women at such time, in such form, and in such manner as the Director may prescribe.

(f) REPORTS.—Each eligible entity receiving a grant under this section shall submit to the Director of the Office on Violence Against Women a report that describes the activities carried out with grant funds.

(g) AUTHORIZATION OF APPROPRIATIONS.—In addition to the funds identified in subsection (a)(1), there are authorized to be appropriated to carry out this section $2,000,000 for each of fiscal years 2014 through 2018.

(h) DEFINITIONS AND GRANT CONDITIONS.—In this section the definitions and grant conditions in section 40902 of the Violence Against Women Act of 1994 (42 U.S.C. 13925) shall apply.

SEC. 202. RURAL DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, STALKING, AND CHILD ABUSE ENFORCEMENT ASSISTANCE.
Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) is amended—
(1) in subsection (b)—
(A) in paragraph (1), by inserting “(including the District of Columbia and Puerto Rico)” after “The Attorney General shall allocate to each State”;
(B) in paragraph (2)—
(i) by striking “and” at the end;
(ii) by inserting “or” before the semicolon;
(iii) by striking “and” at the end of the preceding formula after “per cent”;
(B) in paragraph (3), by striking the period at the end and inserting a semicolon.

SEC. 203. TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN WITH DISABILITIES GRANTS.
Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 376gg-7) is amended—
(1) in subsection (b)—
(A) in paragraph (1), by inserting “including using evidence-based indicators to assess the risk of domestic and dating violence homicide” after “risk reduction”;
(B) in paragraph (4), by striking “victim service organizations” and inserting “victim service providers”;
(C) in paragraph (5), by striking “victim service organizations” and inserting “victim service providers”;
(D) in paragraph (e)(1), by striking “homicide” after “homicide” in clause (ii), inserting “victim,” and inserting “0.125 percent” after “per cent”; and
(E) in paragraph (e)(4), by striking “nonprofit and nongovernmental victim services organization, such as a State” and inserting “victim service provider, such as a State or tribal”; and
(2) in subsection (e)(3), by striking “$10,000,000 for each of the fiscal years 2007 through 2011” and inserting “$5,500,000 for each of the fiscal years 2007 through 2011”.

SEC. 204. ENHANCED TRAINING AND SERVICES TO END ABUSE LATER IN LIFE.
(a) IN GENERAL.—Subtitle H of the Violence Against Women Act of 1994 (42 U.S.C. 14041 et seq.) is amended to read as follows:
“Subtitle H—Enhanced Training and Services to End Abuse Later in Life

(1) definitions.—In this section—
(a) the term ‘eligible entity’ has the meaning given the term in section 2111 of the Social Security Act (42 U.S.C. 1397d);
(b) the term ‘later life,’ relating to an individual, means the individual is 50 years of age or older; and
(c) the term ‘neglect’ means the failure of a caregiver or fiduciary to provide the goods or services that are necessary to maintain the health or safety of an individual in later life.

(b) GRANT PROGRAM.—(1) GRANTS AUTHORIZED.—The Attorney General may make grants to eligible entities to carry out the activities described in paragraph (2).

(2) MANDATORY AND PERMISSIBLE ACTIVITIES.—
(A) MANDATORY ACTIVITIES.—An eligible entity receiving a grant under this section shall use the funds received under the grant to—
(i) provide training programs to assist law enforcement agencies, prosecutors, agencies of States or units of local government, population specific organizations, victim service providers, victim advocates, and relevant officers in Federal, tribal, State, territorial, and local courts in recognizing and addressing instances of elder abuse;
(ii) provide or enhance services for victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect;
(iii) establish or support multidisciplinary collaborative community responses to victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect; and
(iv) conduct cross-training for law enforcement agencies, prosecutors, agencies of States or units of local government, attorneys, health care providers, population specific organizations, victim advocates, victim service providers, and courts to better serve victims of abuse in later life, including
domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect.

“(B) PERMISSIBLE ACTIVITIES.—An eligible entity receiving a grant under this section may use the funds received under the grant to—

(i) provide training programs to assist attorneys, health care providers, faith-based leaders, and youth-serving organizations in recognizing and addressing instances of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, or neglect;

(ii) conduct outreach activities and awareness campaigns to ensure that victims of abuse in later life, including domestic violence, dating violence, sexual assault, or stalking, receive appropriate assistance.

“(D) LIMITATION.—An eligible entity receiving a grant under this section may use not more than 10 percent of the total funds received under the grant for an activity described in subparagraph (B)(i).

“(3) ELIGIBLE ENTITIES.—An entity shall be eligible to receive a grant under this section if—

(A) the entity is—

(i) a State;

(ii) a unit of local government;

(iii) a tribal government or tribal organization;

(iv) a population specific organization with demonstrated experience in assisting individuals over 50 years of age;

(v) a victim service provider with demonstrated experience in addressing domestic violence, dating violence, sexual assault, and stalking;

(vi) a State, tribal, or territorial domestic violence or sexual assault coalition; and

(B) the entity demonstrates that it is part of a multidisciplinary partnership that includes, at a minimum—

(i) a law enforcement agency;

(ii) a prosecutor’s office;

(iii) a victim service provider; and

(iv) a program or government agency with demonstrated experience in assisting individuals in later life;

“(4) POPULATIONS.—In making grants under this section, the Attorney General shall give priority to proposals providing services to culturally specific and underserved populations.

“(5) REPEAL OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $9,000,000 for each of fiscal years 2014 through 2018.

TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE

SEC. 301. RAPE PREVENTION AND EDUCATION

See 395a of the Public Health Service Act (42 U.S.C. 280b-1b) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting “or tribal” after “certain centers, State”;

(B) in paragraph (6), by inserting “and alcohol” after “about drugs”;

(2) in subsection (c)—

(A) in paragraph (1), by striking “$80,000,000 for each of fiscal years 2007 through 2013” and inserting “$50,000,000 for each of fiscal years 2014 through 2016”;

(B) by adding at the end the following:

“(3) BASELINE FUNDING FOR STATES, THE DISTRICT OF COLUMBIA, AND PUERTO RICO.—A minimum allocation of $150,000 shall be awarded in each fiscal year for each of the States, the District of Columbia, and Puerto Rico.

“(a) GRANTS AUTHORIZED.—The Attorney General, working in collaboration with the Secretary of Health and Human Services and the Secretary of Education, shall award grants to enhance the safety of youth and children who are victims of, or exposed to, domestic violence, dating violence, sexual assault, or stalking and prevent future violence.

“(b) PROGRAM PURPOSES.—Funds provided under this section may be used for the following purposes:

(1) SERVICES TO ADVOCATE FOR AND RESPOND TO YOUTH.—To develop, expand, and strengthen services and interventions that target youth who are victims of domestic violence, dating violence, sexual assault, or stalking.

(2) VICTIM SERVICE PROVIDER TRAINING.—A victim service provider that is awarded a grant under this section may use the funds received under the grant to—

(A) provide training to school personnel, including healthcare providers and security personnel, on the needs of students who are victims of domestic violence, dating violence, or sexual assault;

(B) develop and implement prevention and intervention policies in middle and high schools, including appropriate responses to, and identification and referral procedures for, students who are experiencing or perpetrating domestic violence, dating violence, or sexual assault, or stalking, and procedures for handling the requirements of court protective orders issued to or against students;

(C) provide support services for student victims of domestic violence, dating violence, sexual assault or stalking, such as a resource person who is either on-site or on-call; and

(D) develop and implement juvenile education programming for students regarding domestic violence, dating violence, sexual assault, or stalking.

“(c) ELIGIBLE APPLICANTS.—In general.—To be eligible to receive a grant under this section, an entity shall be—

(A) a victim service provider, tribal nonprofit, or population-specific or community-based organization with a demonstrated history of effective work addressing the needs of youth who are victims of or at risk of domestic violence, dating violence, sexual assault, or stalking;

(B) a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 5025 of title 10, United States Code, or section 6002 of the Dependents’ Education Act of 1978, a group of schools, a school district, or an institution of higher education.

“(d) PARTNERSHIPS.—(A) EDUCATION.—To be eligible to receive grants for the purposes described in subsection (b)(2), an entity described in paragraph (1) shall be a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 5025 of title 10, United States Code, or section 6002 of the Dependents’ Education Act of 1978, a group of schools, a school district, or an institution of higher education.

(B) OTHER PARTNERSHIPS.—All applicants under this section are encouraged to work in partnership with organizations and agencies that work with the relevant population.

Such entities may include—

(i) a State, tribe, unit of local government, or territory;

(ii) a population specific or community-based organization;

(iii) batterer intervention programs or sexual assault treatment programs with specialized knowledge and experience working with youth offenders; or

(iv) any other agencies or nonprofit, non-governmental organizations with the capacity to provide effective assistance to the adult, youth, and child victims served by the partnership.

“(e) GRANT REQUIREMENTS.—Applicants for grants under this section shall establish and implement policies, practices, and procedures that—

(A) require and include appropriate referral systems for child and youth victims;

(B) protect the confidentiality and privacy of child and youth victim information, participate in the creation and implementation of third party involvement and consent, mandatory reporting duties, and working with other
service providers all with priority on victim safety and autonomy; and "(3) ensure that all individuals providing intervention or prevention programming to children or youth through a program funded under this section have completed, or will complete, sufficient training in connection with domestic violence, dating violence, sexual assault, and stalking;" "(e) Definitions and Grant Conditions.— In this section, the definitions and grant conditions provided for in section 40002 shall apply; "(f) Authorization of Appropriations.— There is authorized to be appropriated to carry out this section, $15,000,000 for each of fiscal years 2016 through 2018; "(g) Allotment.— "(1) In General.—Not less than 50 percent of the total amount appropriated under this section for each fiscal year shall be used for the purposes described in subsection (b)(1). "(2) Indian Tribes.—Not less than 10 percent of the total amount appropriated under this section for each fiscal year shall be made available for grants to Indian tribes under this section that coordinate with prevention programs in the community."

