United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

Vol. 159 WASHINGTON, TUESDAY, JANUARY 22, 2013 No. 7

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. McCLINTOCK).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
January 22, 2013.

I hereby appoint the Honorable TOM McCLINTOCK to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

THE FUTURE OF CLIMATE CHANGE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. It was exciting to hear the President make climate change a major focus of his inaugural address, and appropriately so. Mr. Obama's first term provided stark evidence of the peril to the planet: record-breaking heat waves, drought, hurricanes, forest fires, disappearing polar ice, all in accord with a prediction of the climate scientists, but the effects were happening faster and more severely than predicted.

The good news is that you don't have to believe the climate scientists to reduce carbon pollution and energy waste while reasserting American global energy leadership. Even balancing the budget could be made easier with this initiative.

Congress and the administration should begin serious conversation about a broad-based carbon tax. This would give the right signals on energy sources and use. It could raise money to reduce the deficit, restore our badly damaged infrastructure, speed and finance conservation while cushioning the impact on lower-income families and small business.

There are a number of other commonsense steps that would make progress on carbon pollution and energy conservation goals much more significant. First, the EPA should stop dragging its feet, permitting old, polluting, inefficient coal plants to continue to spew forth toxic waste harming not just the environment but the health of our citizens. It's past time that the Clean Air Act should be enforced. We should make sure there are proper safeguards for the fracking technology for gas and petroleum and making sure this vast reservoir of inexpensive gas does not undercut the critical addition of renewables to our energy portfolio: solar, wind, geothermal, perhaps even tidal energy.

We need global leadership on these technologies for a balanced energy portfolio and, ultimately, to reduce our carbon footprint. At each step, we should be looking to enhance energy conservation, because the cheapest kilowatt hour is one that you don't have to generate and use.

We should have a 10-year glide path in our support of renewable energy. The wind energy industry has already signaled receptivity to phasing out its subsidy, just giving it enough time to come to scale and then stand on its own. It's such a good idea, we should do the same thing for the petroleum industry. After 100 years, the most profitable commodity on the planet is mature and will be able to survive and even thrive without additional tax incentives.

Finally, and most important, we should have the Federal Government lead by example. The Department of Energy's management of four large power marketing agencies should be the gold standard for integrating renewables into the grid, upgrading transmission capacity, and leading on conservation. The GSA, with over 300 million square feet of Federal office space should demand that all our facilities, every square foot we lease, buy, or build, should be of the highest energy efficiency.

The Federal fleet should be on the cutting edge of fuel efficiency standards.

Finally, the Department of Defense, the largest consumer of energy in the world, needs to redouble its efforts. The Pentagon is already moving in the right direction. But it's not just about saving money in the long term; it's providing operational flexibility and reducing vulnerability from inefficient and dangerous fossil fuels. Those fuel tanker trucks in Afghanistan and Iraq might as well have had great big bull's eyes on them for terrorists. The military knows this, and we should give maximum support even in a time of gradually reducing Pentagon budgets. This will pay dividends for defense and to our family's budget if the Pentagon gets it right.

It's clear that America is ready and equal to this challenge. The President has signaled his interest and leadership. The question is whether Congress is equal to the challenge, ready with innovation, cooperation, and leadership.

Printed on recycled paper.

VICTOR LOVELADY, TEXAN, KILLED IN TERRORIST ATTACK

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, in a remote region of Algeria at an oil and gas facility, in the dark of night before the sun rose, workers from all over the world were getting ready to sit down for breakfast when suddenly gun-wielding Islamic radicals stormed the facility.

Some of the workers were killed; some were able to escape; some were taken hostage. One of the hostages killed in this attack was a member of my congressional district, Victor Lovelady.

Victor was a native of southeast Texas. He was originally from Nederland, Texas, a town of primarily hardworking, blue collar folks centered around the energy industry. Victor had recently moved to Atascocita, Texas, his home not far from where I live. He was 57 years of age.

When he died, he was on a contract assignment for ENGlobal, an energy company in Algeria. According to his family, Victor waited to take that contract until his children had finished school so he could attend their sporting events. This was not surprising for someone who was described as a ''dedicated family man and a fantastic coworker.'' Although it was hard to be so far away from his family, Victor was excited to take the contract assignment so he could ensure a secure future for his family. That's just the kind of father and husband he was.

The deal for this contract was 28 days on, 28 days off, and he was just 10 days in with only 18 days left to go. He was scheduled to come home to Texas the day after his daughter's birthday. His life was stolen by those who seek to destroy Americans, the radicals who inflict terror on all who believe in freedom.

Victor is survived by a loving family, including his wife, Maureen; daughter, Erin; and their son, Grant. Over the holidays, the close Lovelady family expressed concern for the safety of Victor, but he reassured them saying, ''It's so safe. We have protection.'' It's hard for people to understand such unspeakable evil.

I spoke with Victor's brother, Mike, throughout the crisis and as did Congressman RANDY WEBER. Yesterday, after we heard the terrible news, Mike told me:

> I can associate with my brother getting in a car wreck or having cancer. But terrorism and Nederland, Texas, don't go together.

He was described as ''a great family man and a fantastic coworker'' and ''a leader who mentored countless individuals during his tenure.'' He was also known for his spontaneous wit. Victor moved from Nederland, Texas, to Atascocita to be closer to work, but he went back and forth so that his children could finish school there.

Mr. Speaker, Victor was killed not just because of what he did; he was killed because of who he was. He was killed because he was an American. A radical Islamic al Qaeda group by the name of the Signatories in Blood claimed responsibility for this terrorist attack, those who seek to destroy us and kill indiscriminately.

□ 1010

They hate us for who we are and what we stand for. Diplomacy is not in their vocabulary.

Two other Americans were also killed in this attack. Their names were Gordon Lee Rowan of Sumpter, Oregon, and Frederick Buttaccio of Katy, Texas.

The Algerian military retook the compound after 3 days, and they found that 34 other hostages had been killed, as well as dozens of terrorists.

Mr. Speaker, our thoughts, prayers, and concerns are with the Lovelady, Rowan, and Buttaccio families today.

Secretary Panetta said that America must respond to these murders. That is correct. We should go after these killers who have malice and evil in their hearts, that kill Americans because they are Americans. That would be justice, and justice is what we do in this country.

And that's just the way it is.

CAMPAIGN FINANCE REFORM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, 3 years have passed since the Supreme Court's dreadful Citizens United decision, and we have seen the dramatic increase in the amount of corporate money flowing into our elections, drowning out the voices of ordinary American citizens eager to participate in the political process.

Citizens United also epitomizes the so-called ''corporate personhood'' movement in which some now say that corporations are people. The fact is, corporations are not people, and the Constitution was never intended to give corporations the same rights as the American people. Corporations don't breathe, they don't have kids, and they don't die in wars.

My constituents continue to express concern about the growing influence of corporations in our political discourse. They're also demanding action on campaign finance reform because they are repulsed by the large amount of money in our campaigns. Quite frankly, they want elected officials to spend more time on policy, deliberating and debating on issues, and less time dialing for dollars.

Unfortunately, the Republican leadership in the House has failed to address these pressing issues during the past 2 years. They have been indifferent. We haven't had the opportunity to vote on any legislation to curb the influence of unlimited and sometimes secret corporate money flowing into our elections. We haven't even had the opportunity to address these issues in committee hearings or markups.

Recently, I joined 18 of my colleagues in a letter to Chairman GOODLATTE and Ranking Member CONYERS of the Judiciary Committee requesting a hearing to explore constitutional amendment proposals in response to Citizens United and related cases. I hope that we will have an opportunity to discuss these issues in the coming weeks and months. This is, after all, the people's House, and this is the place where we ought to discuss the concerns of the people.

Members of the Democratic Caucus have been working to reform our campaign finance system and restore the rights of the American people that were undermined by the Citizens United decision. We have sponsored and cosponsored legislation to address the growing influence of money in our democratic process.

As a member of the task force on elections reform, I'm proud to join my colleagues in working to rein in corporate spending and address unregulated money flowing into our elections.

Today, I'm introducing two constitutional amendments. The people's rights amendment would overturn Citizens United and put a stop to the growing trend of corporations claiming First Amendment rights. This amendment not only addresses corporate rights as they pertain to campaign finance, but is broader in scope to clarify that corporations are not people with constitutional rights. Importantly, my amendment clearly protects the people's rights of freedom of speech, freedom of press, free exercise of religion, freedom of association, and all other such rights of the people.

My second amendment advances the fundamental principle of political equality for all by empowering Congress and the States with the right to regulate political spending. It will allow Congress to pass campaign finance reform legislation that will withstand constitutional challenges.

Mr. Speaker, we need to empower people, not corporations or Big Money special interests. Our current system has been corrupted. It undermines the rights of ordinary citizens, and it undermines our democracy. Surely, this is not the system our Founders envisioned. The preamble to the Constitution is ''We the people.'' Let us hope that this Congress doesn't forget that.

I ask my colleagues to join me in supporting these important bills to reform our campaign finance laws and assure that corporate rights do not trump people's rights.

IN HONOR OF VIRGINIA STATE POLICE TROOPERS JAY FERLAND AND PHILIP BATTEL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. GRIFFITH) for 5 minutes.

Mr. GRIFFITH of Virginia. Mr. Speaker, I rise and submit remarks in

honor of Virginia State Trooper Jay Ferland, a devoted public servant, who along with Trooper Philip Battel saved a family of three from a house fire in Saltville, Virginia.

When I first learned of their bravery, news reports failed to mention Trooper Ferland's involvement. On January 2, I spoke of this incident and only mentioned Trooper Battel. However, both men are deserving of our recognition.

To recap, in the early hours of Friday, December 28, 2012, Trooper Ferland and Trooper Battel were in search of a stolen car that had been involved in an earlier police chase when they noticed off in the distance an orange hue. They decided to investigate. When they reached the area in question, much to their surprise, Troopers Ferland and Battel saw a home engulfed in flames. They banged on the door, but when there was no answer, they made the selfless decision to enter the home and investigate.

Their actions in the house awoke its three residents who had no idea that their home was burning down around them, leading to their ultimate escape from the burning house and from the fire. Because of their bravery, the family was saved, and all are in good health. Their lives were saved, and the lives of two of their pets were also saved. The heroic actions of Trooper Ferland and Trooper Battel in service to the community are to be commended, and I am honored to be here today to pay tribute to them.

Please join me in thanking Trooper Jay Ferland and Trooper Philip Battel for all they have done for the people of southwest Virginia. The Virginia State Police, as my experience has shown over the years, always respond in fine fashion and rise to the occasion. Trooper Ferland and Trooper Battel are among just two of the many law enforcement officers to note in the long and proud history of the Virginia State Police.

Mr. Speaker, I wish to commend the Virginia State Police, Trooper Ferland, Trooper Battel, and the good work and heroism of all the officers in the Virginia State Police.

PARITY FOR PUERTO RICO

The SPEAKER pro tempore. The Chair recognizes the gentleman from Puerto Rico (Mr. PIERLUISI) for 5 minutes.

Mr. PIERLUISI. Mr. Speaker, tomorrow I will reintroduce two bills: the first to extend the SSI program to Puerto Rico, and the second to provide fair treatment to Puerto Rico under TANF.

SSI provides assistance to blind, disabled, and elderly individuals with low incomes. Congress has chosen not to extend the program to Puerto Rico, which instead receives a limited block grant. The average SSI payment to residents of the States is $500 a month, while the average payment to residents of Puerto Rico is just $70.

The TANF program provides payments to needy families with children. The territories are not eligible for certain TANF grants. Moreover, Federal law imposes a cap on the aggregate funding that a territory can receive under a combination of safety net programs, including TANF. My legislation would eliminate this cap, which has not been increased since 1996, and make the territories eligible for TANF grants they do not currently receive. Equality under TANF would mean at least $40 million in additional funding for Puerto Rico each year.

Those who seek evidence of how Puerto Rico is harmed by its territory status need look no further than the treatment it receives under SSI and TANF. I will fight to secure parity under these two programs. But as long as Puerto Rico remains a territory, it will be an uphill battle.

Mr. Speaker, Puerto Rico recently held a referendum on its political status. Under the current status, the 3.7 million American citizens living in Puerto Rico cannot vote for the leaders who make their national laws and are treated unequally under those laws, as the examples of SSI and TANF well illustrate.

The ballot had two questions. On the first question, voters were asked if they wanted Puerto Rico to remain a territory. Of 1.8 million voters, 54 percent said they do not want the current status to continue, while 46 percent say they do.

On the second question, voters were asked to express their preference among the alternatives to the current status. Of the 1.4 million people who chose an option, 61 percent voted for statehood, 33 percent for free association, and 5.5 percent for independence.

□ 1020

The 834,000 votes for statehood on the second question exceeded the 828,000 for the current status on the first question. For the first time ever, more people in Puerto Rico want to be a state than to continue as a territory.

True to form, defenders of the status quo have tried to distort the results of this referendum, making claims that are intellectually dishonest and divorced from the facts. These critics ignore the results of the first question and argue that, because close to 500,000 people left the second question blank, statehood did not prevail in the referendum.

Let me be clear so there is no confusion. A majority of voters in Puerto Rico soundly rejected the current status. Among the three alternatives, statehood won a decisive victory, and statehood obtained a greater number of votes than any other status option, including the current status.

Mr. Speaker, at yesterday's inauguration, President Obama invoked the Declaration of Independence:

> We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness.

President Obama then emphasized, while these truths may be self-evident, they have never been self-executing; that while freedom is a gift from God, it must be secured by His people here on Earth.

To uphold this Nation's core principles and values, the President and Congress must respond to the democratic expression of their fellow citizens in Puerto Rico, who have withdrawn their consent to a political status that makes them second-class citizens and who have made clear that they aspire to have full democratic rights and full equality under the law. None of my stateside colleagues in Congress would accept territory status for their own constituents, so they must recognize and they must respect that the American citizens I represent no longer accept it either.

THE DEBT CEILING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Alabama (Mr. BROOKS) for 5 minutes.

Mr. BROOKS of Alabama. Mr. Speaker, then-chairman of the Joint Chiefs of Staff Admiral Michael Mullen testified before the House Armed Services Committee that America ''is maintaining nearly historic fiscal deficits and national debt. Indeed, I believe that our debt is the greatest threat to our national security. If we as a country do not address our fiscal imbalances in the near term, our national power will erode, and the costs to our ability to maintain and sustain influence could be great.''

Admiral Mullen is right: debt caused sequestration. Debt and sequestration will slash our uniformed personnel to their lowest levels since before World War II; will reduce our Navy to the smallest number of operational vessels since World War I; and will cut our Air Force to the smallest number of operational aircraft in its history. In sum, debt is putting America's national security at risk.

Last week, on January 17, the Comptroller General of the United States delivered to President Obama a Government Accountability Office report on America's financial health. I have reviewed many government audits and financial statements during my three decades in public office. I have never seen warnings as stark as those given by the GAO to President Obama. Some lowlights of the GAO report are striking and deserve emphasis.

In fiscal year 2012, the Federal National Mortgage Association and Federal Home Loan Mortgage Corporation, commonly known as Fannie Mae and Freddie Mac, reported about $85 billion in net valuation losses. The Federal Government's Pension Benefit Guaranty Corporation's liabilities exceeded its assets by about $34 billion. The Postal Service ''finished the year with

a reported net loss of almost $16 billion.'' The Federal Housing Administration reported that its liabilities exceeded its assets by about $15 billion.

Mr. Speaker, America is on a path to insolvency and bankruptcy, an event that will debilitate our country. America has incurred four consecutive, unsustainable trillion-dollar deficits and is in the midst of a fifth consecutive trillion-dollar deficit. America's national debt exceeds $16 trillion. Interest on our debt is well in excess of $200 billion per year. To put our debt service burden in perspective, that is more than four times what the Federal Government spends on all highway and transportation infrastructure projects in America each year. Unless Washington becomes financially responsible, future debt service will escalate and even more money will be spent on debt service rather than on programs that serve Americans.

America's Comptroller General issued a stern warning to President Obama:

> The comprehensive, long-term fiscal projections show that, absent policy changes, the Federal Government continues to face an unsustainable path. Over the long term, the structural imbalance between spending and revenue will lead to the continued growth of debt held by the public as a share of GDP. This means the current structure of the Federal budget is unsustainable.

America's current path and Federal budget are unsustainable. Absent changes, Federal Government insolvency and bankruptcy are certain to result and cause an economic disaster unrivaled in America's history. This week, the House of Representatives faces a vote to increase America's debt ceiling. Pending legislation raises the debt ceiling by roughly $300 to $400 billion. What protection from the risk of insolvency and bankruptcy does America get in return?

Are there any spending cuts? No.

Are there policies that spur economic growth and result in revenue increases? No.

Does this proposal help fix in any way the trillion-dollar deficits that threaten America with financial ruin? No.

Mr. Speaker, I can only speak for me. I will not vote to raise the debt ceiling unless significant efforts are made to fix the underlying problem of deficits and accumulated debt that force debt ceiling votes and risk America's future. I will not vote to raise the debt ceiling unless, first, Congress passes a substantive balanced-budget constitutional amendment that solves the debt problem for future generations or, second, we implement sizable spending cuts that help get our financial affairs in order.

I take this stance full well knowing the adverse economic effects of a failure to raise the debt ceiling but also knowing, Mr. Speaker, that those effects pale in comparison to an insolvency and bankruptcy of the America I love.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 27 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Thank You, God, for giving us another day.

The people's House gathers today after a day of celebrating the greatness of our American experiment of self-government, and as the administration gathers for prayer even now at the National Cathedral, we gather here to ask Your blessing.

The difficult work of governing now resumes. Bless the Members of this assembly with wisdom, patience, and good will as they tackle the ongoing issues challenging our Nation.