SEC. 303. GRANTS TO COMBAT VIOLENT CRIMES ON CAMPUSES. Section 304 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045b) is amended— (1) in subsection (a) — (A) in paragraph (1) — (i) by striking "campuses," and (ii) by inserting "campuses,"; (B) in paragraph (2), by striking "$500,000"; (C) by inserting after clause (ii), as redesignated, "(iii) by adding at the end the following: "(I) by striking "sexual orientation" and inserting "gender identity,"; and "(ii) in clause (iii), by striking "sexual reassignment," and inserting "gender identity,";"; (2) in paragraph (3), by striking 

"(b) Priority.—The Attorney General shall prioritize applications under this section that coordinate with prevention programs external to the institution and relevant divisions of the institution."

"(c) Grantee Minimum Requirements.— Each grantee shall comply with the following minimum requirements during the grant period: "(1) The grantee shall create a coordinated community response including both organizations external to the institution and relevant divisions of the institution."

"(d) The grantee shall establish a mandatory prevention and education program on domestic violence, dating violence, sexual assault, and stalking for all incoming students.

"(e) The grantee shall train all campus law enforcement to respond effectively to domestic violence, dating violence, sexual assault, and stalking;" and 

"(f) The grantee shall train all members of campus disciplinary boards to respond effectively to situations involving domestic violence, dating violence, sexual assault, or stalking;" and 

"(g) The grantee shall train all members of campus disciplinary boards to respond effectively to situations involving domestic violence, dating violence, sexual assault, or stalking;"

"(2) in subsection (e), by striking "there are" and all that follows through "stalking victim on campuses,"; and "(3) in subparagraph (C)(iii), by striking "sexual orientation" and inserting "gender identity,"; and "(4) in subsection (f), by striking "a statement that the institution of higher education prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking;" and "(5) in subsection (g), by striking "a statement that the institution of higher education prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking;" and "(vi) The term 'sexual assault' means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;" and 

"(A) by striking "paragraph (1)(F)" and inserting "clauses (i) and (ii) of paragraph (1)(F)"; and 

"(B) by inserting after "Hate Crime Statistics Act."

"(ii) of the following: "For the offenses of domestic violence, dating violence, and stalking, such statistics shall be compiled in accordance with the definitions used in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a))."

"(B) by striking paragraph (8) and inserting the following: "(8)(A) Each institution of higher education participating in any program under this title and title IV of the Economic Opportunity Act of 1964, other than a foreign institution of higher education, shall develop and distribute as part of the report described in paragraph (1) a statement of policy regarding— "(i) such institution's programs to prevent domestic violence, dating violence, sexual assault, and stalking;" and "(ii) the procedures that such institution will follow once an incident of domestic violence, dating violence, sexual assault, or stalking has been reported, including a statement of the standard of evidence that will be used during any institutional conduct proceeding arising from such a report."

"(B) The policy described in subparagraph (A) shall address the following areas: "(i) Education programs to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking;" and "(ii) primary prevention and awareness programs for all incoming students and new employees which shall include—" and "(aaa) a statement that the institution of higher education prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking;" and "(bb) the definition of domestic violence, dating violence, sexual assault, and stalking in the applicable jurisdiction;" 

"(c) The definition of sex offense, in reference to sexual activity, in the applicable jurisdiction; 

"(d) safe and positive options for bystander intervention that can be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than such individual;" and "(ee) information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks; and "(ff) the information described in clauses (ii) through (vii); and "(ii) ongoing prevention and awareness campaigns for students and faculty, including information described in items (aa) through (ff) of clause (I)." and "(iv) Procedures victims should follow if a sex offense, domestic violence, dating violence, sexual assault, or stalking has occurred including information in writing about— "(i) the importance of preserving evidence as may be necessary to the proof of criminal offenses of domestic violence, sexual assault, or stalking, or in obtaining a protection order; 

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(II) to whom the alleged offense should be reported;

(III) options regarding law enforcement and campus authorities, including notification of the victim and if such accommodations are available assistance in, and exclusion of identifying information about the victim so chooses; and

(IV) where applicable, the rights of victims and the institution’s responsibilities regarding orders of protection, no contact orders, restraining orders, or similar lawful or court-ordered actions in cases of alleged domestic violence, dating violence, sexual assault, or stalking.

(iii) of any change to the results that occur prior to the time that such results become final.

(iv) Information about how the institution will prevent retaliation against any individual for exercising their rights or responsibilities under any provision of this subpart, including how publicly-available records of final and final orders of protection, no contact or similar lawful or court-ordered actions in cases of alleged domestic violence, dating violence, sexual assault, or stalking shall be simultaneously informed, in writing, of—

(a) the outcome of any institutional disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault, or stalking;

(b) the institution’s procedures for the accused and the victim to appeal the results of the institutional disciplinary proceeding;

(c) of any change to the results that occur prior to the time that such results become final.

(d) when such results become final.

(v) Information about how the institution will prevent retaliation against any individual for exercising their rights or responsibilities under any provision of this subpart, including how publicly-available records of final and final orders of protection, no contact or similar lawful or court-ordered actions in cases of alleged domestic violence, dating violence, sexual assault, or stalking shall be simultaneously informed, in writing, of—

(a) the outcome of any institutional disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault, or stalking;

(b) the institution’s procedures for the accused and the victim to appeal the results of the institutional disciplinary proceeding;

(c) of any change to the results that occur prior to the time that such results become final.

(vi) Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations. If so requested by the victim and if such accommodations are reasonably available, regardless of whether the victim report the crime to campus police or local law enforcement.

(C) A student or employee who reports to an institution of higher education that the student or employee has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus, shall be provided with a written explanation of the student or employee’s rights and options, as described in clauses (ii) through (vii) of subparagraph (B).

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect with respect to the annual security report under section 485(f)(1) of the Higher Education Act of 1965 (20 U.S.C. 1029(c)(1)) prepared by an institution of higher education 1 calendar year after the date of enactment of this Act, and each subsequent calendar year.

IV—VIOLENCE REDUCTION PRACTICES

SEC. 401. STUDY CONDUCTED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

Section 402(c) of the Violence Against Women Act of 1994 (42 U.S.C. 14043c-2) is amended to read as follows:

SEC. 401. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION (SMART PREVENTION).

(a) GRANTS AUTHORIZED.—The Attorney General, in consultation with the Secretary of Health and Human Services and the Secretary of Education, is authorized to award grants for the purpose of preventing domestic violence, dating violence, sexual assault, and stalking to nonprofit or educational organizations with a demonstrated history of effective work addressing the needs of children exposed and their families to services or programs focused on youth. Such a program should include—

(1) growing up in a domestic violence, dating violence, sexual assault, or stalking-prone environment, and

(2) to whom the alleged offense should be reported;

(III) options regarding law enforcement and campus authorities, including notification of the victim and if such accommodations are available assistance in, and exclusion of identifying information about the victim so chooses; and

(IV) where applicable, the rights of victims and the institution’s responsibilities regarding orders of protection, no contact orders, restraining orders, or similar lawful or court-ordered actions in cases of alleged domestic violence, dating violence, sexual assault, or stalking.

(iii) of any change to the results that occur prior to the time that such results become final.

(iv) Information about how the institution will prevent retaliation against any individual for exercising their rights or responsibilities under any provision of this subpart, including how publicly-available records of final and final orders of protection, no contact or similar lawful or court-ordered actions in cases of alleged domestic violence, dating violence, sexual assault, or stalking shall be simultaneously informed, in writing, of—

(a) the outcome of any institutional disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault, or stalking;

(b) the institution’s procedures for the accused and the victim to appeal the results of the institutional disciplinary proceeding;

(c) of any change to the results that occur prior to the time that such results become final.

(d) when such results become final.

(v) Information about how the institution will prevent retaliation against any individual for exercising their rights or responsibilities under any provision of this subpart, including how publicly-available records of final and final orders of protection, no contact or similar lawful or court-ordered actions in cases of alleged domestic violence, dating violence, sexual assault, or stalking shall be simultaneously informed, in writing, of—

(a) the outcome of any institutional disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault, or stalking;

(b) the institution’s procedures for the accused and the victim to appeal the results of the institutional disciplinary proceeding;

(c) of any change to the results that occur prior to the time that such results become final.

(vi) Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations. If so requested by the victim and if such accommodations are reasonably available, regardless of whether the victim report the crime to campus police or local law enforcement.

(C) A student or employee who reports to an institution of higher education that the student or employee has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus, shall be provided with a written explanation of the student or employee’s rights and options, as described in clauses (ii) through (vii) of subparagraph (B).

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect with respect to the annual security report under section 485(f)(1) of the Higher Education Act of 1965 (20 U.S.C. 1029(c)(1)) prepared by an institution of higher education 1 calendar year after the date of enactment of this Act, and each subsequent calendar year.

IV—VIOLENCE REDUCTION PRACTICES

SEC. 401. STUDY CONDUCTED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

Section 402(c) of the Violence Against Women Act of 1994 (42 U.S.C. 14043c-2) is amended to read as follows:

SEC. 401. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION (SMART PREVENTION).