We thank You again for the inspiration of our Nation's Founders and the legacy they left us with. May the Members of this assembly, and all Americans, be worthy of that legacy. And may all that is done this day be done for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. OLSON. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. OLSON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from Florida (Ms. FRANKEL) come forward and lead the House in the Pledge of Allegiance.

Ms. FRANKEL of Florida led the Pledge of Allegiance as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

REMEMBERING THE HEROES OF APOLLO ''1''

(Mr. OLSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSON. Mr. Speaker, on September 12, 1962, at Rice University, President John Kennedy committed America to put a man on the Moon by the end of the decade.

Unfortunately, tragedy struck America at 6:31 p.m. on January 27, 1967. During a ground test of the *Apollo* crew module, a fire broke out. Within a few minutes, three brave space pioneers had lost their lives.

We lost Roger Chaffee, who was training for his first mission into space. We lost Gus Grissom, the second American in space behind Alan Shepard; and we lost Ed White, the first American to do a space walk, and the man my elementary school in Houston was named after.

Two-and-a-half years after the *Apollo 1* fire, Neil Armstrong put his left foot on the Moon. It was a giant leap for mankind, one that would not have happened without the sacrifice of the *Apollo 1* crew. May the world always remember these heroes.

40TH ANNIVERSARY OF ROE V. WADE

(Ms. SLAUGHTER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, I'm pleased to rise today to commemorate the 40th anniversary of the landmark Roe v. Wade decision by the Supreme Court. This decision is the firewall that protects women's health and the turning point that moved women's health forward.

On this 40th anniversary of Roe v. Wade, we reaffirm the constitutionally protected right of every woman to safe and legal health care. Women are nurturers, but when life places a woman in the most difficult of circumstances, the choices she needs to make should be free from government interference.

Over the years, I have been proud to stand with many of my colleagues as we have beaten back repeated attempts to chip away at women's rights set forth in Roe v. Wade. Over the last 2 years, we have seen the most extreme and repeated attempts to take away a woman's right to her health care.

In the most recent Congress, we found ourselves defending a woman's right to access contraception. We opposed a bill that would have allowed women to die if the emergency room employee who came to her aid had a

''conscientious objection'' to performing an abortion that would save her life, without even being required to refer her elsewhere for help.

We have insisted that politicians not place themselves in the operating room to judge the motives of a woman seeking a constitutionally protected medical procedure if they thought her decision may have been based on the gender or race of the fetus.

Mr. Speaker, we stand on the shoulders of giants of women who went before us on this, and we take up the cudgel to keep it safe and legal.

40TH ANNIVERSARY OF ROE V. WADE

(Mr. MESSER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MESSER. Mr. Speaker, I rise today to reflect on 40 years since the ruling of the United States Supreme Court in Roe v. Wade.

Our President, in his inaugural address yesterday, recognized the fact that this Nation has long understood that we are all endowed by our Creator with certain unalienable rights. Chief among them is the right to life and the recognition that it's rooted in, that every life is precious and deserving of dignity.

Today, I took the first of what will be many steps in my congressional service to protect life by cosponsoring H.R. 217, the Title X Abortion Provider Prohibition Act, to ensure that family planning grants are used for their intended purposes and not by organizations like Planned Parenthood to provide abortions.

Mr. Speaker, as a Nation, we must do better. Our children deserve better. My hope is that with hard work, persuasion, and prayer we will once again become a Nation that recognizes the dignity of every human being and recognizes again our God-given unalienable right to life.

40TH ANNIVERSARY OF ROE V. WADE

(Ms. FRANKEL of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FRANKEL of Florida. Mr. Speaker, I rise today in honor of the 40th anniversary of Roe v. Wade and the freedom of reproductive choice that this historic decision provides for all women in America. This is a very personal and private choice.

When I gave birth to my son, Ben, it was the most precious moment in my life. His life has brought me great joys and great responsibilities. The decision to bring Ben into this world was made by his father and me. It was our choice. We didn't call the Governor. We didn't call the Congress. It was our choice.

And so today, I proudly honor the 40th anniversary of Roe v. Wade and thank those who have fought so bravely to ensure that women have the right to make those life-changing personal decisions that affect them and their families. As we celebrate, we must be mindful that there is more work to be done to protect reproductive choice for our daughters and our granddaughters.

□ 1210

HONORING COACH TODD McDOUGALL

(Mr. HECK of Washington asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HECK of Washington. My wife, Paula, and I live about 500 yards from Olympia High School and its baseball field, and every spring we wander over and watch the team play. For the past 20 years, it's been coached by Todd McDougall, and he's a great coach.

Todd's just 42 years old. He's taught his entire career at Olympia High School. He is one of those—and we all know them—great teachers, as is his wife, Julie, a middle school science teacher.

So you can imagine the community heartbreak a few weeks ago when he was diagnosed with glioblastoma grade 4 brain cancer. Coach McDougall could use our prayers right now, as could Julie, their 11-year-old daughter, Marlee, and their twin 9-year-old sons, Andrew and Dylan.

I hope you'll find out more about this remarkable man at Friends for Todd McDougall on Facebook.

ALAMEDA COUNTY FAMILY JUSTICE CENTER

(Mr. SWALWELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SWALWELL of California. Mr. Speaker, I rise today to salute the great work done by the Alameda County Family Justice Center, a nonprofit organization in California's East Bay, which represents my district.

I was an Alameda County prosecutor, and it was during my tenure that the Justice Center was founded by my former boss, Alameda County District Attorney Nancy O'Malley. Prior to its existence, people in my area subjected to domestic violence, human trafficking, or sexual assault had to navigate a complicated bureaucracy and go to many different places to obtain much-needed services.

The Justice Center changed that by coordinating and centralizing critical programs in just one place. It operates as a one-place location for victims of domestic violence, sexual assault, and human trafficking, offering services like counseling, job training, and housing. Those suffering at the hands of abusers now have a place to rest, recover, and restore their lives.

As a prosecutor, I saw the horrible damage that these crimes cause, and I am grateful that the traumatized victims of the East Bay have the Justice Center to which they can turn.

In a few days it's holding its sixth annual fundraising gala called One. I want to take this opportunity to wish everyone involved good luck with the event and continued success in helping all victims of the East Bay.

ENERGY INDEPENDENCE AND CLIMATE CHANGE

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Mr. Speaker, yesterday, President Obama struck several important themes. None was strategically more vital than making America energy-independent again. Then he referenced the related challenge of climate change and its impact on life on our continent and world. Only fools would fail to pay attention to the necessity of change to meet the needs of a new era.

Our dependence on importing foreign oil cost America over $321 billion last year, racking up a $140 billion trade deficit in petroleum and energy alone. With that lost income comes lost jobs by the hundreds of thousands. So many more people could be employed here at home, developing domestic energy sources rather than defending exploitation and extraction abroad.

And on climate change, the President recognized the reality of fierce and expensive weather incidents like Hurricane's Sandy and Katrina, or our declining lake levels and river levels, like the Mississippi, or the 2-foot drop in Lake Erie over the last year. We must anticipate and adapt our lives where possible.

Yes, as the 113th Congress begins, our primary aim will be to welcome the challenges of change, not cling to the past. Working together, as the President challenged, America can meet the test of a new day. My brother, Steve, the inventor, innately grasps this challenge. So must we.

40TH ANNIVERSARY OF ROE V. WADE

(Mrs. CAPPS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPPS. Mr. Speaker, I also rise today to recognize the 40th anniversary of the Supreme Court's Roe v. Wade decision. This landmark decision granted American women the right to make their own personal health decisions, in consultation with their family and their faith, and without government intrusion.

However, this right has been under steady attack in recent years, with a clear goal: to make it so difficult to obtain a safe and legal abortion that it's become de facto illegal. But I'm among those who remember what it was like when women were pushed into the

shadows to get care, and we cannot go back to that dangerous time.

The truth is, none of us can walk in the shoes of each woman facing an unwanted pregnancy, so let's use this anniversary to renew our commitment to ensuring that every woman in America can make her own decision and walk her own path.

40TH ANNIVERSARY OF ROE V. WADE

(Ms. HANABUSA asked and was given permission to address the House for 1 minute.)

Ms. HANABUSA. Mr. Speaker, on December 13, 1971, the United States Supreme Court heard arguments in a case called Roe v. Wade.

Then, 13 months later, 40 years ago today, the United States Supreme Court issued its decision on the case, a case that every law student reads, a case that has defined a woman's right to control her body and her future, and the definitive decision on women's right to choose. And this was delivered by Justice Blackmun for the Court.

I reread that decision on this day and was struck by the statement that the task for the Court is to ''resolve the issue by constitutional measurement, free of emotion and of predilection.''

Justice Blackmun went on to quote Justice Holmes in Lochner v. New York, and he said:

> The Constitution is made for people of fundamentally differing views, and the accident of our finding certain opinions natural and familiar or novel and even shocking ought not to conclude our judgment upon the question of whether statutes embodying them conflict with the Constitution of the United States.

Interestingly, it was Chief Justice Roberts who also looked to Justice Holmes in deciding ObamaCare. Both cases on the 14th Amendment, both looking to the Constitution. Forty years later, good law.

40TH ANNIVERSARY OF ROE V. WADE

(Ms. BONAMICI asked and was given permission to address the House for 1 minute.)

Ms. BONAMICI. Mr. Speaker, 40 years ago today, Roe v. Wade gave women the right to make their own decisions about reproductive health care. Without it, women's lives would be very different.

History shows us that when abortion is illegal, it does not go away; it becomes dangerous. And that's why it's important to continue to make sure that abortion is legal, rare, regulated, and safe.

Before Roe, more than a million women each year took great risk to access health care they needed. They faced unlicensed and ill-equipped physicians, unsanitary conditions, illness, and death. This is why the Supreme Court ruling was so important 40 years ago. It ensured safe, legal abortions for these women.

Roe v. Wade ensures the basic right of privacy, the freedom to control one's body and one's future. It can be easy to feel complacent today, but the threats against reproductive health care rights are increasing.

There is still work to be done. Today, 40 years later, we must continue to fight so that women's reproductive health care rights are not rolled back.

40TH ANNIVERSARY OF ROE V. WADE

(Mr. HOLT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOLT. Mr. Speaker, 40 years ago today the Supreme Court affirmed the dignity and independence of each American woman. The result of the decision was an understanding that our Constitution guaranteed decisions about a woman's own body should be left up to that woman, in consultation with her doctor, her family, and her religion, not the Federal Government.

There is now a generation of women who do not remember the time before Roe v. Wade, a time when men assumed they could say what women could and could not do about their personal private health care and reproduction.

We still have a lot of work to do. Unfortunately, over the past 40 years there have been numerous legislative attempts to deny this right to women and treat women who exercise control over their own bodies as criminals.

We have to make sure that we defend also Title X, maternal and child health care programs, public access to reproductive health care, and that we reauthorize the Violence Against Women Act. But we must remember the time before Roe v. Wade and what is at stake.

□ 1220

40TH ANNIVERSARY OF ROE V. WADE

(Ms. DEGETTE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DEGETTE. Yesterday, in his inaugural address, our President reminded us of the founding principle of our Nation—that all Americans are created equal. For the women of this great country, there can be no greater means of equality than the right to reproductive choice.

Today, on the 40th anniversary of Roe v. Wade, I come to the floor to reflect on that landmark decision that allowed American women the freedom to make health care decisions on their own, in consultation with their family and doctors.

I don't know the story of every woman who's had to make a difficult decision, but I can tell you this: each one is unique. Each woman's story is her own. As a politician, I'm not going to tell women when to get checkups or when to get mammograms. And no politician, now or ever, should tell a woman how to handle her pregnancy.

Just this morning, The Wall Street Journal issued a poll that showed Americans agree with this; 7 in 10 Americans believe Roe v. Wade should stand. And I think everybody who tries to reverse this fundamental right should keep that in mind.

Thank you to everybody who fights every day for the rights of women. Today is a day to be grateful and to celebrate and to commit to hard work in the future.

NO BUDGET, NO PAY

(Mr. TIPTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TIPTON. As we begin the 113th Congress, it is time that this Congress does what hardworking families and small businesses across our country do every day: balance our budget and actually work within a budget. We have families right now that are struggling. The impacts of this Congress and its inability to be able to have its fiscal house in order cannot be overstated when it comes to hurting those families and small businesses.

We're going to be putting forward legislation to make sure that that debt ceiling will be increased for a temporary period of time, but with the requirement that this House and our counterparts in the United States Senate actually pass a budget for the American people. If we can't do that, then we as Members of Congress don't deserve to be paid. No budget, no pay. This is common sense—to stand up for the American people to make sure that we are getting this fiscal house in order and looking out for our children and for our grandchildren.

40TH ANNIVERSARY OF ROE V. WADE

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, today, we mark the 40th anniversary of Roe v. Wade, the landmark decision which enshrined a realm of personal privacy that is deeply connected to the personal freedoms that we hold dear in this country. As one Justice put it, it's the simple right to be left alone.

The right to choose is meaningless without access to choose. Yet the Republican-led Congress has chipped away at access, voting 10 times to limit access in the last Congress to a woman's basic right. Last year, there were 43 laws that were passed in 19 States that would restrict access to a woman's right to choose.

This past election, women made it loud and clear that the right to choose is one that they believe in, and that is

a basic right that the majority of Americans hold dear and will uphold with their votes in every election.

FREEDOM IS A GIFT OF GOD

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, yesterday was a magnificent day: the coming together for the second inauguration of Barack Obama and the honoring of Dr. Martin Luther King. In his speech, President Obama said something potent and powerful, and that is that freedom is a gift from God, but it is one that is not self-executing. A gentleman that I know very well, Dr. Reverend Samuel Smith of the Mount Horeb Baptist Church, knows about fighting for freedom.

Today, I rise to again affirm Roe v. Wade, which speaks about individual freedom, and to indicate that even as we discuss budget talks and the debt ceiling, we must recognize the freedom of the vulnerable to be safe and secure and to have the support to be able to have food and clothing and a home. That is freedom as well, my friends.

And so as we debate the questions of the debt ceiling and whether we have a budget, let us be reminded that freedom is a gift of God and that it should not be denied to those who are most vulnerable, those who are the weak, those who cannot stand for themselves. And the President made it very clear that freedom is not to the powerful. It is for all of us. We all are created equal, with certain unalienable rights of life, liberty, and the pursuit of happiness.

40TH ANNIVERSARY OF ROE V. WADE

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Today marks the 40th anniversary of Roe v. Wade. Ultimately decisions about whether to choose adoption, end a pregnancy, or raise a child must be left to a woman, her family, and her faith, with the counsel of her doctor or health care provider.

Roe v. Wade prevents politicians from interfering with a woman's personal decision. Were Roe ever to be overturned, it could have ripple effects. Our laws and traditions afford constitutional protections to personal decisions relating to, among other things, marriage, procreation, contraception, family relationships, childrearing, and intimacy. The right to privacy, strengthened by Roe, supports each of these areas.

Overturning Roe could thus potentially erode the ability of individuals to make highly personal decisions free from intrusive government regulations and harm the overall right to privacy.

40TH ANNIVERSARY OF ROE V. WADE

(Mr. FARR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FARR. It was a very historic time in Washington, D.C., yesterday, with not only the swearing in of the President of the United States, but doing it on the occasion that marks Martin Luther King's birthday holiday here in the United States. What a day for hundreds of thousands of youth from around this country to see their Capital in action and today visiting the Congress itself.

Today, we also celebrate the historic enactment of Roe v. Wade. What an absolute honor and privilege it is to live in a country that does not deny access to health care. I was a Peace Corps volunteer in Latin America, and my sister died on the operating table because there was not adequate health care. When you don't have it, you can't get it, no matter what. And so this country protects women's rights to see a doctor in their own privacy and discuss what their needs may be. No Congress should stand in the way of denying people access to health care, including the right to an abortion.

So let's protect what the Supreme Court has honored and celebrate on this historic day all kinds of great things in this great country, including Roe v. Wade, America's anniversary of the right to health care for women.

NO BUDGET, NO PAY

(Mr. LAMALFA asked and was given permission to address the House for 1 minute.)

Mr. LAMALFA. For almost 4 years, the Democrat-controlled Senate has failed to pass a budget—the most basic responsibility of governing. This shameful record must end this year. We must set up a broader debate about spending that forces the Senate to finally join the House in confronting the government's spending problem. The House and Senate must each pass a budget. If they fail, Member pay should be withheld. The principle is as simple as the bill: no budget, no pay.

I'm a California legislator, having served in our State legislature for 8 years. The people of California finally got tired of late, ineffective budgets and passed legislation on their own via the initiative process to force the State legislature to get the job done. The first time that happened, right after that election, the budget got done on time. Amazing.

Therefore, I hope the American people will join the effort the U.S. House Republicans are taking up and force the United States Senate to get the job done to get a budget, as is their responsibility.

□ 1230

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. POE of Texas). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

PANDEMIC AND ALL-HAZARDS PREPAREDNESS REAUTHORIZATION ACT OF 2013

Mr. PITTS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 307) to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 307

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 ''Pandemic and All-Hazards Preparedness Reauthorization Act of 2013''.

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

Sec. 1. Short title; table of contents.

TITLE I—STRENGTHENING NATIONAL PREPAREDNESS AND RESPONSE FOR PUBLIC HEALTH EMERGENCIES

Sec. 101. National Health Security Strategy.
Sec. 102. Assistant Secretary for Preparedness and Response.
Sec. 103. National Advisory Committee on Children and Disasters.
Sec. 104. Modernization of the National Disaster Medical System.
Sec. 105. Continuing the role of the Department of Veterans Affairs.