(a) GRANTS AUTHORIZED.—The Attorney General, in consultation with the Secretary of Health and Human Services and the Secretary of Education, is authorized to award grants for the purpose of preventing domestic violence, dating violence, sexual assault, and stalking to nonprofit or educational organizations with a demonstrated history of effective work addressing the needs of children exposed and their families to services or programs focused on youth. Such a program should include—

(1) training and coordination for educational, after-school, and childcare programs on how to safely and confidentially identify children and intervening domestic violence, dating violence, sexual assault, or stalking and properly refer children exposed and their families to services and violence prevention programs;

(2) ENGAGING MEN AS LEADERS AND ROLE MODELS.—To develop, maintain or enhance programs that work with men to prevent domestic violence, dating violence, sexual assault, or stalking, and by helping men to serve as role models and social influencers of other men and youth at the individual, school, community or statewide levels.

(3) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this section, an entity shall be

(1) a victim service provider, community-based organization, tribe or tribal organization, or other non-profit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and at least one of the following that has expertise in serving children exposed to domestic violence, dating violence, sexual assault, or stalking, youth domestic violence, dating violence, sexual assault, or stalking prevention, or engaging men to prevent domestic violence, dating violence, sexual assault, or stalking;

(A) A public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Education Act of 1978, a group of schools, or a school district.

(B) A local community-based organization, population-specific organization, or faith-based organization that has established expertise in providing services to youth.

(C) A community-based organization, population-specific organization, or faith-based organization that has established expertise in providing services to youth.

(D) A community-based organization, population-specific organization, or faith-based organization that has established expertise in providing services to youth.

(E) A community-based organization, population-specific organization, or faith-based organization that has established expertise in providing services to youth.

(F) A community-based organization, population-specific organization, or faith-based organization that has established expertise in providing services to youth.
“(D) A nonprofit, nongovernmental entity providing services for runaway or homeless youth affected by domestic violence, dating violence, sexual assault, or stalking.

“(E) Any healthcare entity eligible for reimbursement under title XVIII of the Social Security Act, including providers that target the special needs of children and youth.

“(F) Agencies, population-specific organizations, or nonprofit, nongovernmental organizations with the capacity to provide necessary expertise to meet the goals of the program.

“(G) A public, charter, tribal, or nationally accredited private middle or high school, a school district, or the Department of Defense under section 2161 of title 10, United States Code or section 1402 of the Defense Dependents’ Education Act of 1976, a group of schools, a school district, or an institution of higher education.

“(H) The Secretary.”
(c) REQUIREMENTS FOR GRANTEES.—

(1) CONFIDENTIALITY AND SAFETY.—Grantees under this section shall ensure that all programs developed with grant funds address issues of confidentiality and safety, and shall give patients the option to provide to patients advance notice about any procedures, and provide documentation of the immediate and ongoing security and confidentiality of the patients, patient records, and staff. Such grantees shall consult entities with demonstrated expertise in the confidentiality and safety needs of victims of domestic violence, dating violence, sexual assault, and stalking on the development and adequacy of confidentiality and security procedures, and shall provide documentation of such consultation.

(b) ADVANCE NOTICE OF INFORMATION DISCLOSURE.—Grantees under this section shall provide advance notice about any circumstances under which information may be disclosed, such as mandatory reporting laws, educational institutions, patients the right to receive information and referrals without affirmatively disclosing abuse.

(2) LIMITATION ON ADMINISTRATIVE EXPENSES.—A grantee shall use not more than 20 percent to carry out this section in each fiscal year.

(c) PREFERENCE.—In selecting grant recipients under this section, the Secretary shall give preference to applicants based on the strength of their evaluation strategies, and population specific organizations with demonstrated expertise in domestic violence, dating violence, sexual assault, or stalking; and

(d) ELIGIBLE ENTITIES.—

(1) IN GENERAL.—To be eligible to receive funding under this subsection, an entity shall be—

(A) a nonprofit organization with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking; and

(B) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or allied health;

(2) R ESEARCH.—Research authorized in this chapter shall apply to this section.

(3) AFFILIATED INDIVIDUAL.—The term ‘affiliated individual’ means, with respect to an application for a grant under this section, $10,000,000 for each of fiscal years 2014 through 2018.

(4) by adding at the end the following:

‘‘(A) a nonprofit organization with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking; and

(B) a local victim service provider, a local department (or other division) of health, a local health clinic, hospital, or health system, or any other community-based organization with a history of effective work in the field of domestic violence, dating violence, sexual assault, or stalking, and health care, including physical or mental health care.

‘‘(c) DEFINITIONS.—In this chapter:

‘‘(1) AFFILIATED INDIVIDUAL.—The term ‘affiliated individual’ means, with respect to an application for a grant under this paragraph, an entity desiring a grant under subsection (a)(3) shall submit an application to the Secretary at such time, in such a manner, and containing such information and assurances as the Secretary may require, including—

(i) documentation that all training, education, screening, assessment, services, treatment, and any other approaches that hospital care will be included by an understanding of violence and abuse victimization and trauma-specific approaches that will be integrated into care, prevention, intervention, and treatment activities;

(ii) strategies for the development and implementation of policies to prevent and address violence, dating violence, sexual assault, and stalking over the lifespan in health care settings;

‘‘(ii) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or allied health;

(2) in section 41402 (42 U.S.C. 14043e–1), in the matter preceding paragraph (1), by striking ‘‘subtitle’’ and inserting ‘‘chapter’’;

(3) in section 758 of the Public Health Service Act (42 U.S.C. 294b–1) TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

SEC. 601. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) AMENDMENT.—Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 13973) is amended by inserting after the subtitle heading the following:

‘‘CHAPTER 1—GRANT PROGRAMS’’;

(b) in section 41402 (42 U.S.C. 14043e–1), in the matter preceding paragraph (1), by striking ‘‘subtitle’’ and inserting ‘‘chapter’’;

(c) in section 41403 (42 U.S.C. 14043e–2), in the matter preceding paragraph (1), by striking ‘‘chapter’’ and inserting ‘‘chapter’’; and

(d) by adding at the end the following:

‘‘CHAPTER 2—HOUSING RIGHTS’’;

SEC. 4141. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) DEFINITIONS.—In this chapter—

(A) the term ‘applicant’ includes, with respect to an individual—

and nursing boards, and where appropriate, other allied health exams.
“(A) a spouse, parent, brother, sister, or child of that individual, or an individual to whom that individual stands in loco parentis; or

(B) any tenant, occupant, or occupant living in the household of that individual.

(2) APPROPRIATE AGENCY.—The term ‘appropriate agency’ means—

(A) with respect to a covered housing program, the Executive department (as defined in section 101 of title 5, United States Code) that carries out the covered housing program or administers the program under section 42 of the Internal Revenue Code under sections 514, 515, 516, 533, and 538 of the United States Code; and

(B) the United States Housing Act of 1937 (42 U.S.C. 1437f).

(3) COVERED HOUSING PROGRAM.—The term ‘covered housing program’ means—

(A) subsection 202 of the Housing Act of 1959 (12 U.S.C. 170l-2);

(B) the program under section 811 of the Cranston-Gonzalez National Affordable Housing Act (12 U.S.C. 1715z-1);

(C) the program under subtitle D of title VIII of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 1701 et seq.);

(D) the program under subtitle A of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11620 et seq.);

(E) the program under title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 1724 et seq.);

(F) the program under paragraph (3) of section 221(d) of the National Housing Act (12 U.S.C. 1715f-1); and

(G) the programs under sections 6 and 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f and 1437g).

(4) CLEARED HOUSING PROGRAMS.—The term ‘cleared housing program’ means—

(A) rural housing assistance provided under sections 514, 515, 516, 533, and 538 of the Housing Act of 1937 (42 U.S.C. 1441, 1445, 1454, 1459, and 1459h); and

(B) the programs under title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 1724 et seq.).

(5) RURAL HOUSING.—In this section—

(A) the term ‘rural housing program’ means—

(i) a public housing agency or owner of housing assisted under a rural housing program (as defined in section 221(d))

(ii) a section 221(d) of the National Housing Act (12 U.S.C. 1715f-1);

(iii) a rural housing program under section 236 of the National Housing Act (12 U.S.C. 1715s-1); and

(iv) the program under sections 6 and 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f and 1437g).

(6) CLEARED HOUSING PROGRAM.—The term ‘cleared housing program’ means—

(A) the term ‘rural housing program’ means—

(i) a public housing agency or owner of housing assisted under a rural housing program (as defined in section 221(d))

(ii) a section 221(d) of the National Housing Act (12 U.S.C. 1715f-1);

(iii) a rural housing program under section 236 of the National Housing Act (12 U.S.C. 1715s-1); and

(iv) the programs under sections 6 and 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f and 1437g).

(B) the programs under title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 1724 et seq.).

(7) RURAL HOUSING.—In this section—

(A) rural housing assistance provided under sections 514, 515, 516, 533, and 538 of the Housing Act of 1937 (42 U.S.C. 1441, 1445, 1454, 1459, and 1459h); and

(B) the programs under title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 1724 et seq.).

(8) RURAL HOUSING.—In this section—

(A) rural housing assistance provided under sections 514, 515, 516, 533, and 538 of the Housing Act of 1937 (42 U.S.C. 1441, 1445, 1454, 1459, and 1459h); and

(B) the programs under title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 1724 et seq.).

(9) RURAL HOUSING.—In this section—

(A) rural housing assistance provided under sections 514, 515, 516, 533, and 538 of the Housing Act of 1937 (42 U.S.C. 1441, 1445, 1454, 1459, and 1459h); and

(B) the programs under title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 1724 et seq.).

(10) RURAL HOUSING.—In this section—

(A) rural housing assistance provided under sections 514, 515, 516, 533, and 538 of the Housing Act of 1937 (42 U.S.C. 1441, 1445, 1454, 1459, and 1459h); and

(B) the programs under title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 1724 et seq.).

(11) RURAL HOUSING.—In this section—

(A) rural housing assistance provided under sections 514, 515, 516, 533, and 538 of the Housing Act of 1937 (42 U.S.C. 1441, 1445, 1454, 1459, and 1459h); and

(B) the programs under title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 1724 et seq.).

(12) RURAL HOUSING.—In this section—

(A) rural housing assistance provided under sections 514, 515, 516, 533, and 538 of the Housing Act of 1937 (42 U.S.C. 1441, 1445, 1454, 1459, and 1459h); and

(B) the programs under title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 1724 et seq.).

(13) RURAL HOUSING.—In this section—

(A) rural housing assistance provided under sections 514, 515, 516, 533, and 538 of the Housing Act of 1937 (42 U.S.C. 1441, 1445, 1454, 1459, and 1459h); and

(B) the programs under title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 1724 et seq.).

(14) RURAL HOUSING.—In this section—

(A) rural housing assistance provided under sections 514, 515, 516, 533, and 538 of the Housing Act of 1937 (42 U.S.C. 1441, 1445, 1454, 1459, and 1459h); and

(B) the programs under title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 1724 et seq.).

(15) RURAL HOUSING.—In this section—

(A) rural housing assistance provided under sections 514, 515, 516, 533, and 538 of the Housing Act of 1937 (42 U.S.C. 1441, 1445, 1454, 1459, and 1459h); and

(B) the programs under title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 1724 et seq.).

(16) RURAL HOUSING.—In this section—

(A) rural housing assistance provided under sections 514, 515, 516, 533, and 538 of the Housing Act of 1937 (42 U.S.C. 1441, 1445, 1454, 1459, and 1459h); and

(B) the programs under title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 1724 et seq.).
(5) DOCUMENTATION NOT REQUIRED.—Nothing in this subsection shall be construed to require a public housing agency or owner or manager of housing assisted under a covered housing program to request, that an individual submit documentation of the status of the individual as a victim of domestic violence, dating violence, sexual assault, or stalking.

(6) COMPLIANCE NOT SUFFICIENT TO CONSTITUTE EVIDENCE OF UNREASONABLE ACT.—Compliance with subsection (b) by a public housing agency or owner or manager of housing assisted under a covered housing program based on documentation received under this subsection shall not be sufficient to constitute evidence of an unreasonable act or omission by the public housing agency or owner or manager or an employee or agent of the agency or owner or manager. Nothing in this paragraph shall be construed to limit the liability of a public housing agency or owner or manager of housing assisted under a covered housing program for failure to comply with subsection (b).

(7) RESPONSE TO CONFLICTING CERTIFICATION.—If a public housing agency or owner or manager of housing assisted under a covered housing program receives documentation under this subsection that contains conflicting information, the public housing agency or owner or manager may require an applicant or tenant to submit third-party documentation, as described in subparagraph (B), (C), or (D) of paragraph (8).

(8) COMMUNICATIONS.—Nothing in this subsection shall be construed to supersede any provision of any Federal, State, or local law that provides greater protection than this subsection for victims of domestic violence, dating violence, sexual assault, or stalking.

(8) NOTIFICATION.

(1) IMPLEMENTATION.—The Secretary of Housing and Urban Development shall develop a notice of the rights of individuals under this section, including the right to confidentiality and the limits thereof.

(2) PROVISION.—Each public housing agency or owner or manager of housing assisted under a covered housing program shall provide the notice developed under paragraph (1), together with the form described in subsection (c)(3)(A), to an applicant for or tenants of housing assisted under a covered housing program.

(A) at the time the individual is admitted to a dwelling unit assisted under the covered housing program;

(B) at the time the individual is admitted to a dwelling unit assisted under the covered housing program;

(C) at any time the notice described in subsection (c)(3)(A) is requested by the individual; and

(D) at any other time, on request of the individual.

(9) COMPLIANCE NOT SUFFICIENT TO CONSTITUTE EVIDENCE OF UNREASONABLE ACT.—Nothing in this subsection shall be construed to limit the rights or remedies available to a tenant to a person that commits an act of domestic violence, dating violence, sexual assault, or stalking against the tenant.

(10) POLICIES FOR EMERGENCY TRANSFER.—The Secretary of Housing and Urban Development shall establish policies and procedures under which a victim requesting an emergency transfer under subsection (e) may receive, subject to the availability of tenant protection vouchers, assistance under section 8(b) of the United States Housing Act of 1937 (42 U.S.C. 1437f) to move to a dwelling unit assisted under a covered housing program.

(11) IMPLEMENTATION.—The appropriate agency with respect to each covered housing program shall implement this section, as this section applies to the covered housing program.

(b) CONFORMING AMENDMENTS.—

(1) SECTION 6.—Section 6 of the United States Housing Act of 1937 (42 U.S.C. 1437d) is amended—

(A) in subsection (c)—

(i) by striking paragraph (3); and

(ii) by redesigning paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(B) in subsection (d)—

(i) in paragraph (5), by striking ‘‘, and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence’’; and

(ii) in paragraph (6), by striking ‘‘; except that’’ and all that follows through ‘‘stalking’’; and

(C) by striking subsection (u).

(2) SECTION 8.—Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437g) is amended—

(A) in subsection (c)—

(i) by striking paragraph (9); and

(ii) by redesigning paragraph (10) as paragraph (9), respectively;

(B) in subsection (d)—

(i) in paragraph (1), by striking ‘‘and that an applican or participant is on has been a victim of domestic violence, dating violence, or stalking is not an appropriate basis for the denial of admission’’; and

(ii) in subparagraph (B)—

(I) in clause (i), by striking ‘‘, and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence’’; and

(II) in clause (iii), by striking ‘‘except that’’ and all that follows through ‘‘stalking’’;

(C) in subsection (f)—

(i) in paragraph (6), by adding ‘‘and’’ at the end;

(ii) in paragraph (7), by striking the semicolon at the end and inserting a period; and

(iii) by striking paragraphs (8), (9), (10), and (11); and

(D) in subsection (o)—

(i) in paragraph (6)(B), by striking the last sentence;

(ii) in paragraph (7), by inserting ‘‘before the end of the period’’ after ‘‘appropriate’’; and

(iii) in paragraph (8), by striking ‘‘and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking shall not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence’’; and

(3) RULE OF CONSTRUCTION.—Nothing in this Act, or the amendments made by this Act, shall be construed—

(A) to limit the rights or remedies available to any person under section 6 or 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f), as in effect on the day before the date of enactment of this Act;

(B) to limit any right, remedy, or procedure otherwise available under any provision of part 5, 9, 880, 882, 883, 884, 886, 891, 903, 960, 966, 962, or 983 of title 24, Code of Federal Regulations, that

(i) was issued under the Violence Against Women Act of 2000 (Public Law 106–288; 84 Stat. 738) or any amendment made by that Act; and

(ii) provides greater protection for victims of domestic violence, dating violence, sexual assault, and stalking than this Act; or

(iii) to disqualify an owner, manager, or other individual from participating in or receiving the benefits of the low income housing tax credit program under section 42 of the Internal Revenue Code of 1986 because of noncompliance with the provisions of this Act.

SEC. 602. TRANSITIONAL HOUSING ASSISTANCE GRANTS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Chapter 11 of subtitle B of the Violence Against Women Act of 1994 (42 U.S.C. 13975 et seq.) is amended—

(1) in the chapter heading, by striking ‘‘CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT’’ and inserting ‘‘VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING’’; and

(2) in section 6022 (42 U.S.C. 13975–1)—

(A) in the header, by striking ‘‘CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT’’ and inserting ‘‘VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING’’; and

(B) in subsection (a)(1), by striking ‘‘fleeing’’;

(C) in subsection (b)(3)—

(i) in subparagraph (A), by striking ‘‘and’’ at the end;

(ii) by redesignating subparagraph (B) as subparagraph (A); and

(iii) by inserting after subparagraph (A) the following:

‘‘(B) secure employment, including obtaining employment counseling, occupational training, job retention counseling, and counseling concerning re-entry in to the workforce; and’’; and

(D) in paragraph (C), as redesignated by clause (ii), by striking ‘‘employment counseling,’’; and

(3) QUALIFIED APPLICATION DEFINED.—In this paragraph, the term ‘‘qualified application’’ means an application that—
“(i) has been submitted by an eligible applicant;
(ii) does not propose any activities that may compromise victim safety, including—
(I) vector works of victims; or
(II) clinical evaluations to determine eligibility for services;
(iii) reflects an understanding of the dynamics of domestic violence, dating violence, sexual assault, or stalking; and
(iv) does not propose prohibited activities, including mandatory services for victims.”

SEC. 603. ADDRESSING THE HOUSING NEEDS OF VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—
(1) in section 4104(n)(1) (42 U.S.C. 14043e–3(1)), by striking “$10,000,000 for each of fiscal years 2007 through 2011” and inserting “$10,000,000 for each of fiscal years 2014 through 2018”;
(2) in section 4105(c)(1) (42 U.S.C. 14045e–4(1)), by striking “$10,000,000 for each of fiscal years 2007 through 2011” and inserting “$4,000,000,000 for each of fiscal years 2014 through 2018”.

TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

SEC. 701. NATIONAL RESOURCE CENTER ON WORKPLACE RESPONSES TO ASSIST VICTIMS OF DOMESTIC AND SEXUAL VIOLENCE.


TITLE VIII—PROTECTION OF BATTERED IMMIGRANTS

SEC. 801. U NONIMMIGRANT DEFINITION.