TITLE II—OPTIMIZING STATE AND LOCAL ALL-HAZARDS PREPAREDNESS AND RESPONSE

Sec. 201. Temporary redeployment of federally funded personnel during a public health emergency.
Sec. 202. Improving State and local public health security.
Sec. 203. Hospital preparedness and medical surge capacity.
Sec. 204. Enhancing situational awareness and biosurveillance.
Sec. 205. Eliminating duplicative Project Bioshield reports.

TITLE III—ENHANCING MEDICAL COUNTERMEASURE REVIEW

Sec. 301. Special protocol assessment.
Sec. 302. Authorization for medical products for use in emergencies.
Sec. 303. Definitions.
Sec. 304. Enhancing medical countermeasure activities.
Sec. 305. Regulatory management plans.
Sec. 306. Report.
Sec. 307. Pediatric medical countermeasures.

TITLE IV—ACCELERATING MEDICAL COUNTERMEASURE ADVANCED RESEARCH AND DEVELOPMENT

Sec. 401. BioShield.

Sec. 402. Biomedical Advanced Research and Development Authority.
Sec. 403. Strategic National Stockpile.
Sec. 404. National Biodefense Science Board.

TITLE I—STRENGTHENING NATIONAL PREPAREDNESS AND RESPONSE FOR PUBLIC HEALTH EMERGENCIES

SEC. 101. NATIONAL HEALTH SECURITY STRATEGY.

(a) IN GENERAL.—Section 2802 of the Public Health Service Act (42 U.S.C. 300hh–1) is amended—

(1) in subsection (a)(1), by striking ''2009'' and inserting ''2014''; and

(2) in subsection (b)—

(A) in paragraph (1)(A), by inserting '', including drills and exercises to ensure medical surge capacity for events without notice'' after ''exercises''; and

(B) in paragraph (3)—

(i) in the matter preceding subparagraph (A)—

(I) by striking ''facilities), and trauma care'' and inserting ''and ambulatory care facilities and which may include dental health facilities), and trauma care, critical care,''; and

(II) by inserting ''(including related availability, accessibility, and coordination)'' after ''public health emergencies'';

(ii) in subparagraph (A), by inserting ''and trauma'' after ''medical'';

(iii) in subparagraph (B), by striking ''Medical evacuation and fatality management'' and inserting ''Fatality management'';

(iv) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (D), (E), and (F), respectively;

(v) by inserting after subparagraph (B), the following the new subparagraph:

''(C) Coordinated medical triage and evacuation to appropriate medical institutions based on patient medical need, taking into account regionalized systems of care.'';

(vi) in subparagraph (E), as redesignated by clause (iv), by inserting ''(which may include such dental health assets)'' after ''medical assets''; and

(vii) by adding at the end the following:

''(G) Optimizing a coordinated and flexible approach to the medical surge capacity of hospitals, other health care facilities, critical care, and trauma care (which may include trauma centers) and emergency medical systems.'';

(C) in paragraph (4)—

(i) in subparagraph (A), by inserting '', including the unique needs and considerations of individuals with disabilities,'' after ''medical needs of at-risk individuals''; and

(ii) in subparagraph (B), by inserting ''the'' before ''purpose of this section''; and

(D) by adding at the end the following:

''(7) COUNTERMEASURES.—

''(A) Promoting strategic initiatives to advance countermeasures to diagnose, mitigate, prevent, or treat harm from any biological agent or toxin, chemical, radiological, or nuclear agent or agents, whether naturally occurring, unintentional, or deliberate.

''(B) For purposes of this paragraph, the term 'countermeasures' has the same meaning as the terms 'qualified countermeasures' under section 319F–1, 'qualified pandemic and epidemic products' under section 319F–3, and 'security countermeasures' under section 319F–2.

''(8) MEDICAL AND PUBLIC HEALTH COMMUNITY RESILIENCY.—Strengthening the ability of States, local communities, and tribal communities to prepare for, respond to, and be resilient in the event of public health emergencies, whether naturally occurring, unintentional, or deliberate by—

''(A) optimizing alignment and integration of medical and public health preparedness and response planning and capabilities with and into routine daily activities; and

''(B) promoting familiarity with local medical and public health systems.''.

(b) AT-RISK INDIVIDUALS.—Section 2814 of the Public Health Service Act (42 U.S.C. 300hh–16) is amended—

(1) by striking paragraphs (5), (7), and (8);

(2) in paragraph (4), by striking ''2811(b)(3)(B)'' and inserting ''2802(b)(4)(B)'';

(3) by redesignating paragraphs (1) through (4) as paragraphs (2) through (5), respectively;

(4) by inserting before paragraph (2) (as so redesignated), the following:

''(1) monitor emerging issues and concerns as they relate to medical and public health preparedness and response for at-risk individuals in the event of a public health emergency declared by the Secretary under section 319;'';

(5) by amending paragraph (2) (as so redesignated) to read as follows:

''(2) oversee the implementation of the preparedness goals described in section 2802(b) with respect to the public health and medical needs of at-risk individuals in the event of a public health emergency, as described in section 2802(b)(4);''; and

(6) by inserting after paragraph (6), the following:

''(7) disseminate and, as appropriate, update novel and best practices of outreach to and care of at-risk individuals before, during, and following public health emergencies in as timely a manner as is practicable, including from the time a public health threat is identified; and

''(8) ensure that public health and medical information distributed by the Department of Health and Human Services during a public health emergency is delivered in a manner that takes into account the range of communication needs of the intended recipients, including at-risk individuals.''.

SEC. 102. ASSISTANT SECRETARY FOR PREPAREDNESS AND RESPONSE.

(a) IN GENERAL.—Section 2811 of the Public Health Service Act (42 U.S.C. 300hh–10) is amended—

(1) in subsection (b)—

(A) in paragraph (3), by inserting '', security countermeasures (as defined in section 319F–2),'' after ''qualified countermeasures (as defined in section 319F–1)'';

(B) in paragraph (4), by adding at the end the following:

''(D) POLICY COORDINATION AND STRATEGIC DIRECTION.—Provide integrated policy coordination and strategic direction with respect to all matters related to Federal public health and medical preparedness and execution and deployment of the Federal response for public health emergencies and incidents covered by the National Response Plan developed pursuant to section 504(6) of the Homeland Security Act of 2002, or any successor plan, before, during, and following public health emergencies.

''(E) IDENTIFICATION OF INEFFICIENCIES.—Identify and minimize gaps, duplication, and other inefficiencies in medical and public health preparedness and response activities and the actions necessary to overcome these obstacles.

''(F) COORDINATION OF GRANTS AND AGREEMENTS.—Align and coordinate medical and public health grants and cooperative agreements as applicable to preparedness and response activities authorized under this Act, to the extent possible, including program requirements, timelines, and measurable goals, and in consultation with the Secretary of Homeland Security, to—

''(i) optimize and streamline medical and public health preparedness and response capabilities and the ability of local communities to respond to public health emergencies; and

''(ii) gather and disseminate best practices among grant and cooperative agreement recipients, as appropriate.

''(G) DRILL AND OPERATIONAL EXERCISES.—Carry out drills and operational exercises, in consultation with the Department of Homeland Security, the Department of Defense, the Department of Veterans Affairs, and other applicable Federal departments and agencies, as necessary and appropriate, to identify, inform, and address gaps in and policies related to all-hazards medical and public health preparedness and response, including exercises based on—

''(i) identified threats for which countermeasures are available and for which no countermeasures are available; and

''(ii) unknown threats for which no countermeasures are available.

''(H) NATIONAL SECURITY PRIORITY.—On a periodic basis consult with, as applicable and appropriate, the Assistant to the President for National Security Affairs, to provide an update on, and discuss, medical and public health preparedness and response activities pursuant to this Act and the Federal Food, Drug, and Cosmetic Act, including progress on the development, approval, clearance, and licensure of medical countermeasures.''; and

(C) by adding at the end the following:

''(7) COUNTERMEASURES BUDGET PLAN.—Develop, and update on an annual basis, a coordinated 5-year budget plan based on the medical countermeasure priorities described in subsection (d). Each such plan shall—

''(A) include consideration of the entire medical countermeasures enterprise, including—

''(i) basic research and advanced research and development;

''(ii) approval, clearance, licensure, and authorized uses of products; and

''(iii) procurement, stockpiling, maintenance, and replenishment of all products in the Strategic National Stockpile;

''(B) inform prioritization of resources and include measurable outputs and outcomes to allow for the tracking of the progress made toward identified priorities;

''(C) identify medical countermeasure lifecycle costs to inform planning, budgeting, and anticipated needs within the continuum of the medical countermeasure enterprise consistent with section 319F–2; and

''(D) be made available to the appropriate committees of Congress upon request.'';

(2) by striking subsection (c) and inserting the following:

''(c) FUNCTIONS.—The Assistant Secretary for Preparedness and Response shall—

''(1) have lead responsibility within the Department of Health and Human Services for emergency preparedness and response policy coordination and strategic direction;

''(2) have authority over and responsibility for—

''(A) the National Disaster Medical System pursuant to section 2812;

''(B) the Hospital Preparedness Cooperative Agreement Program pursuant to section 319C–2;

''(C) the Biomedical Advanced Research and Development Authority pursuant to section 319L;

''(D) the Medical Reserve Corps pursuant to section 2813;

''(E) the Emergency System for Advance Registration of Volunteer Health Professionals pursuant to section 319I; and

''(F) administering grants and related authorities related to trauma care under parts A through C of title XII, such authority to be transferred by the Secretary from the Administrator of the Health Resources and Services Administration to such Assistant Secretary;

''(3) exercise the responsibilities and authorities of the Secretary with respect to the coordination of—

''(A) the Public Health Emergency Preparedness Cooperative Agreement Program pursuant to section 319C–1;

''(B) the Strategic National Stockpile pursuant to section 319F–2; and

''(C) the Cities Readiness Initiative; and

''(4) assume other duties as determined appropriate by the Secretary.''; and

(3) by adding at the end the following:

''(d) PUBLIC HEALTH EMERGENCY MEDICAL COUNTERMEASURES ENTERPRISE STRATEGY AND IMPLEMENTATION PLAN.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, and every year thereafter, the Assistant Secretary for Preparedness and Response shall develop and submit to the appropriate committees of Congress a coordinated strategy and accompanying implementation plan for medical countermeasures to address chemical, biological, radiological, and nuclear threats. In developing such a plan, the Assistant Secretary for Preparedness and Response shall consult with the Director of the Biomedical Advanced Research and Development Authority, the Director of the National Institutes of Health, the Director of the Centers for Disease Control and Prevention, and the Commissioner of Food and Drugs. Such strategy and plan shall be known as the 'Public Health Emergency Medical Countermeasures Enterprise Strategy and Implementation Plan'.

''(2) REQUIREMENTS.—The plan under paragraph (1) shall—

''(A) describe the chemical, biological, radiological, and nuclear agent or agents that may present a threat to the Nation and the corresponding efforts to develop qualified countermeasures (as defined in section 319F–1), security countermeasures (as defined in section 319F–2), or qualified pandemic or epidemic products (as defined in section 319F–3) for each threat;

''(B) evaluate the progress of all activities with respect to such countermeasures or products, including research, advanced research, development, procurement, stockpiling, deployment, distribution, and utilization;

''(C) identify and prioritize near-, mid-, and long-term needs with respect to such countermeasures or products to address a chemical, biological, radiological, and nuclear threat or threats;

''(D) identify, with respect to each category of threat, a summary of all awards and contracts, including advanced research and development and procurement, that includes—

''(i) the time elapsed from the issuance of the initial solicitation or request for a proposal to the adjudication (such as the award, denial of award, or solicitation termination); and

''(ii) an identification of projected timelines, anticipated funding allocations, benchmarks, and milestones for each medical countermeasure priority under subparagraph (C), including projected needs with regard to replenishment of the Strategic National Stockpile;

''(E) be informed by the recommendations of the National Biodefense Science Board pursuant to section 319M;

''(F) evaluate progress made in meeting timelines, allocations, benchmarks, and milestones identified under subparagraph (D)(ii);

''(G) report on the amount of funds available for procurement in the special reserve fund as defined in section 319F–2(h) and the impact this funding will have on meeting the requirements under section 319F–2;

''(H) incorporate input from Federal, State, local, and tribal stakeholders;

''(I) identify the progress made in meeting the medical countermeasure priorities for at-risk individuals (as defined in 2802(b)(4)(B)), as applicable under subparagraph (C), including with regard to the projected needs for related stockpiling and replenishment of the Strategic National Stockpile, including by addressing the needs of pediatric populations with respect to such countermeasures and products in the Strategic National Stockpile, including—

''(i) a list of such countermeasures and products necessary to address the needs of pediatric populations;

''(ii) a description of measures taken to coordinate with the Office of Pediatric Therapeutics of the Food and Drug Administration to maximize the labeling, dosages, and formulations of such countermeasures and products for pediatric populations;

''(iii) a description of existing gaps in the Strategic National Stockpile and the development of such countermeasures and products to address the needs of pediatric populations; and

''(iv) an evaluation of the progress made in addressing priorities identified pursuant to subparagraph (C);

''(J) identify the use of authority and activities undertaken pursuant to sections 319F–1(b)(1), 319F–1(b)(2), 319F–1(b)(3), 319F–1(c), 319F–1(d), 319F–1(e), 319F–2(c)(7)(C)(iii), 319F–2 (c)(7)(C)(iv), and 319F–2(c)(7)(C)(v) of this Act, and subsections (a)(1), (b)(1), and (e) of section 564 of the Federal Food, Drug, and Cosmetic Act, by summarizing—

''(i) the particular actions that were taken under the authorities specified, including, as applicable, the identification of the threat agent, emergency, or the biomedical countermeasure with respect to which the authority was used;

''(ii) the reasons underlying the decision to use such authorities, including, as applicable, the options that were considered and rejected with respect to the use of such authorities;

''(iii) the number of, nature of, and other information concerning the persons and entities that received a grant, cooperative agreement, or contract pursuant to the use of such authorities, and the persons and entities that were considered and rejected for such a grant, cooperative agreement, or contract, except that the report need not disclose the identity of any such person or entity;

''(iv) whether, with respect to each procurement that is approved by the President under section 319F–2(c)(6), a contract was entered into within one year after such approval by the President; and

''(v) with respect to section 319F–1(d), for the one-year period for which the report is submitted, the number of persons who were paid amounts totaling $100,000 or greater and the number of persons who were paid amounts totaling at least $50,000 but less than $100,000; and

''(K) be made publicly available.

''(3) GAO REPORT.—

''(A) IN GENERAL.—Not later than 1 year after the date of the submission to the Congress of the first Public Health Emergency Medical Countermeasures Enterprise Strategy and Implementation Plan, the Comptroller General of the United States shall conduct an independent evaluation, and submit to the appropriate committees of Congress a report, concerning such Strategy and Implementation Plan.

''(B) CONTENT.—The report described in subparagraph (A) shall review and assess—

''(i) the near-term, mid-term, and long-term medical countermeasure needs and identified priorities of the Federal Government pursuant to paragraph (2)(C);

''(ii) the activities of the Department of Health and Human Services with respect to advanced research and development pursuant to section 319L; and

''(iii) the progress made toward meeting the timelines, allocations, benchmarks, and milestones identified in the Public Health Emergency Medical Countermeasures Enterprise Strategy and Implementation Plan under this subsection.

''(e) PROTECTION OF NATIONAL SECURITY.—In carrying out subsections (b)(7) and (d), the Secretary shall ensure that information and items that could compromise national security, contain confidential commercial information, or contain proprietary information are not disclosed.''.

(b) INTERAGENCY COORDINATION PLAN.—In the first Public Health Emergency Countermeasures Enterprise Strategy and Implementation Plan submitted under subsection (d) of section 2811 of the Public Health Service Act (42 U.S.C. 300hh–10) (as added by subsection (a)(3)), the Secretary of Health and Human Services, in consultation with the Secretary of Defense, shall include a description of the manner in which the Department of Health and Human Services is coordinating with the Department of Defense regarding countermeasure activities to address chemical, biological, radiological, and nuclear threats. Such report shall include information with respect to—

(1) the research, advanced research, development, procurement, stockpiling, and distribution of countermeasures to meet identified needs; and

(2) the coordination of efforts between the Department of Health and Human Services and the Department of Defense to address countermeasure needs for various segments of the population.

SEC. 103. NATIONAL ADVISORY COMMITTEE ON CHILDREN AND DISASTERS.

Subtitle B of title XXVIII of the Public Health Service Act (42 U.S.C. 300hh et seq.) is amended by inserting after section 2811 the following:

''SEC. 2811A. NATIONAL ADVISORY COMMITTEE ON CHILDREN AND DISASTERS.

''(a) ESTABLISHMENT.—The Secretary, in consultation with the Secretary of Homeland Security, shall establish an advisory committee to be known as the 'National Advisory Committee on Children and Disasters' (referred to in this section as the 'Advisory Committee').

''(b) DUTIES.—The Advisory Committee shall—

''(1) provide advice and consultation with respect to the activities carried out pursuant to section 2814, as applicable and appropriate;

''(2) evaluate and provide input with respect to the medical and public health needs of children as they relate to preparation for, response to, and recovery from all-hazards emergencies; and

''(3) provide advice and consultation with respect to State emergency preparedness and response activities and children, including related drills and exercises pursuant to the preparedness goals under section 2802(b).

''(c) ADDITIONAL DUTIES.—The Advisory Committee may provide advice and recommendations to the Secretary with respect to children and the medical and public health grants and cooperative agreements as applicable to preparedness and response activities authorized under this title and title III.

''(d) MEMBERSHIP.—

''(1) IN GENERAL.—The Secretary, in consultation with such other Secretaries as may be appropriate, shall appoint not to exceed 15

members to the Advisory Committee. In appointing such members, the Secretary shall ensure that the total membership of the Advisory Committee is an odd number.

''(2) REQUIRED MEMBERS.—The Secretary, in consultation with such other Secretaries as may be appropriate, may appoint to the Advisory Committee under paragraph (1) such individuals as may be appropriate to perform the duties described in subsections (b) and (c), which may include—

''(A) the Assistant Secretary for Preparedness and Response;

''(B) the Director of the Biomedical Advanced Research and Development Authority;

''(C) the Director of the Centers for Disease Control and Prevention;

''(D) the Commissioner of Food and Drugs;

''(E) the Director of the National Institutes of Health;

''(F) the Assistant Secretary of the Administration for Children and Families;

''(G) the Administrator of the Federal Emergency Management Agency;

''(H) at least two non-Federal health care professionals with expertise in pediatric medical disaster planning, preparedness, response, or recovery;

''(I) at least two representatives from State, local, territorial, or tribal agencies with expertise in pediatric disaster planning, preparedness, response, or recovery; and

''(J) representatives from such Federal agencies (such as the Department of Education and the Department of Homeland Security) as determined necessary to fulfill the duties of the Advisory Committee, as established under subsections (b) and (c).

''(e) MEETINGS.—The Advisory Committee shall meet not less than biannually.

''(f) SUNSET.—The Advisory Committee shall terminate on the date that is 5 years after the date of enactment of the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013.''.

SEC. 104. MODERNIZATION OF THE NATIONAL DISASTER MEDICAL SYSTEM.

Section 2812 of the Public Health Service Act (42 U.S.C. 300hh–11) is amended—

(1) in subsection (a)(3)—

(A) in subparagraph (A), in clause (i) by inserting '', including at-risk individuals as applicable'' after ''victims of a public health emergency'';

(B) by redesignating subparagraph (C) as subparagraph (E); and

(C) by inserting after subparagraph (B), the following:

''(C) CONSIDERATIONS FOR AT-RISK POPULATIONS.—The Secretary shall take steps to ensure that an appropriate specialized and focused range of public health and medical capabilities are represented in the National Disaster Medical System, which take into account the needs of at-risk individuals, in the event of a public health emergency.''.

''(D) ADMINISTRATION.—The Secretary may determine and pay claims for reimbursement for services under subparagraph (A) directly or through contracts that provide for payment in advance or by way of reimbursement.''; and

(2) in subsection (g), by striking ''such sums as may be necessary for each of the fiscal years 2007 through 2011'' and inserting ''$52,700,000 for each of fiscal years 2013 through 2017''.

SEC. 105. CONTINUING THE ROLE OF THE DEPARTMENT OF VETERANS AFFAIRS.

Section 8117(g) of title 38, United States Code, is amended by striking ''such sums as may be necessary to carry out this section for each of fiscal years 2007 through 2011'' and inserting ''$155,300,000 for each of fiscal years 2013 through 2017 to carry out this section''.

TITLE II—OPTIMIZING STATE AND LOCAL ALL-HAZARDS PREPAREDNESS AND RESPONSE

SEC. 201. TEMPORARY REDEPLOYMENT OF FEDERALLY FUNDED PERSONNEL DURING A PUBLIC HEALTH EMERGENCY.

Section 319 of the Public Health Service Act (42 U.S.C. 247d) is amended by adding at the end the following:

''(e) TEMPORARY REDEPLOYMENT OF FEDERALLY FUNDED PERSONNEL DURING A PUBLIC HEALTH EMERGENCY.—

''(1) EMERGENCY REDEPLOYMENT OF FEDERALLY FUNDED PERSONNEL.—Notwithstanding any other provision of law, and subject to paragraph (2), upon request by the Governor of a State or the chief of a tribe or such Governor or chief's designee, the Secretary may authorize the requesting State or tribe to temporarily redeploy, for purposes of immediately addressing a public health emergency in the State or tribe, non-Federal personnel funded in whole or in part through, as appropriate, programs under this Act.

''(2) ACTIVATION OF EMERGENCY REDEPLOYMENT.—

''(A) PUBLIC HEALTH EMERGENCY.—The Secretary may authorize a temporary redeployment of personnel under paragraph (1) only during the period of a public health emergency determined pursuant to subsection (a).

''(B) CONTENTS OF REQUEST.—To seek authority for a temporary redeployment of personnel under paragraph (1), the Governor of a State or the chief of a tribe shall submit to the Secretary a request for such authority and shall include in the request each of the following:

''(i) An assurance that the public health emergency in the geographic area of the requesting State or tribe cannot be adequately and appropriately addressed by the public health workforce otherwise available.

''(ii) An assurance that the public health emergency would be addressed more efficiently and effectively through the requested temporary redeployment of personnel.

''(iii) An assurance that the requested temporary redeployment of personnel is consistent with any applicable All-Hazards Public Health Emergency Preparedness and Response Plan under section 319C–1.

''(iv) An identification of—

''(I) each Federal program from which personnel would be temporarily redeployed pursuant to the requested authority; and

''(II) the number of personnel who would be so redeployed from each such program.

''(v) Such other information and assurances as the Secretary may require.

''(C) CONSIDERATION.—In reviewing a request for temporary redeployment under paragraph (1) of personnel funded through a Federal program, the Secretary shall consider the degree to which the program would be adversely affected by the redeployment.

''(D) TERMINATION AND EXTENSION.—

''(i) TERMINATION.—A State or tribe's authority for a temporary redeployment of personnel under paragraph (1) shall terminate upon the earlier of the following:

''(I) The Secretary's determination that the public health emergency no longer exists.

''(II) Subject to clause (ii), the expiration of the 30-day period following the date on which the Secretary approved the State or tribe's request for such authority.

''(ii) EXTENSION AUTHORITY.—The Secretary may extend the authority to authorize a temporary redeployment of personnel under paragraph (1) beyond the date otherwise applicable under clause (i)(II) if the public health emergency still exists as of such date, but only if—

''(I) the State or tribe that submitted the initial request for authority for a temporary redeployment of personnel submits a request for an extension of such authority; and

''(II) the request for an extension contains the same type of information and assurances necessary for the approval of an initial request for such authority.

''(3) NOTICE TO PERSONNEL OF POSSIBILITY OF REDEPLOYMENT.—The Secretary shall ensure that, if a State or tribe receives Federal funds for personnel who are subject to the Secretary's redeployment authority under this subsection, the State or tribe gives notice to such personnel of the possibility of redeployment—

''(A) at the time of hiring; or

''(B) in the case of personnel hired before the date of the enactment of this subsection, as soon as practicable.

''(4) NOTICE TO CONGRESS.—The Secretary shall give notice to the Congress in conjunction with the approval under this subsection of—

''(A) any initial request for authority for a temporary redeployment of personnel; and

''(B) any request for an extension of such authority.

''(5) GUIDANCE.—The Secretary shall—

''(A) not later than 6 months after the enactment of this subsection, issue proposed guidance on the temporary redeployment of personnel under this subsection; and

''(B) after providing notice and a 60-day period for public comment, finalize such guidance.

''(6) REPORT TO CONGRESS.—Not later than 4 years after the date of enactment of the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013, the Comptroller General of the United States shall conduct an independent evaluation, and submit to the appropriate committees of the Congress a report, on the Secretary's authority under this subsection, including—

''(A) a description of how, and under what circumstances, such authority has been used by States and tribes;

''(B) an analysis of how such authority has assisted States and tribes in responding to public health emergencies;

''(C) an evaluation of how such authority has improved operational efficiencies in responding to public health emergencies;

''(D) an analysis of the extent to which, if any, Federal programs from which personnel have been temporarily redeployed pursuant to such authority have been adversely affected by the redeployment; and

''(E) recommendations on how such authority could be improved to further assist in responding to public health emergencies.

''(7) DEFINITION.—In this subsection, the term 'State' includes, in addition to the entities listed in the definition of such term in section 2, the Freely Associated States.

''(8) SUNSET.—The authority under this subsection shall terminate on the date that is 5 years after the date of enactment of the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013.''.

SEC. 202. IMPROVING STATE AND LOCAL PUBLIC HEALTH SECURITY.

(a) COOPERATIVE AGREEMENTS.—Section 319C–1 of the Public Health Service Act (42 U.S.C. 247d–3a) is amended—

(1) in subsection (b)(1)(C), by striking ''consortium of entities described in subparagraph (A)'' and inserting ''consortium of States'';

(2) in subsection (b)(2)—

(A) in subparagraph (A)—

(i) by striking clauses (i) and (ii) and inserting the following:

''(i) a description of the activities such entity will carry out under the agreement to meet the goals identified under section 2802, including with respect to chemical, biological, radiological, or nuclear threats, whether

naturally occurring, unintentional, or deliberate;

''(ii) a description of the activities such entity will carry out with respect to pandemic influenza, as a component of the activities carried out under clause (i), and consistent with the requirements of paragraphs (2) and (5) of subsection (g);'';

(ii) in clause (iv), by striking ''and'' at the end; and

(iii) by adding at the end the following:

''(vi) a description of how, as appropriate, the entity may partner with relevant public and private stakeholders in public health emergency preparedness and response;

''(vii) a description of how the entity, as applicable and appropriate, will coordinate with State emergency preparedness and response plans in public health emergency preparedness, including State educational agencies (as defined in section 9101(41) of the Elementary and Secondary Education Act of 1965) and State child care lead agencies (designated under section 658D of the Child Care and Development Block Grant Act of 1990);

''(viii) in the case of entities that operate on the United States-Mexico border or the United States-Canada border, a description of the activities such entity will carry out under the agreement that are specific to the border area including disease detection, identification, investigation, and preparedness and response activities related to emerging diseases and infectious disease outbreaks whether naturally occurring or due to bioterrorism, consistent with the requirements of this section; and

''(ix) a description of any activities that such entity will use to analyze real-time clinical specimens for pathogens of public health or bioterrorism significance, including any utilization of poison control centers;''; and

(B) in subparagraph (C), by inserting '', including addressing the needs of at-risk individuals,'' after ''capabilities of such entity'';

(3) in subsection (f)—

(A) in paragraph (2), by adding ''and'' at the end;

(B) in paragraph (3), by striking ''; and'' and inserting a period; and

(C) by striking paragraph (4);

(4) in subsection (g)—

(A) in paragraph (1), by striking subparagraph (A) and inserting the following:

''(A) include outcome goals representing operational achievements of the National Preparedness Goals developed under section 2802(b) with respect to all-hazards, including chemical, biological, radiological, or nuclear threats; and''; and

(B) in paragraph (2)(A), by adding at the end the following: ''The Secretary shall periodically update, as necessary and appropriate, such pandemic influenza plan criteria and shall require the integration of such criteria into the benchmarks and standards described in paragraph (1).'';

(5) by striking subsection (h);

(6) in subsection (i)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) by striking ''$824,000,000 for fiscal year 2007, of which $35,000,000 shall be used to carry out subsection (h),'' and inserting ''$641,900,000 for fiscal year 2013''; and

(II) by striking ''such sums as may be necessary for each of fiscal years 2008 through 2011'' and inserting ''$641,900,000 for each of fiscal years 2014 through 2017'';

(ii) by striking subparagraph (B);

(iii) by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively; and

(iv) in subparagraph (C), as so redesignated, by striking ''subparagraph (C)'' and inserting ''subparagraph (B)'';

(B) in subparagraphs (C) and (D) of paragraph (3), by striking ''(1)(A)(i)(I)'' each place it appears and inserting ''(1)(A)'';

(C) in paragraph (4)(B), by striking ''subsection (c)'' and inserting ''subsection (b)''; and

(D) by adding at the end the following:

''(7) AVAILABILITY OF COOPERATIVE AGREEMENT FUNDS.—

''(A) IN GENERAL.—Amounts provided to an eligible entity under a cooperative agreement under subsection (a) for a fiscal year and remaining unobligated at the end of such year shall remain available to such entity for the next fiscal year for the purposes for which such funds were provided.

''(B) FUNDS CONTINGENT ON ACHIEVING BENCHMARKS.—The continued availability of funds under subparagraph (A) with respect to an entity shall be contingent upon such entity achieving the benchmarks and submitting the pandemic influenza plan as described in subsection (g).''; and

(7) in subsection (j), by striking paragraph (3).

(b) VACCINE TRACKING AND DISTRIBUTION.—Section 319A(e) of the Public Health Service Act (42 U.S.C. 247d–1(e)) is amended by striking ''such sums for each of fiscal years 2007 through 2011'' and inserting ''$30,800,000 for each of fiscal years 2013 through 2017''.

SEC. 203. HOSPITAL PREPAREDNESS AND MEDICAL SURGE CAPACITY.

(a) ALL-HAZARDS PUBLIC HEALTH AND MEDICAL RESPONSE CURRICULA AND TRAINING.—Section 319F(a)(5)(B) of the Public Health Service Act (42 U.S.C. 247d–6(a)(5)(B)) is amended by striking ''public health or medical'' and inserting ''public health, medical, or dental''.

(b) ENCOURAGING HEALTH PROFESSIONAL VOLUNTEERS.—

(1) EMERGENCY SYSTEM FOR ADVANCE REGISTRATION OF VOLUNTEER HEALTH PROFESSIONALS.—Section 319I(k) of the Public Health Service Act (42 U.S.C. 247d–7b(k)) is amended by striking ''$2,000,000 for fiscal year 2002, and such sums as may be necessary for each of the fiscal years 2003 through 2011'' and inserting ''$5,000,000 for each of fiscal years 2013 through 2017''.

(2) VOLUNTEERS.—Section 2813 of the Public Health Service Act (42 U.S.C. 300hh–15) is amended—

(A) in subsection (d)(2), by adding at the end the following: ''Such training exercises shall, as appropriate and applicable, incorporate the needs of at-risk individuals in the event of a public health emergency.''; and

(B) in subsection (i), by striking ''$22,000,000 for fiscal year 2007, and such sums as may be necessary for each of fiscal years 2008 through 2011'' and inserting ''$11,200,000 for each of fiscal years 2013 through 2017''.

(c) PARTNERSHIPS FOR STATE AND REGIONAL PREPAREDNESS TO IMPROVE SURGE CAPACITY.—Section 319C–2 of the Public Health Service Act (42 U.S.C. 247d–3b) is amended—

(1) in subsection (a), by inserting '', including capacity and preparedness to address the needs of pediatric and other at-risk populations'' before the period at the end;

(2) in subsection (b)(1)(A)(ii), by striking ''centers, primary'' and inserting ''centers, community health centers, primary'';

(3) by striking subsection (c) and inserting the following:

''(c) USE OF FUNDS.—An award under subsection (a) shall be expended for activities to achieve the preparedness goals described under paragraphs (1), (3), (4), (5), and (6) of section 2802(b) with respect to all-hazards, including chemical, biological, radiological, or nuclear threats.'';

(4) by striking subsection (g) and inserting the following:

''(g) COORDINATION.—

''(1) LOCAL RESPONSE CAPABILITIES.—An eligible entity shall, to the extent practicable, ensure that activities carried out under an award under subsection (a) are coordinated with activities of relevant local Metropolitan Medical Response Systems, local Medical Reserve Corps, the local Cities Readiness Initiative, and local emergency plans.

''(2) NATIONAL COLLABORATION.—Partnerships consisting of one or more eligible entities under this section may, to the extent practicable, collaborate with other partnerships consisting of one or more eligible entities under this section for purposes of national coordination and collaboration with respect to activities to achieve the preparedness goals described under paragraphs (1), (3), (4), (5), and (6) of section 2802(b).'';

(5) in subsection (i)—

(A) by striking ''The requirements of'' and inserting the following:

''(1) IN GENERAL.—The requirements of''; and

(B) by adding at the end the following:

''(2) MEETING GOALS OF NATIONAL HEALTH SECURITY STRATEGY.—The Secretary shall implement objective, evidence-based metrics to ensure that entities receiving awards under this section are meeting, to the extent practicable, the applicable goals of the National Health Security Strategy under section 2802.''; and

(6) in subsection (j)—

(A) by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—For purposes of carrying out this section, there is authorized to be appropriated $374,700,000 for each of fiscal years 2013 through 2017.''; and

(B) by adding at the end the following:

''(4) AVAILABILITY OF COOPERATIVE AGREEMENT FUNDS.—

''(A) IN GENERAL.—Amounts provided to an eligible entity under a cooperative agreement under subsection (a) for a fiscal year and remaining unobligated at the end of such year shall remain available to such entity for the next fiscal year for the purposes for which such funds were provided.

''(B) FUNDS CONTINGENT ON ACHIEVING BENCHMARKS.—The continued availability of funds under subparagraph (A) with respect to an entity shall be contingent upon such entity achieving the benchmarks and submitting the pandemic influenza plan as required under subsection (i).''.

SEC. 204. ENHANCING SITUATIONAL AWARENESS AND BIOSURVEILLANCE.