SEC. 802. ANNUAL REPORT ON IMMIGRATION APPLICATIONS MADE BY VICTIMS OF ABUSE.

Not later than December 1, 2014, and annually thereafter, the Secretary of Homeland Security shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes the following:

1. The number of aliens who—
(A) submitted an application for nonimmigrant status under paragraph (15)(P)(i), (15)(U)(i), or (51) of section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) during the preceding fiscal year;
(B) were granted such nonimmigrant status during such fiscal year; or
(C) were denied such nonimmigrant status during such fiscal year.

2. The mean amount of time and median amount of time to adjudicate an application for such nonimmigrant status during such fiscal year.

3. The mean amount of time and median amount of time between the receipt of an application for such nonimmigrant status and the issuance of work authorization to an eligible applicant during the preceding fiscal year.

4. The number of aliens granted continued presence in the United States under section 107(c)(3) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(3)) during the preceding fiscal year.

5. A description of any actions being taken to adjudication and processing time, while ensuring the safe and competent processing, of applications described in paragraph (1) or a request for continued presence referred to in paragraph (4).

SEC. 803. PROTECTION FOR CHILDREN OF VAWA SELF-PEETITIONERS.

Section 202(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1154a(2)) is amended—
(1) in subparagraph (E), by striking “or” at the end;
(2) by redesignating subparagraph (F) as subparagraph (G); and
(3) by inserting after subparagraph (E) the following:

“(F) a child of an alien who filed a pending or approved petition for classification or application for adjustment of status, that child shall take the benefit specified in section 101(a)(15)(U) as a VAWA self-petitioner; or”.

SEC. 804. PUBLIC CHARGE.

Section 212(g)(1) of the Immigration and Nationality Act (8 U.S.C. 1182(g)(1)) is amended by adding at the end the following:

“(E) SPECIAL RULE FOR QUALIFIED ALIEN VICTIMS.—Subparagraphs (A), (B), and (C) shall not apply to an alien who—

(i) is a VAWA self-petitioner;

(ii) is an applicant for, or is granted, nonimmigrant status under section 101(a)(15)(U); or

(iii) is a qualified alien described in section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)).”.

SEC. 805. REQUIREMENTS APPLICABLE TO U VISAS.

(a) IN GENERAL.—Section 214(p) of the Immigration and Nationality Act (8 U.S.C. 1184(p)) is amended by adding at the end the following:

“(7) AGE DETERMINATIONS.—

“(A) CHILDREN.—An unmarried alien who seeks to accompany, or follow to join, a parent with a beneficiary of a petition related to any specified crime described in paragraph (3)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in subsection (b)(1)(B)(i).”;

(b) EFFECTIVE DATE.—The amendment made by this subsection applies to the certification or approval of a petition filed after the date of the enactment of this Act.

SEC. 806. HARDSHIP WAIVERS.

(a) IN GENERAL.—Section 216(c)(4) of the Immigration and Nationality Act (8 U.S.C. 1186a(c)(4)) is amended—

(1) in subparagraph (A), by striking the comma at the end and inserting a semicolon;

(2) in paragraph (3), by redesignating subparagraph (A) as subparagraph (B) and inserting “abuse, and stalking;” after “sexual exploitation;”;

(b) PROVISION OF INFORMATION TO K NONIMMIGRANTS.—Section 201 of the Intermarried Persons Act of 2005 (8 U.S.C. 1183a) is amended—

(1) by adding after section (2)(B) the following:

“(2)waiver of nonimmigrant status for a fiancé(e) of a U nonimmigrant under section 101(a)(15)(U)—

(A) may be granted, at the discretion of the Attorney General, to an alien who—

(i) has been submitted by an eligible applicant;

(ii) does not propose any activities that may compromise victim safety, including—

(I) vector works of victims; or

(II) clinical evaluations to determine eligibility for services;

(iii) reflects an understanding of the dynamics of domestic violence, dating violence, sexual assault, or stalking; and

(iv) does not propose prohibited activities, including mandatory services for victims;”;

(2) in paragraph (3), by striking “a consular officer” and inserting “the Secretary of Homeland Security”;

(c) IN GENERAL.—Section 204(l) of the Immigration and Nationality Act (8 U.S.C. 1154a) is amended—

(1) in subsection (a)(5)(A) or (B), by striking “the Secretary of Homeland Security” and inserting “the Secretary of Homeland Security;” and

(2) in subsection (b)(1), by striking “Secretary” and inserting “the Secretary of Homeland Security;” and

SEC. 807. PROTECTIONS FOR A FIANCE(E) OR FIANCE OF A CITIZEN.

(a) IN GENERAL.—Section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) is amended—

(1) in subsection (d), by striking “criminal” and inserting “crime described in paragraph (3)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in paragraph (3)(B)”; and

(b) EFFECTIVE DATE.—The amendment made by this section applies to the certification or approval of a petition filed after the date of the enactment of this Act.
``(II) shall not be used or disclosed for any other purpose unless expressly authorized by law.

``(v) The Secretary of Homeland Security shall make the a catalogue sheet or other mechanism to accompany the information required to be provided to an applicant for a visa under subsection (d) or (p) of section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) by clauses (i) through (iv) of this paragraph or by clauses (i) and (ii) of subsection (c)(4)(B) of such section 214, that calls to the applicant's attention—

``(I) whether the petitioning international marriage broker as a result of entering a dating or marital relationship, photograph, or general information about the background or interests of any individual under the age of 18.

``(B) Technical correction.—Section 333(a)(2)(B) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(a)(2)(B)) is amended by striking ``Federal and State sex offender public registries'' (1375a(a)(2)(H)) is amended by striking ''Federal and State sex offender public registries'' from title 18, United States Code, imposed for not more than 1 year, or both.

``(IV) Relationship to other penalties.—The penalties provided in clauses (I), (II), and (III) are in addition to any other civil or criminal liability under Federal or State law to which a person may be subject for the misuse of information, including misuse to intimidate, intimate, or harass any individual.

``(v) Construction.—Nothing in this paragraph or any other civil or criminal provision of this section shall be construed to prevent the disclosure of information to law enforcement or pursuant to a court order.

``(C) in subparagraph (C), by striking the period at the end and inserting—including equitable remedies:

``(5) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively; and

``(6) Enforcement.—

``(A) Authority.—The Attorney General shall be responsible for the enforcement of the provisions of this section, including the prosecution of civil and criminal penalties provided for by this section.

``(B) Consultation.—The Attorney General shall consult with the Director of the Office on Violence Against Women of the Department of Justice to develop policies and public education designed to promote enforcement of this section.

``(C) GAO Study and Report.—Section 833(f) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(f)) is amended—

``(1) in the subsection heading, by striking ``STUDIES AND REPORTS.—''; and

``(2) by adding at the end the following:

``(4) Continuing Impact Study and Report.—

``(A) Study.—The Comptroller General shall conduct a study on the continuing impact of the implementation of this section and of section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) on the process for granting K nonimmigrant visas, including specifically a study of the items described in subparagraphs (A) through (E) of paragraph (1).''

``(B) Report.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report setting forth the results of the study conducted under subparagraph (A).

``(C) Data Collection.—The Attorney General, the Secretary of Homeland Security, and the Secretary of State shall collect and maintain the data necessary for the Comptroller General to conduct the study required by paragraph (1)(A).''

``SEC. 809. ELIGIBILITY OF CRIME AND TRAFFICKING VICTIMS IN THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS TO ADJUST STATUS.

``Section 705(c) of the Consolidated Natural Resources Act of 2000 (48 U.S.C. 1006 note), is amended by striking "except that," and all that follows through the end, and inserting the following: "except that the Secretary of the Interior shall determine whether an alien符合 lawfully admitted for permanent residence (as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20)) who has been living in the United States pursuant to an immigration order under section 245(i) of the Immigration and Naturalization Act (8 U.S.C. 1158(b)(5)(B)) and who has not committed a crime of violence or a Aggravated felony (as defined in section 101(a)(43) of such Act (8 U.S.C. 1101(a)(43)) has abandoned or lost such status by reason of absence from the United States.

``(II) shall not be used or disclosed for any other purpose unless expressly authorized by law."
States, such alien’s presence in the Commonwealth, before, on or after November 28, 2009, shall be considered to be present in the United States; and

``(47) similarity in the use of determining whether an alien whose application for status under subparagraph (T) or (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) was granted is subsequently eligible for adjustment under subsection (i) or (m) of section 245 of such Act (8 U.S.C. 1255), such alien’s physical presence in the Commonwealth before, on, or after November 28, 2009, and subsequent to the grant of the application, shall be considered as equivalent to presence in the United States pursuant to a nonimmigrant admission in such status.’’.

SEC. 810. DISCLOSURE OF INFORMATION FOR NATIONAL SECURITY PURPOSES.

(a) INFORMATION SHARING.—Section 384(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(b)) is amended—

(1) in paragraph (1)—

(A) by inserting ‘‘Secretary of Homeland Security or the’’ before ‘‘Attorney General may’’;

(B) by inserting ‘‘Secretary’s or the’’ before ‘‘Attorney General’s discretion’’;

(2) in paragraph (2)—

(A) by inserting ‘‘Secretary of Homeland Security or the’’ before ‘‘Attorney General may’’;

(B) by inserting ‘‘Secretary or the’’ before ‘‘Attorney General’’;

(C) by inserting ‘‘in a manner that protects the confidentiality of such information’’ after ‘‘law enforcement purpose’’;

(3) by striking ‘‘Attorney General is’’ and inserting ‘‘Secretary of Homeland Security and the Attorney General are’’; and

(4) by adding at the end a new paragraph as follows:

‘‘(8) Notwithstanding subsection (a)(2), the Secretary of Homeland Security, the Secretary of State, or the Attorney General may provide in the discretion of either such Secretary or the Attorney General for the disclosure of information to national security officials to be used solely for a national security purpose in a manner that protects the confidentiality of such information.’’