Section 319D of the Public Health Service Act (42 U.S.C. 247d–4) is amended—

(1) in subsection (b)—

(A) in paragraph (1)(B), by inserting ''poison control centers,'' after ''hospitals,'';

(B) in paragraph (2), by inserting before the period at the end the following: '', allowing for coordination to maximize all-hazards medical and public health preparedness and response and to minimize duplication of effort''; and

(C) in paragraph (3), by inserting before the period at the end the following: ''and update such standards as necessary'';

(2) by striking subsection (c); and

(3) in subsection (d)—

(A) in the subsection heading, by striking ''PUBLIC HEALTH SITUATIONAL AWARENESS'' and inserting ''MODERNIZING PUBLIC HEALTH SITUATIONAL AWARENESS AND BIOSURVEILLANCE'';

(B) in paragraph (1)—

(i) by striking ''Pandemic and All-Hazards Preparedness Act'' and inserting ''Pandemic and All-Hazards Preparedness Reauthorization Act of 2013''; and

(ii) by inserting '', novel emerging threats,'' after ''disease outbreaks'';

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

''(2) STRATEGY AND IMPLEMENTATION PLAN.—Not later than 180 days after the date of enactment of the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013, the Secretary shall submit to the appropriate committees of Congress a coordinated strategy and an accompanying implementation plan that identifies and demonstrates the measurable steps the Secretary will carry out to—

''(A) develop, implement, and evaluate the network described in paragraph (1), utilizing the elements described in paragraph (3);

''(B) modernize and enhance biosurveillance activities; and

''(C) improve information sharing, coordination, and communication among disparate biosurveillance systems supported by the Department of Health and Human Services.'';

(D) in paragraph (3)(D), by inserting ''community health centers, health centers'' after ''poison control,'';

(E) in paragraph (5), by striking subparagraph (A) and inserting the following:

''(A) utilize applicable interoperability standards as determined by the Secretary, and in consultation with the Office of the National Coordinator for Health Information Technology, through a joint public and private sector process;''; and

(F) by adding at the end the following:

''(6) CONSULTATION WITH THE NATIONAL BIODEFENSE SCIENCE BOARD.—In carrying out this section and consistent with section 319M, the National Biodefense Science Board shall provide expert advice and guidance, including recommendations, regarding the measurable steps the Secretary should take to modernize and enhance biosurveillance activities pursuant to the efforts of the Department of Health and Human Services to ensure comprehensive, real-time, all-hazards biosurveillance capabilities. In complying with the preceding sentence, the National Biodefense Science Board shall—

''(A) identify the steps necessary to achieve a national biosurveillance system for human health, with international connectivity, where appropriate, that is predicated on State, regional, and community level capabilities and creates a networked system to allow for two-way information flow between and among Federal, State, and local government public health authorities and clinical health care providers;

''(B) identify any duplicative surveillance programs under the authority of the Secretary, or changes that are necessary to existing programs, in order to enhance and modernize such activities, minimize duplication, strengthen and streamline such activities under the authority of the Secretary, and achieve real-time and appropriate data that relate to disease activity, both human and zoonotic; and

''(C) coordinate with applicable existing advisory committees of the Director of the Centers for Disease Control and Prevention, including such advisory committees consisting of representatives from State, local, and tribal public health authorities and appropriate public and private sector health care entities and academic institutions, in order to provide guidance on public health surveillance activities.'';

(4) in subsection (e)(5), by striking ''4 years after the date of enactment of the Pandemic and All-Hazards Preparedness Act'' and inserting ''3 years after the date of enactment of the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013'';

(5) in subsection (g), by striking ''such sums as may be necessary in each of fiscal years 2007 through 2011'' and inserting ''$138,300,000 for each of fiscal years 2013 through 2017''; and

(6) by adding at the end the following:

''(h) DEFINITION.—For purposes of this section the term 'biosurveillance' means the process of gathering near real-time biological data that relates to human and zoonotic disease activity and threats to human or animal health, in order to achieve early warning and identification of such health threats, early detection and prompt ongoing tracking of health events, and overall situational awareness of disease activity.''.

SEC. 205. ELIMINATING DUPLICATIVE PROJECT BIOSHIELD REPORTS.

Section 5 of the Project Bioshield Act of 2004 (42 U.S.C. 247d–6c) is repealed.

TITLE III—ENHANCING MEDICAL COUNTERMEASURE REVIEW

SEC. 301. SPECIAL PROTOCOL ASSESSMENT.

Section 505(b)(5)(B) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(b)(5)(B)) is amended by striking ''size of clinical trials intended'' and all that follows through ''. The sponsor or applicant'' and inserting the following: ''size—

''(i)(I) of clinical trials intended to form the primary basis of an effectiveness claim; or

''(II) in the case where human efficacy studies are not ethical or feasible, of animal and any associated clinical trials which, in combination, are intended to form the primary basis of an effectiveness claim; or

''(ii) with respect to an application for approval of a biological product under section 351(k) of the Public Health Service Act, of any necessary clinical study or studies.

The sponsor or applicant''.

SEC. 302. AUTHORIZATION FOR MEDICAL PRODUCTS FOR USE IN EMERGENCIES.

(a) IN GENERAL.—Section 564 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–3) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''sections 505, 510(k), and 515 of this Act'' and inserting ''any provision of this Act'';

(B) in paragraph (2)(A), by striking ''under a provision of law referred to in such paragraph'' and inserting ''under section 505, 510(k), or 515 of this Act or section 351 of the Public Health Service Act''; and

(C) in paragraph (3), by striking ''a provision of law referred to in such paragraph'' and inserting ''a section of this Act or the Public Health Service Act referred to in paragraph (2)(A)'';

(2) in subsection (b)—

(A) in the subsection heading, by striking ''EMERGENCY'' and inserting ''EMERGENCY OR THREAT JUSTIFYING EMERGENCY AUTHORIZED USE'';

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''may declare an emergency'' and inserting ''may make a declaration that the circumstances exist'';

(ii) in subparagraph (A), by striking ''specified'';

(iii) in subparagraph (B)—

(I) by striking ''specified''; and

(II) by striking ''; or'' and inserting a semicolon;

(iv) by amending subparagraph (C) to read as follows:

''(C) a determination by the Secretary that there is a public health emergency, or a significant potential for a public health emergency, that affects, or has a significant potential to affect, national security or the health and security of United States citizens living abroad, and that involves a biological, chemical, radiological, or nuclear agent or agents, or a disease or condition that may be attributable to such agent or agents; or''; and

(v) by adding at the end the following:

''(D) the identification of a material threat pursuant to section 319F–2 of the Public Health Service Act sufficient to affect national security or the health and security of United States citizens living abroad.'';

(C) in paragraph (2)—

(i) in subparagraph (A), by amending clause (ii) to read as follows:

''(ii) a change in the approval status of the product such that the circumstances described in subsection (a)(2) have ceased to exist.'';

(ii) by striking subparagraph (B); and

(iii) by redesignating subparagraph (C) as subparagraph (B);

(D) in paragraph (4), by striking ''advance notice of termination, and renewal under this subsection.'' and inserting '', and advance notice of termination under this subsection.''; and

(E) by adding at the end the following:

''(5) EXPLANATION BY SECRETARY.—If an authorization under this section with respect to an unapproved product or an unapproved use of an approved product has been in effect for more than 1 year, the Secretary shall provide in writing to the sponsor of such product an explanation of the scientific, regulatory, or other obstacles to approval, licensure, or clearance of such product or use, including specific actions to be taken by the Secretary and the sponsor to overcome such obstacles.'';

(3) in subsection (c)—

(A) in the matter preceding paragraph (1)—

(i) by inserting ''the Assistant Secretary for Preparedness and Response,'' after ''consultation with'';

(ii) by striking ''Health and'' and inserting ''Health, and''; and

(iii) by striking ''circumstances of the emergency involved'' and inserting ''applicable circumstances described in subsection (b)(1)'';

(B) in paragraph (1), by striking ''specified'' and inserting ''referred to''; and

(C) in paragraph (2)(B), by inserting '', taking into consideration the material threat posed by the agent or agents identified in a declaration under subsection (b)(1)(D), if applicable'' after ''risks of the product'';

(4) in subsection (d)(3), by inserting '', to the extent practicable given the circumstances of the emergency,'' after ''including'';

(5) in subsection (e)—

(A) in paragraph (1)(A), by striking ''circumstances of the emergency'' and inserting ''applicable circumstances described in subsection (b)(1)'';

(B) in paragraph (1)(B), by amending clause (iii) to read as follows:

''(iii) Appropriate conditions with respect to collection and analysis of information concerning the safety and effectiveness of the product with respect to the use of such product during the period when the authorization is in effect and a reasonable time following such period.'';

(C) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking ''manufacturer of the product'' and inserting ''person'';

(II) by striking ''circumstances of the emergency'' and inserting ''applicable circumstances described in subsection (b)(1)''; and

(III) by inserting at the end before the period ''or in paragraph (1)(B)'';

(ii) in subparagraph (B)(i), by inserting before the period at the end '', except as provided in section 564A with respect to authorized changes to the product expiration date''; and

(iii) by amending subparagraph (C) to read as follows:

''(C) In establishing conditions under this paragraph with respect to the distribution and administration of the product for the unapproved use, the Secretary shall not impose

conditions that would restrict distribution or administration of the product when distributed or administered for the approved use.''; and

(D) by amending paragraph (3) to read as follows:

''(3) GOOD MANUFACTURING PRACTICE; PRESCRIPTION.—With respect to the emergency use of a product for which an authorization under this section is issued (whether an unapproved product or an unapproved use of an approved product), the Secretary may waive or limit, to the extent appropriate given the applicable circumstances described in subsection (b)(1)—

''(A) requirements regarding current good manufacturing practice otherwise applicable to the manufacture, processing, packing, or holding of products subject to regulation under this Act, including such requirements established under section 501 or 520(f)(1), and including relevant conditions prescribed with respect to the product by an order under section 520(f)(2);

''(B) requirements established under section 503(b); and

''(C) requirements established under section 520(e).'';

(6) in subsection (g)—

(A) in the subsection heading, by inserting ''REVIEW AND'' before ''REVOCATION'';

(B) in paragraph (1), by inserting after the period at the end the following: ''As part of such review, the Secretary shall regularly review the progress made with respect to the approval, licensure, or clearance of—

''(A) an unapproved product for which an authorization was issued under this section; or

''(B) an unapproved use of an approved product for which an authorization was issued under this section.''; and

(C) by amending paragraph (2) to read as follows:

''(2) REVISION AND REVOCATION.—The Secretary may revise or revoke an authorization under this section if—

''(A) the circumstances described under subsection (b)(1) no longer exist;

''(B) the criteria under subsection (c) for issuance of such authorization are no longer met; or

''(C) other circumstances make such revision or revocation appropriate to protect the public health or safety.'';

(7) in subsection (h)(1), by adding after the period at the end the following: ''The Secretary shall make any revisions to an authorization under this section available on the Internet Web site of the Food and Drug Administration.'';

(8) by adding at the end of subsection (j) the following:

''(4) Nothing in this section shall be construed as authorizing a delay in the review or other consideration by the Secretary of any application or submission pending before the Food and Drug Administration for a product for which an authorization under this section is issued.''; and

(9) by adding at the end the following:

''(m) CATEGORIZATION OF LABORATORY TESTS ASSOCIATED WITH DEVICES SUBJECT TO AUTHORIZATION.—

''(1) IN GENERAL.—In issuing an authorization under this section with respect to a device, the Secretary may, subject to the provisions of this section, determine that a laboratory examination or procedure associated with such device shall be deemed, for purposes of section 353 of the Public Health Service Act, to be in a particular category of examinations and procedures (including the category described by subsection (d)(3) of such section) if, based on the totality of scientific evidence available to the Secretary—

''(A) such categorization would be beneficial to protecting the public health; and

''(B) the known and potential benefits of such categorization under the circumstances of the authorization outweigh the known and potential risks of the categorization.

''(2) CONDITIONS OF DETERMINATION.—The Secretary may establish appropriate conditions on the performance of the examination or procedure pursuant to such determination.

''(3) EFFECTIVE PERIOD.—A determination under this subsection shall be effective for purposes of section 353 of the Public Health Service Act notwithstanding any other provision of that section during the effective period of the relevant declaration under subsection (b).''.

(b) EMERGENCY USE OF MEDICAL PRODUCTS.—Subchapter E of chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb et seq.) is amended by inserting after section 564 the following:

''SEC. 564A. EMERGENCY USE OF MEDICAL PRODUCTS.

''(a) DEFINITIONS.—In this section:

''(1) ELIGIBLE PRODUCT.—The term 'eligible product' means a product that—

''(A) is approved or cleared under this chapter or licensed under section 351 of the Public Health Service Act;

''(B)(i) is intended for use to prevent, diagnose, or treat a disease or condition involving a biological, chemical, radiological, or nuclear agent or agents; or

''(ii) is intended for use to prevent, diagnose, or treat a serious or life-threatening disease or condition caused by a product described in clause (i); and

''(C) is intended for use during the circumstances under which—

''(i) a determination described in subparagraph (A), (B), or (C) of section 564(b)(1) has been made by the Secretary of Homeland Security, the Secretary of Defense, or the Secretary, respectively; or

''(ii) the identification of a material threat described in subparagraph (D) of section 564(b)(1) has been made pursuant to section 319F–2 of the Public Health Service Act.

''(2) PRODUCT.—The term 'product' means a drug, device, or biological product.

''(b) EXPIRATION DATING.—

''(1) IN GENERAL.—The Secretary may extend the expiration date and authorize the introduction or delivery for introduction into interstate commerce of an eligible product after the expiration date provided by the manufacturer if—

''(A) the expiration date extension is intended to support the United States ability to protect—

''(i) the public health; or

''(ii) military preparedness and effectiveness; and

''(B) the expiration date extension is supported by an appropriate scientific evaluation that is conducted or accepted by the Secretary.

''(2) REQUIREMENTS AND CONDITIONS.—Any extension of an expiration date under paragraph (1) shall, as part of the extension, identify—

''(A) each specific lot, batch, or other unit of the product for which extended expiration is authorized;

''(B) the duration of the extension; and

''(C) any other requirements or conditions as the Secretary may deem appropriate for the protection of the public health, which may include requirements for, or conditions on, product sampling, storage, packaging or repackaging, transport, labeling, notice to product recipients, recordkeeping, periodic testing or retesting, or product disposition.

''(3) EFFECT.—Notwithstanding any other provision of this Act or the Public Health Service Act, an eligible product shall not be considered an unapproved product (as defined in section 564(a)(2)(A)) and shall not be deemed adulterated or misbranded under this Act because, with respect to such product, the Secretary has, under paragraph (1), extended the expiration date and authorized the introduction or delivery for introduction into interstate commerce of such product after the expiration date provided by the manufacturer.

''(4) EXPIRATION DATE.—For purposes of this subsection, the term 'expiration date' means the date established through appropriate stability testing required by the regulations issued by the Secretary to ensure that the product meets applicable standards of identity, strength, quality, and purity at the time of use.

''(c) CURRENT GOOD MANUFACTURING PRACTICE.—

''(1) IN GENERAL.—The Secretary may, when the circumstances of a domestic, military, or public health emergency or material threat described in subsection (a)(1)(C) so warrant, authorize, with respect to an eligible product, deviations from current good manufacturing practice requirements otherwise applicable to the manufacture, processing, packing, or holding of products subject to regulation under this Act, including requirements under section 501 or 520(f)(1) or applicable conditions prescribed with respect to the eligible product by an order under section 520(f)(2).

''(2) EFFECT.—Notwithstanding any other provision of this Act or the Public Health Service Act, an eligible product shall not be considered an unapproved product (as defined in section 564(a)(2)(A)) and shall not be deemed adulterated or misbranded under this Act because, with respect to such product, the Secretary has authorized deviations from current good manufacturing practices under paragraph (1).

''(d) EMERGENCY DISPENSING.—The requirements of sections 503(b) and 520(e) shall not apply to an eligible product, and the product shall not be considered an unapproved product (as defined in section 564(a)(2)(A)) and shall not be deemed adulterated or misbranded under this Act because it is dispensed without an individual prescription, if—

''(1) the product is dispensed during the circumstances described in subsection (a)(1)(C); and

''(2) such dispensing without an individual prescription occurs—

''(A) as permitted under the law of the State in which the product is dispensed; or

''(B) in accordance with an order issued by the Secretary, for the purposes and duration of the circumstances described in subsection (a)(1)(C).

''(e) EMERGENCY USE INSTRUCTIONS.—

''(1) IN GENERAL.—The Secretary, acting through an appropriate official within the Department of Health and Human Services, may create and issue emergency use instructions to inform health care providers or individuals to whom an eligible product is to be administered concerning such product's approved, licensed, or cleared conditions of use.

''(2) EFFECT.—Notwithstanding any other provisions of this Act or the Public Health Service Act, a product shall not be considered an unapproved product and shall not be deemed adulterated or misbranded under this Act because of the issuance of emergency use instructions under paragraph (1) with respect to such product or the introduction or delivery for introduction of such product into interstate commerce accompanied by such instructions—

''(A) during an emergency response to an actual emergency that is the basis for a determination described in subsection (a)(1)(C)(i); or

''(B) by a government entity (including a Federal, State, local, or tribal government

entity), or a person acting on behalf of such a government entity, in preparation for an emergency response.''.

(c) RISK EVALUATION AND MITIGATION STRATEGIES.—Section 505–1 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355–1), is amended—

(1) in subsection (f), by striking paragraph (7); and

(2) by adding at the end the following:

''(k) WAIVER IN PUBLIC HEALTH EMERGENCIES.—The Secretary may waive any requirement of this section with respect to a qualified countermeasure (as defined in section 319F–1(a)(2) of the Public Health Service Act) to which a requirement under this section has been applied, if the Secretary determines that such waiver is required to mitigate the effects of, or reduce the severity of, the circumstances under which—

''(1) a determination described in subparagraph (A), (B), or (C) of section 564(b)(1) has been made by the Secretary of Homeland Security, the Secretary of Defense, or the Secretary, respectively; or

''(2) the identification of a material threat described in subparagraph (D) of section 564(b)(1) has been made pursuant to section 319F–2 of the Public Health Service Act.''.

(d) PRODUCTS HELD FOR EMERGENCY USE.—The Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) is amended by inserting after section 564A, as added by subsection (b), the following:

''SEC. 564B. PRODUCTS HELD FOR EMERGENCY USE.

''It is not a violation of any section of this Act or of the Public Health Service Act for a government entity (including a Federal, State, local, or tribal government entity), or a person acting on behalf of such a government entity, to introduce into interstate commerce a product (as defined in section 564(a)(4)) intended for emergency use, if that product—

''(1) is intended to be held and not used; and

''(2) is held and not used, unless and until that product—

''(A) is approved, cleared, or licensed under section 505, 510(k), or 515 of this Act or section 351 of the Public Health Service Act;

''(B) is authorized for investigational use under section 505 or 520 of this Act or section 351 of the Public Health Service Act; or

''(C) is authorized for use under section 564.''.

SEC. 303. DEFINITIONS.

Section 565 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–4) is amended by striking ''The Secretary, in consultation'' and inserting the following:

''(a) DEFINITIONS.—In this section—

''(1) the term 'countermeasure' means a qualified countermeasure, a security countermeasure, and a qualified pandemic or epidemic product;

''(2) the term 'qualified countermeasure' has the meaning given such term in section 319F–1 of the Public Health Service Act;

''(3) the term 'security countermeasure' has the meaning given such term in section 319F–2 of such Act; and

''(4) the term 'qualified pandemic or epidemic product' means a product that meets the definition given such term in section 319F–3 of the Public Health Service Act and—

''(A) that has been identified by the Department of Health and Human Services or the Department of Defense as receiving funding directly related to addressing chemical, biological, radiological, or nuclear threats, including pandemic influenza; or

''(B) is included under this paragraph pursuant to a determination by the Secretary.

''(b) GENERAL DUTIES.—The Secretary, in consultation''.

SEC. 304. ENHANCING MEDICAL COUNTERMEASURE ACTIVITIES.

Section 565 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–4), as amended by section 303, is further amended—

(1) in the section heading, by striking ''**TECHNICAL ASSISTANCE**'' and inserting ''**COUNTERMEASURE DEVELOPMENT, REVIEW, AND TECHNICAL ASSISTANCE**'';

(2) in subsection (b), by striking the subsection enumerator and all that follows through ''shall establish'' and inserting the following:

''(b) GENERAL DUTIES.—In order to accelerate the development, stockpiling, approval, licensure, and clearance of qualified countermeasures, security countermeasures, and qualified pandemic or epidemic products, the Secretary, in consultation with the Assistant Secretary for Preparedness and Response, shall—

''(1) ensure the appropriate involvement of Food and Drug Administration personnel in interagency activities related to countermeasure advanced research and development, consistent with sections 319F, 319F–1, 319F–2, 319F–3, 319L, and 2811 of the Public Health Service Act;

''(2) ensure the appropriate involvement and consultation of Food and Drug Administration personnel in any flexible manufacturing activities carried out under section 319L of the Public Health Service Act, including with respect to meeting regulatory requirements set forth in this Act;

''(3) promote countermeasure expertise within the Food and Drug Administration by—

''(A) ensuring that Food and Drug Administration personnel involved in reviewing countermeasures for approval, licensure, or clearance are informed by the Assistant Secretary for Preparedness and Response on the material threat assessment conducted under section 319F–2 of the Public Health Service Act for the agent or agents for which the countermeasure under review is intended;

''(B) training Food and Drug Administration personnel regarding review of countermeasures for approval, licensure, or clearance;

''(C) holding public meetings at least twice annually to encourage the exchange of scientific ideas; and

''(D) establishing protocols to ensure that countermeasure reviewers have sufficient training or experience with countermeasures;

''(4) maintain teams, composed of Food and Drug Administration personnel with expertise on countermeasures, including specific countermeasures, populations with special clinical needs (including children and pregnant women that may use countermeasures, as applicable and appropriate), classes or groups of countermeasures, or other countermeasure-related technologies and capabilities, that shall—

''(A) consult with countermeasure experts, including countermeasure sponsors and applicants, to identify and help resolve scientific issues related to the approval, licensure, or clearance of countermeasures, through workshops or public meetings; and

''(B) improve and advance the science relating to the development of new tools, standards, and approaches to assessing and evaluating countermeasures—

''(i) in order to inform the process for countermeasure approval, clearance, and licensure; and

''(ii) with respect to the development of countermeasures for populations with special clinical needs, including children and pregnant women, in order to meet the needs of such populations, as necessary and appropriate; and

''(5) establish''; and

(3) by adding at the end the following:

''(c) FINAL GUIDANCE ON DEVELOPMENT OF ANIMAL MODELS.—

''(1) IN GENERAL.—Not later than 1 year after the date of the enactment of the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013, the Secretary shall provide final guidance to industry regarding the development of animal models to support approval, clearance, or licensure of countermeasures referred to in subsection (a) when human efficacy studies are not ethical or feasible.

''(2) AUTHORITY TO EXTEND DEADLINE.—The Secretary may extend the deadline for providing final guidance under paragraph (1) by not more than 6 months upon submission by the Secretary of a report on the status of such guidance to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.

''(d) DEVELOPMENT AND ANIMAL MODELING PROCEDURES.—

''(1) AVAILABILITY OF ANIMAL MODEL MEETINGS.—To facilitate the timely development of animal models and support the development, stockpiling, licensure, approval, and clearance of countermeasures, the Secretary shall, not later than 180 days after the enactment of this subsection, establish a procedure by which a sponsor or applicant that is developing a countermeasure for which human efficacy studies are not ethical or practicable, and that has an approved investigational new drug application or investigational device exemption, may request and receive—

''(A) a meeting to discuss proposed animal model development activities; and

''(B) a meeting prior to initiating pivotal animal studies.

''(2) PEDIATRIC MODELS.—To facilitate the development and selection of animal models that could translate to pediatric studies, any meeting conducted under paragraph (1) shall include discussion of animal models for pediatric populations, as appropriate.

''(e) REVIEW AND APPROVAL OF COUNTERMEASURES.—

''(1) MATERIAL THREAT.—When evaluating an application or submission for approval, licensure, or clearance of a countermeasure, the Secretary shall take into account the material threat posed by the chemical, biological, radiological, or nuclear agent or agents identified under section 319F–2 of the Public Health Service Act for which the countermeasure under review is intended.

''(2) REVIEW EXPERTISE.—When practicable and appropriate, teams of Food and Drug Administration personnel reviewing applications or submissions described under paragraph (1) shall include a reviewer with sufficient training or experience with countermeasures pursuant to the protocols established under subsection (b)(3)(D).''.

SEC. 305. REGULATORY MANAGEMENT PLANS.

Section 565 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–4), as amended by section 304, is further amended by adding at the end the following:

''(f) REGULATORY MANAGEMENT PLAN.—

''(1) DEFINITION.—In this subsection, the term 'eligible countermeasure' means—

''(A) a security countermeasure with respect to which the Secretary has entered into a procurement contract under section 319F–2(c) of the Public Health Service Act; or

''(B) a countermeasure with respect to which the Biomedical Advanced Research and Development Authority has provided funding under section 319L of the Public Health Service Act for advanced research and development.

''(2) REGULATORY MANAGEMENT PLAN PROCESS.—The Secretary, in consultation with

the Assistant Secretary for Preparedness and Response and the Director of the Biomedical Advanced Research and Development Authority, shall establish a formal process for obtaining scientific feedback and interactions regarding the development and regulatory review of eligible countermeasures by facilitating the development of written regulatory management plans in accordance with this subsection.

''(3) SUBMISSION OF REQUEST AND PROPOSED PLAN BY SPONSOR OR APPLICANT.—

''(A) IN GENERAL.—A sponsor or applicant of an eligible countermeasure may initiate the process described under paragraph (2) upon submission of a written request to the Secretary. Such request shall include a proposed regulatory management plan.

''(B) TIMING OF SUBMISSION.—A sponsor or applicant may submit a written request under subparagraph (A) after the eligible countermeasure has an investigational new drug or investigational device exemption in effect.

''(C) RESPONSE BY SECRETARY.—The Secretary shall direct the Food and Drug Administration, upon submission of a written request by a sponsor or applicant under subparagraph (A), to work with the sponsor or applicant to agree on a regulatory management plan within a reasonable time not to exceed 90 days. If the Secretary determines that no plan can be agreed upon, the Secretary shall provide to the sponsor or applicant, in writing, the scientific or regulatory rationale why such agreement cannot be reached.

''(4) PLAN.—The content of a regulatory management plan agreed to by the Secretary and a sponsor or applicant shall include—

''(A) an agreement between the Secretary and the sponsor or applicant regarding developmental milestones that will trigger responses by the Secretary as described in subparagraph (B);

''(B) performance targets and goals for timely and appropriate responses by the Secretary to the triggers described under subparagraph (A), including meetings between the Secretary and the sponsor or applicant, written feedback, decisions by the Secretary, and other activities carried out as part of the development and review process; and

''(C) an agreement on how the plan shall be modified, if needed.

''(5) MILESTONES AND PERFORMANCE TARGETS.—The developmental milestones described in paragraph (4)(A) and the performance targets and goals described in paragraph (4)(B) shall include—

''(A) feedback from the Secretary regarding the data required to support the approval, clearance, or licensure of the eligible countermeasure involved;

''(B) feedback from the Secretary regarding the data necessary to inform any authorization under section 564;

''(C) feedback from the Secretary regarding the data necessary to support the positioning and delivery of the eligible countermeasure, including to the Strategic National Stockpile;

''(D) feedback from the Secretary regarding the data necessary to support the submission of protocols for review under section 505(b)(5)(B);

''(E) feedback from the Secretary regarding any gaps in scientific knowledge that will need resolution prior to approval, licensure, or clearance of the eligible countermeasure and plans for conducting the necessary scientific research;

''(F) identification of the population for which the countermeasure sponsor or applicant seeks approval, licensure, or clearance and the population for which desired labeling would not be appropriate, if known; and

''(G) as necessary and appropriate, and to the extent practicable, a plan for demonstrating safety and effectiveness in pediatric populations, and for developing pediatric dosing, formulation, and administration with respect to the eligible countermeasure, provided that such plan would not delay authorization under section 564, approval, licensure, or clearance for adults.

''(6) PRIORITIZATION.—

''(A) PLANS FOR SECURITY COUNTERMEASURES.—The Secretary shall establish regulatory management plans for all security countermeasures for which a request is submitted under paragraph (3)(A).

''(B) PLANS FOR OTHER ELIGIBLE COUNTERMEASURES.—The Secretary shall determine whether resources are available to establish regulatory management plans for eligible countermeasures that are not security countermeasures. If resources are available to establish regulatory management plans for eligible countermeasures that are not security countermeasures, and if resources are not available to establish regulatory management plans for all eligible countermeasures for which requests have been submitted, the Director of the Biomedical Advanced Research and Development Authority, in consultation with the Commissioner, shall prioritize which eligible countermeasures may receive regulatory management plans.''.

SEC. 306. REPORT.

Section 565 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–4), as amended by section 305, is further amended by adding at the end the following:

''(g) ANNUAL REPORT.—Not later than 180 days after the date of enactment of this subsection, and annually thereafter, the Secretary shall make publicly available on the Web site of the Food and Drug Administration a report that details the countermeasure development and review activities of the Food and Drug Administration, including—

''(1) with respect to the development of new tools, standards, and approaches to assess and evaluate countermeasures—

''(A) the identification of the priorities of the Food and Drug Administration and the progress made on such priorities; and

''(B) the identification of scientific gaps that impede the development, approval, licensure, or clearance of countermeasures for populations with special clinical needs, including children and pregnant women, and the progress made on resolving these challenges;

''(2) with respect to countermeasures for which a regulatory management plan has been agreed upon under subsection (f), the extent to which the performance targets and goals set forth in subsection (f)(4)(B) and the regulatory management plan have been met, including, for each such countermeasure—

''(A) whether the regulatory management plan was completed within the required timeframe, and the length of time taken to complete such plan;

''(B) whether the Secretary adhered to the timely and appropriate response times set forth in such plan; and

''(C) explanations for any failure to meet such performance targets and goals;

''(3) the number of regulatory teams established pursuant to subsection (b)(4), the number of products, classes of products, or technologies assigned to each such team, and the number of, type of, and any progress made as a result of consultations carried out under subsection (b)(4)(A);

''(4) an estimate of resources obligated to countermeasure development and regulatory assessment, including—

''(A) Center-specific objectives and accomplishments; and

''(B) the number of full-time equivalent employees of the Food and Drug Administration who directly support the review of countermeasures;

''(5) the number of countermeasure applications and submissions submitted, the number of countermeasures approved, licensed, or cleared, the status of remaining submitted applications and submissions, and the number of each type of authorization issued pursuant to section 564;

''(6) the number of written requests for a regulatory management plan submitted under subsection (f)(3)(A), the number of regulatory management plans developed, and the number of such plans developed for security countermeasures; and

''(7) the number, type, and frequency of meetings between the Food and Drug Administration and—

''(A) sponsors of a countermeasure as defined in subsection (a); or

''(B) another agency engaged in development or management of portfolios for such countermeasures, including the Centers for Disease Control and Prevention, the Biomedical Advanced Research and Development Authority, the National Institutes of Health, and the appropriate agencies of the Department of Defense.''.

SEC. 307. PEDIATRIC MEDICAL COUNTERMEASURES.

(a) PEDIATRIC STUDIES OF DRUGS.—Section 505A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355a) is amended—

(1) in subsection (d), by adding at the end the following:

''(5) CONSULTATION.—With respect to a drug that is a qualified countermeasure (as defined in section 319F–1 of the Public Health Service Act), a security countermeasure (as defined in section 319F–2 of the Public Health Service Act), or a qualified pandemic or epidemic product (as defined in section 319F–3 of the Public Health Service Act), the Secretary shall solicit input from the Assistant Secretary for Preparedness and Response regarding the need for and, from the Director of the Biomedical Advanced Research and Development Authority regarding the conduct of, pediatric studies under this section.''; and

(2) in subsection (n)(1), by adding at the end the following:

''(C) For a drug that is a qualified countermeasure (as defined in section 319F–1 of the Public Health Service Act), a security countermeasure (as defined in section 319F–2 of the Public Health Service Act), or a qualified pandemic or epidemic product (as defined in section 319F–3 of such Act), in addition to any action with respect to such drug under subparagraph (A) or (B), the Secretary shall notify the Assistant Secretary for Preparedness and Response and the Director of the Biomedical Advanced Research and Development Authority of all pediatric studies in the written request issued by the Commissioner of Food and Drugs.''.

(b) ADDITION TO PRIORITY LIST CONSIDERATIONS.—Section 409I of the Public Health Service Act (42 U.S.C. 284m) is amended—

(1) by striking subsection (a)(2) and inserting the following:

''(2) CONSIDERATION OF AVAILABLE INFORMATION.—In developing and prioritizing the list under paragraph (1), the Secretary—

''(A) shall consider—

''(i) therapeutic gaps in pediatrics that may include developmental pharmacology, pharmacogenetic determinants of drug response, metabolism of drugs and biologics in children, and pediatric clinical trials;

''(ii) particular pediatric diseases, disorders or conditions where more complete knowledge and testing of therapeutics, including drugs and biologics, may be beneficial in pediatric populations; and

''(iii) the adequacy of necessary infrastructure to conduct pediatric pharmacological research, including research networks and trained pediatric investigators; and

''(B) may consider the availability of qualified countermeasures (as defined in section 319F–1), security countermeasures (as defined in section 319F–2), and qualified pandemic or epidemic products (as defined in section 319F–3) to address the needs of pediatric populations, in consultation with the Assistant Secretary for Preparedness and Response, consistent with the purposes of this section.''; and

(2) in subsection (b), by striking ''subsection (a)'' and inserting ''paragraphs (1) and (2)(A) of subsection (a)''.

(c) ADVICE AND RECOMMENDATIONS OF THE PEDIATRIC ADVISORY COMMITTEE REGARDING COUNTERMEASURES FOR PEDIATRIC POPULATIONS.—Subsection (b)(2) of section 14 of the Best Pharmaceuticals for Children Act (42 U.S.C. 284m note) is amended—

(1) in subparagraph (C), by striking the period and inserting ''; and''; and

(2) by adding at the end the following:

''(D) the development of countermeasures (as defined in section 565(a) of the Federal Food, Drug, and Cosmetic Act) for pediatric populations.''.

TITLE IV—ACCELERATING MEDICAL COUNTERMEASURE ADVANCED RESEARCH AND DEVELOPMENT

SEC. 401. BIOSHIELD.

(a) PROCUREMENT OF COUNTERMEASURES.—Section 319F–2(c) of the Public Health Service Act (42 U.S.C. 247d–6b(c)) is amended—

(1) in paragraph (1)(B)(i)(III)(bb), by striking ''eight years'' and inserting ''10 years'';

(2) in paragraph (2)(C), by striking ''the designated congressional committees (as defined in paragraph (10))'' and inserting ''the appropriate committees of Congress'';

(3) in paragraph (5)(B)(ii), by striking ''eight years'' and inserting ''10 years'';

(4) in subparagraph (C) of paragraph (6)—

(A) in the subparagraph heading, by striking ''DESIGNATED CONGRESSIONAL COMMITTEES'' and inserting ''APPROPRIATE CONGRESSIONAL COMMITTEES''; and

(B) by striking ''the designated congressional committees'' and inserting ''the appropriate congressional committees''; and

(5) in paragraph (7)(C)—

(A) in clause (i)(I), by inserting ''including advanced research and development,'' after ''as may reasonably be required,'';

(B) in clause (ii)—

(i) in subclause (III), by striking ''eight years'' and inserting ''10 years''; and

(ii) by striking subclause (IX) and inserting the following:

''(IX) CONTRACT TERMS.—The Secretary, in any contract for procurement under this section—

''(aa) may specify—

''(AA) the dosing and administration requirements for the countermeasure to be developed and procured;

''(BB) the amount of funding that will be dedicated by the Secretary for advanced research, development, and procurement of the countermeasure; and

''(CC) the specifications the countermeasure must meet to qualify for procurement under a contract under this section; and

''(bb) shall provide a clear statement of defined Government purpose limited to uses related to a security countermeasure, as defined in paragraph (1)(B).''; and

(C) by adding at the end the following:

''(viii) FLEXIBILITY.—In carrying out this section, the Secretary may, consistent with the applicable provisions of this section, enter into contracts and other agreements that are in the best interest of the Government in meeting identified security countermeasure needs, including with respect to reimbursement of the cost of advanced research and development as a reasonable, allowable, and allocable direct cost of the contract involved.''.