(b) GUIDELINES.—Section 384(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)) is amended—

(1) in subsection (a)—

(A) by inserting ‘‘Secretary, of State,’’ after ‘‘The Attorney General’’;

(B) by inserting ‘‘, Department of State,’’ after ‘‘Department of Justice,’’ and

(C) by inserting ‘‘and severe forms of trafficking in persons or criminal activity listed in section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)) after ‘‘domestic violence’’;

(2) in subsection (c)—

(iii) adding at the end a new subparagraph (F) and inserting ‘‘(F) implementing.—Not later than 180 days after the date of the enactment of this Act, the Attorney General, the Secretary of State, and the Secretary of Homeland Security shall provide the guidance required by section 384(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)), consistent with the amendments made by subsections (a) and (b),’’

(d) CLERICAL AMENDMENT.—Section 384(a)(11) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(a)), is amended, with the consistent with the amendments made by subsections (a) and (b),

TITLE IX—SAFETY FOR INDIAN WOMEN

SEC. 901. GRANTS TO INDIAN TRIBAL GOVERNMENTS.

Section 202(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg-10(a)) is amended—

(1) in paragraph (2), by inserting ‘‘sex trafficking,’’ after ‘‘sexual assault,’’;

(2) in paragraph (4), by inserting ‘‘sex trafficking,’’ after ‘‘sexual assault,’’;

(3) in paragraph (5), by striking ‘‘and stalking’’ and all that follows and inserting ‘‘sexual assault, sex trafficking, and stalking’’;

(4) in paragraph (7)—

(A) by inserting ‘‘sex trafficking,’’ after ‘‘sexual assault,’’ each place it appears; and

(B) by striking ‘‘and’’ at the end;

(5) in paragraph (8)—

(A) by inserting ‘‘sex trafficking,’’ after ‘‘stalking’’; and

(B) by striking the period at the end and inserting a semicolon at the end;

(6) by adding at the end the following:

‘‘(9) provides services to address the needs of youth who are victims of domestic violence, dating violence, sexual assault, sex trafficking, or stalking and the needs of youth and children exposed to domestic violence, dating violence, sexual assault, or stalking to a caretaker of the youth or child; and

(10) develop and promote legislation and policy recommendations for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking and the need for assistance for the caring parent or the caretaker of the youth or child; and

(11) develop and promote legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking and the need for assistance for the caring parent or the caretaker of the youth or child; and

(12) develop and promote legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking and the need for assistance for the caring parent or the caretaker of the youth or child.’’

SEC. 902. GRANTS TO INDIAN TRIBAL COALITIONS.

Section 2001 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg) is amended by striking subsection (d) and inserting the following:

‘‘(d) PURPOSE.—The Attorney General shall award grants to Indian tribal coalitions for purposes of—

(A) increasing awareness of domestic violence and sexual assault against Indian women;

(B) enhancing the response to violence against Indian women at the Federal, State, and tribal levels;

(C) identifying and providing technical assistance to coalition membership and tribal communities to enhance access to essential services to Indian women victimized by domestic and sexual violence, including sex trafficking; and

(D) assisting Indian tribes in developing and promoting State, local, and tribal legislation and policies that enhance best practices for responding to violence or fear of violence against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking.

SEC. 903. GRANTS TO INDIAN TRIBAL COALITIONS.

(a) DEFINITIONS.—In this section:

(1) DATING VIOLENCE.—The term ‘‘dating violence’’ means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, as determined by the length of the relationship, the type of relationship, the frequency of interactions, and the reciprocal nature of the relationship.

(2) DOMESTIC VIOLENCE.—The term ‘‘domestic violence’’ means violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, or by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the Indian tribe that has jurisdiction over the Indian country where the violence occurs.

(b) ELIGIBILITY FOR OTHER GRANTS.—Receipt of an award under this subsection by a coalition shall not preclude the coalition from receiving additional grants under this title to carry out the purposes described in paragraph (1).

(c) MULTIPLE PURPOSE GRANTS.—Nothing in this subsection prohibits any tribal coalition or organization described in paragraph (2) from applying for funding to address sexual assault or other specific crime needs in the same application.”
(3) INDIAN COUNTRY.—The term ‘Indian country’ has the meaning given in section 1151 of title 18, United States Code.

(4) PARTICIPATING TRIBE.—The term ‘participating tribe’ means an Indian tribe that elects to exercise special domestic violence criminal jurisdiction over the Indian country of that Indian tribe.

(5) PROTECTION ORDER.—The term ‘protection order’—

‘‘(A) means any injunction, restraining order, or other order issued by a civil or criminal court for the purpose of preventing violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person; and

‘‘(B) includes any temporary or final order issued by a civil or criminal court, whether obtained by indication of independent action or as a pendent lite order in another proceeding, if the civil or criminal order was issued in response to a complaint, petition, or motion filed by or on behalf of a person seeking protection.

(6) SPECIAL DOMESTIC VIOLENCE CRIMINAL JURISDICTION.—The term ‘special domestic violence criminal jurisdiction’ means the criminal jurisdiction that a participating tribe may exercise under this section but could not otherwise exercise.

(7) SPOUSE OR INTIMATE PARTNER.—The term ‘spouse or intimate partner’ has the meaning given the term in section 2266 of title 18, United States Code.

(b) NATURE OF THE CRIMINAL JURISDICTION.—

‘‘(1) IN GENERAL.—Notwithstanding any other provision of law, in addition to all powers of self-government recognized and affirmed by sections 201 and 206, the powers of self-government of a participating tribe include the inherent power of that tribe, which is hereby recognized and affirmed, to exercise special domestic violence criminal jurisdiction over all persons.

‘‘(2) CONCURRENT JURISDICTION.—The exercise of special domestic violence criminal jurisdiction by a participating tribe shall be concurrent with the jurisdiction of the United States, of a State, or of both.

‘‘(3) APPLICABILITY.—Nothing in this section—

‘‘(A) creates or eliminates any Federal or State criminal jurisdiction over Indian country; or

‘‘(B) affects the authority of the United States in land, air, and water; or

‘‘(C) applies to any person or the community if released.

‘‘(4) EXCEPTIONS.—

‘‘(A) reflects a fair cross section of the community; and

‘‘(B) do not systematically exclude any distinct group in the community, including non-Indians.

‘‘(5) all other rights whose protection is necessary under the Constitution of the United States in order for Congress to recognize and affirm the inherent power of the participating tribe to exercise special domestic violence criminal jurisdiction over the defendant.

‘‘(e) PETITIONS TO STAY DETENTION.—

‘‘(1) IN GENERAL.—A person who has filed a petition for a writ of habeas corpus in a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, after giving notice that the participating tribe shall provide to the defendant—

‘‘(A) is a spouse, intimate partner, or domestic violence victim; or

‘‘(B) is a spouse or intimate partner of—

‘‘(i) a member of the participating tribe; or

‘‘(ii) an Indian who resides in the Indian country of the participating tribe.

SEC. 805. TRIBAL PROTECTION ORDERS.

(a) IN GENERAL.—Section 2265 of title 18, United States Code, is amended by striking subsection (e) and inserting the following:

‘‘(f) TRIBAL COURT JURISDICTION.—For purposes of this section, a court of an Indian tribe shall have full civil jurisdiction to issue and enforce protection orders involving any person, including the authority to enforce any orders through civil contempt proceedings, to exclude violators from Indian land, and to use other appropriate mechanisms in matters arising anywhere in the Indian country of the Indian tribe (as defined in section 1151) or otherwise within the authority of the Indian tribe."

(b) APPLICABILITY.—

‘‘(1) IN GENERAL.—Except as provided in paragraph (2), nothing in this Act, including an amendment made by this Act, alters or modifies the jurisdiction of a Federal or State court over an Indian tribe in the State of Alaska under section 2265(e) of title 18, United States Code (as in effect on the day before the date of enactment of this Act).

‘‘(2) STATE OF ALASKA.—In the case of the crimes of an Indian tribe in the State of Alaska, subsection (a) shall apply only to the Metlakatla Indian Community, Annette Island Reserve.

SEC. 906. AMENDMENTS TO THE FEDERAL AS- SISTANCE ACT.

(a) IN GENERAL.—Section 113 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

‘‘(A) Assault with intent to commit murder or a violation of section 2241 or 2242, by a fine under this title, imprisonment for not more than 20 years, or both;’’;

(B) in paragraph (2), by striking ‘‘felony under chapter 106A’’ and inserting ‘‘violation of section 2241 or 2242’’;

(C) in paragraph (3) by striking ‘‘without- out-cause or extending’’; and

(D) in paragraph (4), by striking ‘‘six months’’ and inserting ‘‘1 year’’;
(E) in paragraph (7)—
  (i) by striking “substantial bodily injury to an individual who has not attained the age of 18 years” and inserting “substantial bodily injury to a spouse or intimate partner, a dating partner, or an individual who has not attained the age of 18 years”; and
  (ii) by striking “fine” and inserting “a fine”; and
  (F) by adding at the end the following:
    “(8) Assault of a spouse, intimate partner, or dating partner by strangling, suffocating, or attempting to suffocate; or impeding the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or prostratedly injure the victim; and
    “(9) ‘Strangulation’ means intentionally, knowingly, or recklessly impeding the normal breathing of a person by covering the mouth or nose of the person, the nose or the mouth of the person, the mouth of the person, or the nose of the person, and the alleged victim is not capable of self-defense because of any truth or fact which would affect the judgment of a reasonable person to the effect that the alleged victim's physical reaction to the alleged perpetrator's conduct was not due to the alleged victim's own personal condition or to the alleged victim's perception of the conduct of the alleged perpetrator.”