(b) REAUTHORIZATION OF THE SPECIAL RESERVE FUND.—Section 319F–2 of the Public Health Service Act (42 U.S.C. 247d–6b) is amended—

(1) in subsection (c)—

(A) by striking ''special reserve fund under paragraph (10)'' each place it appears and inserting ''special reserve fund as defined in subsection (h)''; and

(B) by striking paragraphs (9) and (10); and

(2) by adding at the end the following:

''(g) SPECIAL RESERVE FUND.—

''(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts appropriated to the special reserve fund prior to the date of the enactment of this subsection, there is authorized to be appropriated, for the procurement of security countermeasures under subsection (c) and for carrying out section 319L (relating to the Biomedical Advanced Research and Development Authority), $2,800,000,000 for the period of fiscal years 2014 through 2018. Amounts appropriated pursuant to the preceding sentence are authorized to remain available until September 30, 2019.

''(2) USE OF SPECIAL RESERVE FUND FOR ADVANCED RESEARCH AND DEVELOPMENT.—The Secretary may utilize not more than 50 percent of the amounts authorized to be appropriated under paragraph (1) to carry out section 319L (related to the Biomedical Advanced Research and Development Authority). Amounts authorized to be appropriated under this subsection to carry out section 319L are in addition to amounts otherwise authorized to be appropriated to carry out such section.

''(3) RESTRICTIONS ON USE OF FUNDS.—Amounts in the special reserve fund shall not be used to pay costs other than payments made by the Secretary to a vendor for advanced development (under section 319L) or for procurement of a security countermeasure under subsection (c)(7).

''(4) REPORT.—Not later than 30 days after any date on which the Secretary determines that the amount of funds in the special reserve fund available for procurement is less than $1,500,000,000, the Secretary shall submit to the appropriate committees of Congress a report detailing the amount of such funds available for procurement and the impact such reduction in funding will have—

''(A) in meeting the security countermeasure needs identified under this section; and

''(B) on the annual Public Health Emergency Medical Countermeasures Enterprise and Strategy Implementation Plan (pursuant to section 2811(d)).

''(h) DEFINITIONS.—In this section:

''(1) The term 'advanced research and development' has the meaning given such term in section 319L(a).

''(2) The term 'special reserve fund' means the 'Biodefense Countermeasures' appropriations account, any appropriation made available pursuant to section 521(a) of the Homeland Security Act of 2002, and any appropriation made available pursuant to subsection (g)(1).''.

SEC. 402. BIOMEDICAL ADVANCED RESEARCH AND DEVELOPMENT AUTHORITY.

(a) DUTIES.—Section 319L(c)(4) of the Public Health Service Act (42 U.S.C. 247d–7e(c)(4)) is amended—

(1) in subparagraph (B)(iii), by inserting ''(which may include advanced research and development for purposes of fulfilling requirements under the Federal Food, Drug, and Cosmetic Act or section 351 of this Act)'' after ''development''; and

(2) in subparagraph (D)(iii), by striking ''and vaccine manufacturing technologies'' and inserting ''vaccine-manufacturing technologies, dose-sparing technologies, efficacy-increasing technologies, and platform technologies''.

(b) TRANSACTION AUTHORITIES.—Section 319L(c)(5) of the Public Health Service Act (42 U.S.C. 247d–7e(c)(5)) is amended by adding at the end the following:

''(G) GOVERNMENT PURPOSE.—In awarding contracts, grants, and cooperative agreements under this section, the Secretary shall provide a clear statement of defined Government purpose related to activities included in subsection (a)(6)(B) for a qualified countermeasure or qualified pandemic or epidemic product.''.

(c) FUND.—Paragraph (2) of section 319L(d) of the Public Health Service Act (42 U.S.C. 247d–7e(d)(2)) is amended to read as follows:

''(2) FUNDING.—To carry out the purposes of this section, there is authorized to be appropriated to the Fund $415,000,000 for each of fiscal years 2013 through 2017, such amounts to remain available until expended.''.

(d) CONTINUED INAPPLICABILITY OF CERTAIN PROVISIONS.—Section 319L(e)(1)(C) of the Public Health Service Act (42 U.S.C. 247d–7e(e)(1)(C)) is amended by striking ''7 years'' and inserting ''11 years''.

(e) EXTENSION OF LIMITED ANTITRUST EXEMPTION.—

(1) IN GENERAL.—Section 405(b) of the Pandemic and All-Hazards Preparedness Act (42 U.S.C. 247d–6a note) is amended by striking ''6-year'' and inserting ''11-year''.

(2) EFFECTIVE DATE.—This subsection shall take effect as if enacted on December 17, 2012.

(f) INDEPENDENT EVALUATION.—Section 319L of the Public Health Service Act (42 U.S.C. 247d–7e) is amended by adding at the end the following:

''(f) INDEPENDENT EVALUATION.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Comptroller General of the United States shall conduct an independent evaluation of the activities carried out to facilitate flexible manufacturing capacity pursuant to this section.

''(2) REPORT.—Not later than 1 year after the date of enactment of this subsection, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report concerning the results of the evaluation conducted under paragraph (1). Such report shall review and assess—

''(A) the extent to which flexible manufacturing capacity under this section is dedicated to chemical, biological, radiological, and nuclear threats;

''(B) the activities supported by flexible manufacturing initiatives; and

''(C) the ability of flexible manufacturing activities carried out under this section to—

''(i) secure and leverage leading technical expertise with respect to countermeasure advanced research, development, and manufacturing processes; and

''(ii) meet the surge manufacturing capacity needs presented by novel and emerging threats, including chemical, biological, radiological, and nuclear agents.''.

(g) DEFINITIONS.—

(1) QUALIFIED COUNTERMEASURE.—Section 319F–1(a)(2)(A) of the Public Health Service Act (42 U.S.C. 247d–6a(a)(2)(A)) is amended—

(A) in the matter preceding clause (i), by striking ''to—'' and inserting ''—'';

(B) in clause (i)—

(i) by striking ''diagnose'' and inserting ''to diagnose''; and

(ii) by striking ''; or'' and inserting a semicolon;

(C) in clause (ii)—

(i) by striking ''diagnose'' and inserting ''to diagnose''; and

(ii) by striking the period at the end and inserting ''; or''; and

(D) by adding at the end the following:

''(iii) is a product or technology intended to enhance the use or effect of a drug, biological product, or device described in clause (i) or (ii).''.

(2) QUALIFIED PANDEMIC OR EPIDEMIC PRODUCT.—Section 319F–3(i)(7)(A) of the Public Health Service Act (42 U.S.C. 247d–6d(i)(7)(A)) is amended—

(A) in clause (i)(II), by striking ''; or'' and inserting '';'';

(B) in clause (ii), by striking ''; and'' and inserting ''; or''; and

(C) by adding at the end the following:

''(iii) a product or technology intended to enhance the use or effect of a drug, biological product, or device described in clause (i) or (ii); and''.

(3) TECHNICAL AMENDMENTS.—Section 319F–3(i) of the Public Health Service Act (42 U.S.C. 247d–6d(i)) is amended—

(A) in paragraph (1)(C), by inserting '', 564A, or 564B'' after ''564''; and

(B) in paragraph (7)(B)(iii), by inserting '', 564A, or 564B'' after ''564''.

SEC. 403. STRATEGIC NATIONAL STOCKPILE.

Section 319F–2 of the Public Health Service Act (42 U.S.C. 247d–6b) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting ''consistent with section 2811'' before ''by the Secretary to be appropriate''; and

(ii) by inserting before the period at the end of the second sentence the following: ''and shall submit such review annually to the appropriate congressional committees of jurisdiction to the extent that disclosure of such information does not compromise national security''; and

(B) in paragraph (2)(D), by inserting before the semicolon at the end the following: ''and that the potential depletion of countermeasures currently in the stockpile is identified and appropriately addressed, including through necessary replenishment''; and

(2) in subsection (f)(1), by striking ''$640,000,000 for fiscal year 2002, and such sums as may be necessary for each of fiscal years 2003 through 2006. Such authorization is in addition to amounts in the special reserve fund referred to in subsection (c)(10)(A).'' and inserting ''$533,800,000 for each of fiscal years 2013 through 2017. Such authorization is in addition to amounts in the special reserve fund referred to in subsection (h).''.

SEC. 404. NATIONAL BIODEFENSE SCIENCE BOARD.

Section 319M(a) of the Public Health Service Act (42 U.S.C. 247d–f(a)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (D)—

(i) in clause (i), by striking ''and'' at the end;

(ii) in clause (ii), by striking the period and inserting a semicolon; and

(iii) by adding at the end the following:

''(iii) one such member shall be an individual with pediatric subject matter expertise; and

''(iv) one such member shall be a State, tribal, territorial, or local public health official.''; and

(B) by adding at the end the following flush sentence:

''Nothing in this paragraph shall preclude a member of the Board from satisfying two or more of the requirements described in subparagraph (D).''; and

(2) in paragraph (5)—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) in subparagraph (C), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(D) provide any recommendation, finding, or report provided to the Secretary under this paragraph to the appropriate committees of Congress.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. PITTS) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. PITTS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials into the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. PITTS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 307, the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013, introduced by my colleague, MIKE ROGERS, from Michigan, would reauthorize programs designed to foster the development of chemical, biological, radioactive, and nuclear medical countermeasures and strengthen the Nation's preparedness infrastructure. It reauthorizes programs for 5 years at the fiscal year 2012 appropriated level and does not create a new program nor increase the authorization for appropriations for an existing program.

Congress originally enacted the programs reauthorized in PAHPRA through the Project BioShield Act of 2004 and Pandemic and All-Hazards Preparedness Act of 2006. Project BioShield authorized funds for the purchase of medical countermeasures through the Special Reserve Fund and enabled the Secretary of Health and Human Services to authorize the emergency use of medical products.

PAHPRA created the Biodefense Advanced Research and Development Authority within HHS to help with the development of medical countermeasures and ensure communications between HHS and the developers of medical countermeasures. Reauthorizing these programs would help the Nation respond to a CBRN attack and is essential to addressing gaps in the Nation's flu preparedness.

H.R. 307 is essentially the same as H.R. 6672, the Pandemic and All-Hazards Preparedness Reauthorization Act of 2012, which passed the House in December by a vote of 383–16.

I would urge all Members to support this critical piece of legislation, and I reserve the balance of my time.

Mr. PALLONE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to rise in support of H.R. 307, the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013. Unfortunately, last month, before the end of the Congress, we were unable to get this final bill over the finish line, so I am grateful to Chairman UPTON and Ranking Member WAXMAN for agreeing to move quickly to get this bill passed and sent over to the Senate without further delay.

This bill is virtually identical to the House-passed bill last December. It reflects bipartisan work that took place between the House and Senate over several months late last year to resolve differences between the House- and Senate-passed PAHPRA reauthorization bills.

We all know very well that our Nation continues to face threats that require an ongoing commitment to public health and emergency preparedness. Of course, I think to my own district and State of New Jersey after we experienced a devastating storm that destroyed entire communities. The Federal Government's support, including through programs authorized by PAHPRA, was critical in the wake of this hurricane disaster.

The legislation before us today reauthorizes programs and activities first established as part of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002, the 2004 Project BioShield Act, and the 2006 Pandemic and All-Hazards Preparedness Act. Over the past decade, these programs have represented comprehensive efforts to prepare for and respond to public health emergencies. As a result of the investments that followed, our Nation is better equipped to respond to public health emergencies.

I just want to take a few moments to highlight ways that H.R. 307 will continue the progress we've made over the past decade:

First, the bill further facilitates the development of medical countermeasures through emphasizing medical countermeasure advancement in the National Health Security Strategy, requiring the development of a 5-year budget analysis of the countermeasure enterprise, and calling for the development of a countermeasure strategy and implementation plan;

Second, it bolsters the Nation's medical and public health preparedness and response infrastructure, including through a new authority that would allow States to deploy personnel funded through Federal programs to the areas within their State where they are most needed in the aftermath of a disaster;

Third, it strengthens and clarifies the position of Assistant Secretary for Preparedness and Response as the lead for HHS on emergency preparedness and response and calls for streamlining and better coordinating HHS preparedness grants with those of other Departments;

Finally, it places even greater emphasis on the special needs of pediatric and other at-risk populations in preparing for and responding to public health emergencies.

Mr. Speaker, H.R. 307 improves FDA's emergency response capabilities. It will enable FDA to authorize the distribution and use of medical countermeasures in preparation for an emergency and to take actions during an emergency that will allow for the most effective use of medical countermeasures.

I just wanted to thank the Congressmen. First, I want to thank my colleague, who is about to speak, Congresswoman ANNA ESHOO, for all her work on this legislation over the years; also, obviously, MIKE ROGERS and Congressman GENE GREEN. These are different people who have authored the legislation over the years.

I would also like to recognize the contributions of Chairman UPTON, Chairman PITTS, Ranking Member WAXMAN, and Congressman MARKEY in strengthening the legislation as it moved through the committee process and in discussions with the Senate. They have all worked in a bipartisan fashion over the past 1½ years to accomplish the goals of our Members, and they should be commended for their work.

I urge Members to join me in supporting passage of H.R. 307. I am hopeful that our Senate colleagues will move forward on this bill's passage so we can get it to the President's desk as quickly as possible.

I reserve the balance of my time.

Mr. PITTS. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Michigan (Mr. ROGERS), the prime sponsor of this legislation.

Mr. ROGERS of Michigan. Thank you, Mr. Speaker and Ranking Member PALLONE. I want to thank ANNA ESHOO for being such a great partner in what is truly a collaborative effort to get this bill passed and protect our ability to protect so many Americans.

It's been about 10 years, Mr. Speaker, since September 11 and the anthrax attacks that followed. The threat of bioterrorism remains a very real danger, indeed, to the American people. As we have seen in events across northern Africa, our adversaries in al Qaeda and others are still hell-bent on their terrorism acts, and we know that they are interested in chemical and radiological and biological elements to further their political gains.

Fortunately, we have spent the last decade preparing for those chemical, biological, radiological, and nuclear threats by developing and stockpiling numerous medical countermeasures to protect Americans in the event of attack. As a result of these efforts, we now have numerous vaccines and treatments in the Strategic National Stockpile that will save thousands of lives if we're attacked. However, the work to protect Americans against bioterrorism is not finished, and we must pass this bill or the future of America's public health preparedness infrastructure will be in jeopardy.

The Pandemic and All-Hazards Preparedness Reauthorization Act is a fiscally responsible bill that represents common ground between the bipartisan House-and Senate-passed preparedness bills in the 112th Congress.

I'd like to take this opportunity again to thank the bipartisan cosponsors—first, ANNA ESHOO for her long-term commitment and partnership in this, certainly Mr. PALLONE from New Jersey as well, Chairman UPTON and Ranking Member WAXMAN, and all of our great partners in the Senate—for their support in what has been a very productive process to ensure the health preparedness of our States and hospitals for the next flu outbreak or pandemic.

□ 1240

This bill will reauthorize critically important biodefense programs designed to promote the continued development of medical countermeasures against chemical, biological, radiological, and nuclear threats, and would strengthen the Nation's public health preparedness infrastructure. Reauthorizing these programs is essential to how the Nation would respond to these types of attacks.

The bill would also reauthorize programs for 5 years at the fiscal year 2012 appropriated level. The bill would not create a new program nor increase authorization for appropriations for an existing program. This bill would reauthorize and improve certain provisions of Project Bioshield and something we call PAHPA.

Again, I want to thank you, Mr. Speaker. I wish this bill Godspeed for the safety of all of our first responders and those who might be exposed to what we know is a real threat when it comes to the safety, health, and national security of the United States.

Mr. PALLONE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from California (Ms. ESHOO). She is a longtime advocate and sponsor of this legislation.

Ms. ESHOO. Mr. Speaker, I thank the ranking member, Mr. PALLONE, for his leadership and legislative courtesies along the way. I'm very proud that as we begin a new year and a new Congress that this bill is on the floor. I think it's fitting that we begin a new Congress with this bill, the Pandemic and All-Hazards Preparedness Reauthorization. It is very important legislation, as you have already heard from those that have spoken.

I first introduced this legislation with Congressman MIKE ROGERS, my friend, my colleague, at the committee, and we've done other bills together very successfully, as well. We began that particular effort in 2006 to better help our country prepare for a chemical, biological, radiological, or nuclear attack—all words that none of us really wish to utter. But we need to be prepared.

Developing and stockpiling appropriate countermeasures is essential for public safety. And these programs encourage American companies to invest in areas of critical need because we need the partnership of the private sector in this as well.

The bill before us today includes new provisions that highlight the important needs of our Nation's children. Children are not just little adults. They need special care and medical attention. They're especially vulnerable to biological or chemical agents because of their size, their limited capacity to flush toxins out of their bodies, their underdeveloped motor skills, and their total reliance on their parents or other caregivers. And certainly the role of the Congress in this is to make sure that we have laws that really speak specifically to them.

While the hope is that we will never need to use these countermeasures to combat an attack on our country, I'm proud that we've strengthened these programs for everyone in our country, especially children.

This legislation is supported by the American Public Health Association, the Association of State and Territorial Health Officials, the National Association of County and City Health Officials, and Trust for America's Health, as well as, very importantly, the American Academy of Pediatrics.

I'm very pleased that we're, once again, voting to pass the Pandemic and All-Hazards Preparedness Reauthorization Act, just as we did a month before the end of the last Congress, and I strongly urge my colleagues in the Senate to do the same. This is a bipartisan effort, and it's critical to our national preparedness and security strategies. We very often come to the floor about strategies relative to our military and strategies relative to our national intelligence community. This is about the public health element of that national security for our country.