SEC. 907. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST INDIAN WOMEN.

(a) In General.—Section 904(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 3796gg–10 note) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2014 through 2018”.

(b) Indian Major Crimes.—Section 1153(a) of title 18, United States Code, is amended by inserting “tribal” after “Indian” and inserting “tribal” after “the State of Alaska”.

(c) Insular.—In clause (iv), by striking “the National” and inserting “the Violence Against Women Program under the National Violence Against Women Program”.

(d) Authorization of Appropriations.—Section 204 of Public Law 90–284 (42 U.S.C. 3796gg–10 note) is amended—
  (1) in subsection (a), by striking “(b) DEFINITIONS.—In this section—’’ and inserting the following:
    “(b) DEFINITIONS.—In this section—
    “(B) the term ‘suffocating’ means intentionally, knowingly, or recklessly impeding the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or prostratedly injure the victim; and
    “(C) the term ‘suffocating’ means intentionally, knowingly, or recklessly impeding the normal breathing of a person by covering the mouth or nose of the person, the nose or the mouth of the person, the mouth of the person, or the nose of the person, and the alleged victim is not capable of self-defense because of any truth or fact which would affect the judgment of a reasonable person to the effect that the alleged victim’s physical reaction to the alleged perpetrator’s conduct was not due to the alleged victim’s own personal condition or to the alleged victim’s perception of the conduct of the alleged perpetrator.”

SEC. 1001. SAFER ACT—TITLE X—SAFER ACT

SEC. 1002. DEBBIE SMITH GRANTS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACK-LOGS.

SEC. 1003. REPORT ON THE ALASKA RURAL JUSTICE AND LAW ENFORCEMENT COMMISSION.

SEC. 1004. SAFER ACT—ALASKA RURAL JUSTICE AND LAW ENFORCEMENT COMMISSION.

SEC. 1005. USE OF FUNDS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACK-LOGS.

SEC. 1006. DEBBIE SMITH GRANTS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACK-LOGS.
(1) The chief law enforcement officer of the State or unit of local government, respectively, is the individual responsible for the compliance of the State or unit of local government, respectively, with the reporting requirements described in clause (v); or

(ii) the designee of such officer may fulfill the responsibility described in subclause (I) so long as he or she is an employee of the State or unit of local government, respectively, and is not an employee of any governmental laboratory or non-governmental laboratory, and

(v) comply with all grantee reporting requirements described in paragraph (4).

(b) CONTENTS OF REPORTS.—The Attorney General shall grant an extension of the deadline under paragraph (2)(B)(i) to a State or unit of local government that demonstrates that more time is required for compliance with such paragraph.

(4) SEXUAL ASSAULT FOREnsic EVIDENCE REPORTS.—

(a) IN GENERAL.—For not less than 12 months after the completion of an initial count of sexual assault evidence that is awaiting testing during an audit referred to in paragraph (1)(B), a State or unit of local government that receives a grant award under subsection (a)(7) shall, not less than every 60 days, submit a report to the Department of Justice setting forth such information as the Attorney General shall determine is necessary to allow such State or unit of local government to submit such reports on a more frequent basis; and

(ii) make available to all States and units of local government the reporting form created pursuant to subparagraph (A), whether or not they are required to submit such reports, and allow such States or units of local government, at their sole discretion, to submit such reports on a more frequent basis; and

(B) CONTENTS OF REPORTS.—A report under this paragraph shall contain the following information:

(i) the name of the State or unit of local government filing the report;

(ii) the period of dates covered by the report;

(iii) the cumulative total number of samples of sexual assault evidence that, at the end of the reporting period—

(A) are awaiting testing; and

(B) are in the possession of the State or unit of local government filing the report;

(iv) the cumulative total number of samples of sexual assault evidence in a total under clause (iii) that have been submitted to a laboratory for DNA or other appropriate forensic analyses;

(v) the cumulative total number of samples of sexual assault evidence in the possession of the State or unit of local government that, at the end of the reporting period, is awaiting testing; and

(vi) the cumulative total number of samples of sexual assault evidence identified by the State or unit of local government under paragraph (2)(B)(ii) for which DNA or other appropriate forensic analyses has been performed.

(C) POSSESSION.—

(i) IN GENERAL.—The term ‘possession’, used with respect to possession of a sample of sexual assault evidence by a State or unit of local government, includes possession by an individual who is acting as an agent of the State or unit of local government for the collection of the sample.

(ii) RULE OF CONSTRUCTION.—Nothing in clause (i) shall be construed to create or amend any Federal rights or privileges for non-governmental vendor laboratories described in section 210303 of the DNA Identification Act of 1994 (42 U.S.C. 14135(c)(3)) is amended—

(b) in subparagraph (B), by striking ‘2014’ and inserting ‘2019’; and

(b) by adding at the end the following:

‘‘(C) each of the fiscal years 2014 through 2015, not less than 75 percent of the total grant amounts shall be awarded for a combination of purposes under paragraphs (1), (2), and (3) of subsection (a).’’.

SEC. 1005. OVERSIGHT AND ACCOUNTABILITY.

(a) The Director, in consultation with local law enforcement agencies and government laboratories, shall develop and publish a description of protocols and practices the Director considers appropriate for the accurate, timely, and effective collection and processing of DNA evidence, including protocols and practices that are to be used in sexual assault cases, which shall address appropriate steps in the investigation of cases that may involve DNA evidence, including—

(i) which evidence is to be collected by law enforcement personnel and forwarded for testing;

(ii) the preferred order in which evidence from the same case is to be tested; and

(iii) what information to take into account when establishing the order in which evidence from different cases is tested;

(b) the establishment of a reasonable period of time in which evidence is to be forwarded by emergency response providers, law enforcement personnel, and prosecutors to a laboratory for testing;

(c) the establishment of reasonable periods of time in which each stage of analytical laboratory testing is to be completed;

(D) TECHNICAL ASSISTANCE AND TRAINING.—The Director shall make available technical assistance and training to support States and units of local government in adopting and implementing the protocols and practices developed under paragraph (1) on and after the date on which the protocols and practices are published.

(9) DEFINITIONS.—In this subsection, the term ‘awaiting testing’ and ‘possession’ have the meanings given those terms in subsection (n).

SEC. 1003. REPORTS TO CONGRESS.

Not later than 90 days after the end of each fiscal year for which a grant is made for the purpose described in section 2(a)(7) of the DNA Analysis Backlog Elimination Act of 2000, as amended by section 1012, the Attorney General shall submit to Congress a report that—

(1) lists the States and units of local government that have been awarded grants under section 2(n)(4) of the DNA Analysis Backlog Elimination Act of 2000, as added by section 1002, and the amount of the grant received by each such State or unit of local government;

(2) states the number of extensions granted under section 2(n)(3) of the DNA Analysis Backlog Elimination Act of 2000, as added by section 1002; and

(3) summarizes the processing status of the samples of sexual assault evidence identified in Sexual Assault Forensic Evidence Reports established under section 2(n)(4) of the DNA Analysis Backlog Elimination Act of 2000, including the number of samples that have not been tested.

SEC. 1004. REDUCING THE RAPE KIT BACKLOG.

(a) Section 2(n)(3) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(c)(3)) is amended—

(i) IN GENERAL.—The term ‘possession’, used with respect to possession of a sample of sexual assault evidence by a State or unit of local government, includes possession by an individual who is acting as an agent of the State or unit of local government for the collection of the sample.

(ii) RULE OF CONSTRUCTION.—Nothing in clause (i) shall be construed to create or amend any Federal rights or privileges for non-governmental vendor laboratories described in section 210303 of the DNA Identification Act of 1994 (42 U.S.C. 14135(c)(3)) is amended—

(i) by adding at the end the following:

‘‘(C) each of the fiscal years 2014 through 2015, not less than 75 percent of the total grant amounts shall be awarded for a combination of purposes under paragraphs (1), (2), and (3) of subsection (a).’’
(1) AUDIT REQUIREMENT.—Beginning in fiscal year 2013, and each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this title to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

(2) MANDATORY EXCLUSION.—A recipient of grant funds under this title that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this title during the 2 fiscal years beginning after the 12-month period described in paragraph (5).

(3) PRIORITY.—In awarding grants under this title, the Attorney General shall give priority to eligible entities that, during the 2 fiscal years beginning after the 12-month period described in paragraph (5), have an unresolved audit finding showing a violation in the terms or conditions of a Department of Justice grant program.

(4) REIMBURSEMENT.—If an entity is awarded grant funds under this Act during the 2-fiscal-year period in which the entity is barred from receiving grant funds under paragraph (2), the Attorney General shall—

(A) deposit an amount equal to the grant funds that were improperly awarded to the entity into the General Fund of the Treasury; and

(B) seek to recoup the costs of the repayment to the fund from the grant recipient that was awarded grant funds under paragraph (2).

(5) DEFINED TERM.—In this section, the term ‘‘unresolved audit finding’’ means an audit report finding in the final audit report of the Inspector General of the Department of Justice that the grantee has utilized grant funds for an unauthorized expenditure or other illegal or improper expenditure that is final or resolved within a 12-month period beginning on the date when the final audit report is issued.

(6) NONPROFIT ORGANIZATION REQUIREMENTS.—

(A) DEFINITION.—For purposes of this section and the grant programs described in this title, the term ‘‘nonprofit organization’’ means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(B) PROHIBITION.—The Attorney General shall not award a grant under any grant program described in this title to a nonprofit organization that is awarded grant funds under this title for a violation of the immigration laws of the United States.

(C) DISCLOSURE.—Each nonprofit organization that is awarded a grant under a grant program described in this title and uses the proceeds thereof in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make such information and disclosures available under this subsection available for public inspection.

(7) ADMINISTRATIVE EXPENSES.—Unless otherwise provided in subsection (a), the Attorney General shall determine the appropriate administrative expenses of the Department of Justice.

(8) CONFERENCE EXPENDITURES.—

(A) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this title may be used by the Attorney General or by any individual or organization that is awarded discretionary funds through a cooperative agreement under this Act, to host or support any expenditure for conferences that use more than $20,000 in Department funds, unless the Attorney General or the appropriate Assistant Attorney General, Director, or principal deputy as the Deputy Attorney General may designate, provides prior written notification that the funds may be expended to host a conference.

(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audiovisual equipment, honoraria for speakers, and any entertainment.

(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved by operation of this paragraph.

(D) PROHIBITION ON LOBBYING ACTIVITY.—

(A) IN GENERAL.—Amounts authorized to be appropriated under this title may not be utilized by any grant recipient to—

(i) lobby any representative of the Department of Justice regarding the award of grant funding; or

(ii) lobby any representative of a Federal, state, local, or Tribal government regarding the award of grant funding.

(B) PENALTY.—If the Attorney General determines that any recipient of a grant under this title has violated paragraph (A), the Attorney General shall—

(1) require the grant recipient to repay the grant in full; and

(2) prohibit the grant recipient from receiving another grant under this title for not less than 5 years.

TITLE XI—OTHER MATTERS

SEC. 1101. SEXUAL ABUSE IN CUSTODIAL SETTINGS.

Effective on December 31, 2018, subsections (a)(6) and (n) of section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14338(a)(6) and (n)) are repealed.

SEC. 1102. ANONYMOUS ONLINE HARASSMENT.

(a) SUITS BY PRISONERS.—Section 7(e) of the Civil Rights of Institutionalized Persons Act (42 U.S.C. 1997e(e)) is amended by inserting before the period at the end the following:

‘‘(7) in subparagraph (A), in the definition of ‘institution’—

(B) include the results of the assessments provided by the Commission under section 223(b) of title 28, United States Code;’’.

(b) UNITED STATES AS DEFENDANT.—Section 1983(b)(2) of title 42, United States Code, is amended by inserting before the period at the end the following:

‘‘(E) in subparagraph (A), in the definition of ‘person’—

(B) include the results of the assessments provided by the Commission under sections 223(b) of title 28, United States Code;’’.

(c) ADOPTION AND EFFECT OF NATIONAL STANDARDS.—Section 8 of the Prison Rape Elimination Act of 2003 (42 U.S.C. 14357) is amended—

(1) by redesignating subsection (c) as subsection (e); and

(2) by inserting after subsection (b) the following:

‘‘(c) ADOPTION OF EFFECT OF NATIONAL STANDARDS.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary of Health and Human Services shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of unaccompanied alien children (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))).

(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to facilities operated by the Department of Health and Human Services and to facilities operated under contract with the Department.

(3) COMPLIANCE.—The Secretary of Health and Human Services shall—

(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Homeland Security.

(d) APPLICABILITY TO CUSTODIAL FACILITIES OPERATED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary of Health and Human Services shall determine national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of unaccompanied alien children (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))).

(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to facilities operated by the Department of Health and Human Services and to the Secretary of Homeland Security.

SEC. 1103. FEDERAL VICTIM ASSISTANTS REAUTHORIZATION.

(a) AMENDMENT.—Section 9003 of the Victims of Crime Act of 2000 (42 U.S.C. 30013) is amended by inserting before the period at the end the following:

‘‘(2) in subparagraph (A), in the definition of ‘person’—

(B) include the results of the assessments provided by the Commission under sections 223(b) of title 28, United States Code;’’.

(b) EFFECTIVE DATE.—This section shall take effect on January 22, 2013.
By Mr. LEAHY (for himself and Mr. DURBIN):

S. 54. A bill to increase public safety by punishing and deterring firearms trafficking; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today I am introducing legislation directed at combating the practice of straw purchasing and illegal trafficking in firearms. I thank the law enforcement partners who have contributed ideas and Senator DURBIN for joining me in this effort. I hope that as Senators become familiar with the proposal, they will see it as a focused approach to provide law enforcement officials with the tools they need to go after those who engage in the illegal trafficking. This commonsense measure deserves the bipartisan support that will be critical to any effort in the Senate to reduce gun violence in America. I have heard again and again from Senators on both sides of the aisle that keeping guns away from those who should not have them is a goal worth pursuing. This bill will further that effort. When the President spoke last week about the need for legislative action in the wake of the horrific events at Sandy Hook Elementary School, strengthening our law enforcement efforts against illegal gun trafficking was one of the key issues he proposed. This bill will answer that call to action.

Next week, the Senate Judiciary Committee will hold the first hearing of the 113th Congress on the issue of gun violence. I expect that part of that discussion will include examination of various legislative proposals Senators have put forward. We need to move beyond platitudes and toward solutions. It is my hope that as the Committee proceeds we can find areas of common ground.

There is now broad recognition that the Second Amendment guarantees the individual right to own a firearm, and that self protection is an essential part of that right. To the extent there used to be a backdrop of uncertainty about the meaning of the Second Amendment, that time is past. I have long believed that the right to bear arms for protection is a fundamental right. The Supreme Court has now confirmed the individual right guaranteed by the Second Amendment. That is no longer questioned. So we can proceed now in this discussion with certainty that Americans’ constitutional rights will be preserved while we seek solutions to prevent gun violence.

There is broad agreement that keeping guns away from those suffering from mental illness and criminals is the right thing to do. I am a responsible gun owner. I know that other responsible gun owners will support better enforcement of the laws that exist to keep guns out of the hands of criminals. We cannot allow those who are barred from buying guns to circumvent our laws. That is just common sense.

Law enforcement officials have complained for years that they lack the legal tools necessary to effectively combat illegal firearms trafficking. Congressional inquiry during the last Congress should have put a spotlight on the very difficult legal environment within which law enforcement officials currently operate. In fact, one of the whistleblowers who testified about the misguided tactics used by Federal law enforcement in firearms trafficking investigations in Arizona described the current laws as “toothless”. If we are to address gun violence, we must respond to this vulnerability.

The Stop Illegal Trafficking in Firearms Act will make important changes to Federal law to give law enforcement officials the tools they need to investigate and prosecute the all-too-common practice of straw purchasing and illegal trafficking of firearms. This practice typically involves a person who is not prohibited by Federal law purchasing a firearm on behalf of a prohibited person, or at the direction of a gun trafficking or other criminal organization. It is a problem that must be addressed. It not only results in the support of larger criminal organizations, but also in the proliferation of illegal firearms and gun violence in our communities. It puts both law enforcement officials and law abiding firearms dealers in a very difficult position but more importantly, this makes our citizens and communities less safe.

Under current law, there is no specific statute that makes it illegal to act as a straw purchaser of firearms. Nor is there a law directly on point to address the illegal trafficking of firearms. As a result, prosecutors must cobble together charges against a straw purchaser using so-called “paperwork” violations such as lying on a Federal form. These laws are imperfect, and do not give prosecutors the leverage needed to encourage straw buyers to tip off those on a ladder in a criminal enterprise, to provide the information needed for investigators and prosecutors to go after those directing and profiting from such activity.

The bill I introduce today will add a new provision to our Federal criminal code to specifically prohibit serving as a straw purchaser of firearms, and establishes tough penalties for those who purchase firearms for, on behalf of, or with the intent to transfer the firearms to someone prohibited from making that purchase directly. Under current law, it is a crime to transfer a firearm to another with the knowledge that the firearm will be used in criminal activity. This bill would strengthen this existing law by prohibiting such a transfer where the transferor has “reasonable cause to believe” that the firearm will be used in relation to criminal activity. The bill does contain important exemptions from the prohibition, namely, the transfer of a firearm as a gift, or in relation to a legitimate raffle, auction or contest.

This bill will complement existing laws that makes it more difficult to smuggle firearms into the United States by specifically prohibiting the smuggling of firearms out of the United States.

The provisions laid out in this legislation are focused, commonsense remedies to the very real problem of firearms trafficking and straw purchasing. The bill does not affect Federal firearms licensees, and in no way alters their rights and responsibilities as sellers of a lawful commodity.

As the Senate seeks a way forward to find national solutions to reduce gun violence, I hope Senators from across the political spectrum can work together to find common ground. We are prepared to listen to all views, and work with Senators from both sides of the aisle. The bill I introduce today is the first of several proposals I expect to support to reduce gun violence. I look forward to discussing it further with fellow Senators and witnesses at the upcoming hearing before the Senate Judiciary Committee.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1. Mr. BAUCUS (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill H.R. 152, making supplemental appropriations for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table.

SA 2. Mr. REID (for Mr. UDALL of Colorado (for himself and Mr. BENNET)) submitted an amendment intended to be proposed by Mr. REID, of NV to the bill H.R. 152, supra, which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1. Mr. BAUCUS (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill H.R. 152, making supplemental appropriations for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table:

SEC. 1012. SUPPLEMENTAL AGRICULTURAL DISASTER ASSISTANCE PROGRAMS.

(a) Definitions.—In this section:

(1) ELIGIBLE PRODUCER ON A FARM.—The term “eligible producer on a farm” means an individual or entity described in subparagraph (B) that, as