We need to move forward with this and bring the legislation to the President's desk for his signature.

I thank Chairman UPTON, the ranking member of the full Energy and Commerce Committee, Mr. WAXMAN, and certainly the distinguished chairman of the Health Subcommittee and, again, my wonderful partner, Congressman MIKE ROGERS.

Mr. PITTS. I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I would like to include for the RECORD a joint letter from four public health organizations: the American Public Health Association, the Association of State and Territorial Health Officials, the National Association of County and City Health Officials, and Trust for America's Health.

JANUARY 22, 2013.

Hon. FRED UPTON, *Chairman,*
House of Representatives,
Washington, DC.
Hon. JOSEPH R. PITTS, *Chairman,*
House of Representatives,
Washington, DC.
Hon. HENRY A. WAXMAN, *Ranking Member,*
House of Representatives,
Washington, DC.
Hon. FRANK PALLONE, JR., *Ranking Member,*
House of Representatives,
Washington, DC.
Hon. MIKE ROGERS,
House of Representatives,
Washington, DC.

DEAR CHAIRMEN UPTON AND PITTS, RANKING MEMBERS WAXMAN AND PALLONE, AND REPRESENTATIVE ROGERS: On behalf of the undersigned organizations, dedicated to protecting the public health of our nation, we write to express our support for the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013 (PAHPRA, H.R. 307). We urge swift passage in the House as this legislation is critical to the safety of our nation. We thank you for your leadership in moving PAHPRA though the House in the 112th Congress and are eager to work with both the House and Senate to ensure final passage in this session.

PAHPRA is vital to state and local health and other public health practitioners who are a critical part of any community's first response to disease outbreaks, emergencies, and acts of terrorism. The following provisions in particular are essential to keeping communities healthy and safe:

Temporary Redeployment of Federally Funded Personnel During a Public Health Emergency (Section 201): The provision allows states and tribes to request from the Department of Health and Human Services (HHS) the authority to temporarily reassign public health personnel from other HHS-funded grant programs to respond to a major emergency. The authority would allow state and local governments to meet the tremendous staffing needs required by a disaster.

Reauthorization of the Public Health and Emergency Preparedness Grants (PHEP) (Section 202): The PHEP cooperative agreement program provides funding to local and state public health departments to strengthen their capacity and capability to effectively respond to public health emergencies including terrorist threats, infectious disease outbreaks, natural disasters, and biological, chemical, nuclear, and radiological emergencies. State and local health departments work with federal government officials, law enforcement, emergency management, health care, business, education, and religious groups to plan, train, and prepare for emergencies so that when disaster strikes, communities are prepared.

Reauthorization of the Hospital Preparedness Program (HPP) (Section 203): HPP provides funding to state and local health departments to enhance hospital preparedness and improve overall surge capacity in the case of public health emergencies. The preparedness activities carried out under this program strengthen the capabilities of hospitals throughout the country to respond to floods, hurricanes, or wildfires, and also include training for a potential influenza pandemic or terrorist attack.

Carryover of Grant Use, Coordination (Section 202 and 203): The bill updates the preparedness grant programs at HHS giving grantees limited ability to carry over funds encouraging flexibility and efficiency. The provisions promote long-term planning currently impossible in an unpredictable fiscal environment.

Children's Preparedness (Sections 103, 307 and throughout): The bill establishes the National Advisory Committee on Children and Disasters to bring together federal and non-federal partners to provide guidance and recommendations on medical and public health preparedness for children before, during and after a disaster or public health emergency. The bill takes significant steps to consider the particular needs of pediatric populations in Medical Countermeasure (MCM) research and development. The bill also calls for consideration of the needs of children, as an at-risk population, in the Public Health Emergency Medical Countermeasures Enterprise Strategy and Implementation Plan, PHEP, HPP, and Medical Reserve Corps.

Enhancing Situational Awareness and Biosurveillance (Section 204): The bill calls for planning and integration of the current biosurveillance systems to strengthen the nation's bioterrorism and disease outbreak response capabilities. The bill also requires coordination with the National Biodefense Science Board. HHS is required to provide a report to Congress on their implementation plans and progress.

Individuals with Disabilities (Section 101): The bill calls for the consideration of the needs individuals with disabilities in the National Health Security Strategy.

Thank you again for your work to reauthorize this important legislation. We look forward to working with you and your staff to move this bill to the President's desk.

Sincerely,

GEORGES C. BENJAMIN, MD, FACP, FACEP (E),
Executive Director, American Public Health Association.
PAUL E. JARRIS, MD, MBA,
Executive Director, Association of State and Territorial Health Officials.
ROBERT M. PESTRONK, MPH,
Executive Director, National Association of County and City Health Officials.
JEFF LEVI, PH.D.,
Executive Director, Trust For America's Health.

Mr. PALLONE. I now would like to yield 3 minutes to another sponsor of the legislation, the gentleman from Texas (Mr. GREEN).

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in strong support of the Pandemic and All-Hazards Preparedness Reauthorization Act which will reauthorize certain provisions of the Project Bioshield Act of 2004 and the Pandemic and All-Hazards Preparedness Act of 2006.

This legislation was initially passed by Congress to help the U.S. develop medical countermeasures against chemical, biological, radiological, and nuclear terrorism agents, to provide a mechanism for Federal acquisition of these newly developed countermeasures.

Our Nation remains vulnerable to these threats because many of the vaccines and medicines to protect our citizens do not exist. Developing and stockpiling these medical countermeasures require time, resources, and research, all of which will be provided under the legislation before us today. I'm pleased that the language I supported during the committee process aimed at increasing emphasis on regional trauma care centers was included.

This bill is very important to me because the University of Texas Medical Branch's Galveston National Laboratory is near our district. The Galveston National Lab is the only BSL–4 lab located on a university campus. At the lab, scientists conduct research to develop therapies, vaccines, and diagnostic tests for naturally occurring emerging diseases such as SARS and avian influenza, as well as for microbes that might be employed by terrorists.

This is exactly the type of research we hope to encourage under the Pandemic and All-Hazards Preparedness Reauthorization Act.

As an original cosponsor of this bill with Mr. ROGERS, I'm very pleased at how quickly we have moved this rare bipartisan piece of legislation. I would like to thank Chairman ROGERS, Chairman UPTON, Chairman PITTS, Ranking Member WAXMAN, Ranking Member PALLONE, Mrs. Myrick and Ms. ESHOO for their work on this important legislation. The House passed this bill twice last year, and I hope the Senate acts quickly, and we will send it to the President.

I strongly urge my colleagues to vote ''yes'' on this legislation.

Mr. PALLONE. Mr. Speaker, I have no additional colleagues to speak, and I would simply urge Members to join me in supporting passage of H.R. 307 and hope that our Senate colleagues will move forward on the bill's passage so we can get the bill to the President's desk.

I yield back the balance of my time.

Mr. PITTS. Mr. Speaker, I have no other speakers.

I urge my colleagues to support this legislation. It has strong bipartisan support. I yield back the balance of my time.

Mr. WAXMAN. Mr. Speaker, I rise in support of H.R. 307, the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013, and urge my colleagues to support this bill as well.

Mr. Speaker, this bill has been a long time coming. In fact, it's the same one we passed just last month at the end of the 112th Congress. H.R. 307 reflects a lengthy, but extremely productive process with our Senate colleagues and their staff to come together to bridge the differences between earlier House and Senate bills. H.R. 307 is the product of that effort. It is our hope that this time around, the Senate will pass the bill as soon as possible after the House acts on the legislation today.

Toward that end, H.R. 307 reauthorizes and makes minor—but important—improvements to various programs and activities first established in the 2002 Public Health Security and Bioterrorism Preparedness and Response Act; 2004 Project Bioshield Act; and the 2006 Pandemic and All-Hazards Preparedness Act, or as it is commonly referred to, ''PAHPA.'' These programs and activities are key in helping to ensure that our nation is well prepared to successfully manage the effects of natural disasters, infectious disease outbreaks, and acts of bioterrorism.

H.R. 307 includes dozens of changes to these underlying authorities. Let me highlight just three provisions that deserve special attention:

First, the bill will ensure that the Food and Drug Administration focuses on medical countermeasures of the highest importance. Medical countermeasures are products designed to combat chemical, biological, radiological, and nuclear agents. H.R. 307 will facilitate communication between the FDA and product sponsors—particularly on high priority countermeasures for which sponsors have developed regulatory management plans—to resolve scientific and regulatory questions and help make these products available more quickly. Just last month, FDA approved the first drug developed and procured under Project BioShield.

The FDA provisions in H.R. 307 will also facilitate the rapid provision of existing medicines to people in need during an emergency. Taken together, these FDA provisions—along with the renewed emphasis in our countermeasure enterprise through other parts of the legislation—will make it possible for a greater number of drugs and devices to move from early development to procurement.

Second, the legislation makes improvements to the nation's blueprint for public health preparedness and response activities that will enhance the ability of our diverse health care system to respond to mass casualty emergencies. Among such improvements are clarifying the role of the Assistant Secretary of Preparedness and Response as the lead office within the Department of Health and Human Services for emergency preparedness and response. H.R. 307 also establishes a new authority to permit the Secretary of the Department of Health and Human Services to approve a request of a state, territory, or an Indian tribe to redeploy certain federally-supported employees during the time of a national emergency to geographic areas where these employees are needed most.

Finally, H.R. 307 continues support for investments in state and local public health departments. Such investments are necessary to make certain that we have the requisite public health infrastructure in place to respond immediately and appropriately to any public health threat that may arise.

This legislation reflects the effort of a number of members—Democrats and Republicans alike. On our side of the aisle, Congressman GREEN, Congresswoman ESHOO, Congressman MARKEY, and our Health Subcommittee Ranking Member, Congressman PALLONE, have been deeply involved. I want to thank them and their staff for all the long and incredibly hard work they have put into this legislation and to the process of getting us here today.

I urge my colleagues to vote in favor of H.R. 307.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PITTS) that the House suspend the rules and pass the bill, H.R. 307.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. PITTS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 49 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. POE of Texas) at 2 p.m.

RESIGNATION FROM THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following resignation from the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, DC, January 22, 2013.

Hon. JOHN BOEHNER,
Speaker of the House,
Washington, DC.

SPEAKER BOEHNER: I write to inform you that I have notified Missouri Governor Jeremiah Nixon of my resignation from the U.S. House of Representatives, effective 11:59 p.m., January 22, 2013.

Serving the Eighth Congressional District in the U.S. House of Representatives has been the greatest honor of my professional career. I am humbled and grateful for the opportunity to represent Southern Missouri, to bring the ideas of the people to our Capitol, and to be part of our democracy. I have always emphasized the same virtues of the people who sent me here: civility, hard work, integrity and love for our neighbors. I deeply appreciate the way our House of Representatives reflects these important parts of life in our great Nation.

I'm grateful beyond words for the members of my staff, our committees and my fellow colleagues in Congress for their service, guidance and friendship. So many talented individuals work to ensure the House of Representatives reflects the voice and will of the People, and most Americans never see the men and women working long hours to advance policy, to support debate and to conduct meaningful oversight.

Finally, I have to thank the constituents of the Eighth Congressional District. In times of tragedy, they have inspired me with their courage. In times of disaster, they have inspired me with their resilience. In times of uncertainty, they have inspired with me their unwavering optimism. I have been honored to fight by their side. I am very proud of what we have accomplished.

Very sincerely,

JO ANN EMERSON.

HOUSE OF REPRESENTATIVES,
Washington, DC, January 22, 2013.

Hon. JEREMIAH W. NIXON,
Governor of Missouri,
Jefferson City, MO.

GOVERNOR NIXON: I write to inform you that I will resign my seat in the U.S. House of Representatives, effective 11:59 p.m., January 22, 2013.

Serving Missouri's Eighth Congressional District for 17 years has been an incredible honor, a welcome challenge, and a deeply rewarding endeavor. I count myself as incredibly fortunate to have represented Americans who are so passionate about the principles of service and community. Our democracy is in good hands thanks to the talent, dedication and civic pride of the proud Americans working every day to improve our Nation and its prospects.

I commend the citizens of my District to you, and I assure you that my trust in the People remains well-placed with those I have had the honor of representing.

Very sincerely,

JO ANN EMERSON.

HOUR OF MEETING ON TOMORROW

Mr. BROOKS of Alabama. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

PANDEMIC AND ALL-HAZARDS PREPAREDNESS REAUTHORIZATION ACT OF 2013

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 307) to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PITTS) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 395, nays 29, not voting 8, as follows:

[Roll No. 24]

YEAS—395

Alexander	Brownley (CA)	Collins (NY)
Amodei	Bucshon	Conaway
Andrews	Burgess	Connolly
Bachmann	Bustos	Conyers
Bachus	Butterfield	Cook
Barber	Calvert	Cooper
Barletta	Camp	Costa
Barr	Cantor	Courtney
Barrow	Capito	Cramer
Barton	Capps	Crawford
Bass	Capuano	Crenshaw
Beatty	Cárdenas	Crowley
Becerra	Carney	Cuellar
Benishek	Carson (IN)	Culberson
Bentivolio	Cartwright	Cummings
Bera	Cassidy	Daines
Bilirakis	Castor (FL)	Davis (CA)
Bishop (GA)	Castro (TX)	Davis, Danny
Bishop (NY)	Chabot	Davis, Rodney
Bishop (UT)	Chaffetz	DeFazio
Black	Chu	DeGette
Blackburn	Cicilline	Delaney
Blumenauer	Clarke	DeLauro
Bonamici	Clay	DelBene
Bonner	Cleaver	Denham
Boustany	Clyburn	Dent
Brady (PA)	Coble	DeSantis
Brady (TX)	Coffman	DesJarlais
Braley (IA)	Cohen	Deutch
Brooks (IN)	Cole	Diaz-Balart
Brown (FL)	Collins (GA)	Dingell

Doggett
Doyle
Duckworth
Duffy
Edwards
Ellison
Ellmers
Emerson
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holding
Holt
Horsford
Hoyer
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Joyce
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (MI)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stewart
Stivers
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Waters
Watt
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Yarmuth
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NAYS—29

Amash
Bridenstine
Brooks (AL)
Broun (GA)
Campbell
Cotton
Duncan (SC)
Duncan (TN)
Foxx
Graves (GA)
Harris
Hudson
Jones
Jordan
Kingston
Labrador
LaMalfa
Marchant
Massie
Miller (FL)
Mullin
Pittenger
Radel
Rokita
Sensenbrenner
Southerland
Stockman
Stutzman
Woodall

NOT VOTING—8

Aderholt
Buchanan
Carter
Gabbard
Honda
Kelly
Lewis
Wasserman Schultz

□ 1427

Messrs. GRAVES of Georgia, BRIDENSTINE, MARCHANT, ROKITA, KINGSTON, SOUTHERLAND and SENSENBRENNER changed their vote from ''yea'' to ''nay.''

Messrs. KIND, PETERSON, RANGEL and WESTMORELAND changed their vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO ADJOURN

Mr. DUFFY. Mr. Speaker, I move that the House do now adjourn.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. DUFFY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to adjourn will be followed by a 5-minute vote on approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 0, nays 416, answered ''present'' 1, not voting 15, as follows:

[Roll No. 25]

NAYS—416

Alexander
Amash
Amodei
Andrews
Bachmann
Bachus
Barber
Barletta
Barr
Barrow
Barton
Bass
Beatty
Benishek
Bentivolio
Bera
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Calvert
Camp
Campbell
Cantor
Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clarke
Clay
Cleaver
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holding
Holt
Horsford
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Markey
Massie
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moore
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)

Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Waters
Watt
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

ANSWERED ''PRESENT''—1

Cohen

NOT VOTING—15

Aderholt
Becerra
Carter
Clyburn
Crowley
DeLauro
Gabbard
Honda
Hoyer
Israel
Kelly
Pelosi
Scott (VA)
Van Hollen
Wasserman Schultz

□ 1445

Mr. CUMMINGS changed his vote from ''yea'' to ''nay.''

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. ADERHOLT. Mr. Speaker, on rollcall No. 24, H.R. 307—Pandemic and All-Hazards Preparedness Reauthorization, had I been present, I would have voted "yea."

On rollcall No. 25, Motion to adjourn, had I been present, I would had voted "nay."

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

NO BUDGET, NO PAY

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise to address the largest threat that confronts every man, woman, child, and us collectively as a Nation: $16 trillion in national debt. This massive debt that is carried by the Nation grows larger each and every day.

Americans should be united that the overspending and reckless financial unpaid loans has created a legacy of debt for all current and future generations of Americans. Americans are united that it is right to help those most needy and vulnerable.

Sadly, the debt prevents this Nation from fully meeting those needs. The annual interest alone is crowding out our ability to fund services for those most in need. National debt annual interest is a part of mandatory spending that consumes 60 percent of our yearly expenses. This crowds out important services and creates economic harm that costs Americans jobs.

It is time to work together to end the debt and provide a secure future for all Americans. I urge my colleagues to support H.R. 325 that requires the Senate to pass a budget and allows no pay for Congress without a budget.

CENTRAL NEW YORKERS WANT FAIR SHOT AT AMERICAN DREAM

(Mr. MAFFEI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MAFFEI. Mr. Speaker, just in these last weeks I have already begun to meet with local business owners in my district at the places where they work. I have spoken with constituents at their doorsteps, and I have had conversations at events throughout our community. The one message central New Yorkers have made clear to me is that we need to grow our middle class, fix our economy, and create more good-paying jobs for the working families of this country. Central New Yorkers want a fair shot at the American Dream.

Now, we need to balance the budget, but we need to do it in the right way, not on the backs of our middle class and seniors. Medicare and Social Security must be protected, but we can do this without sacrificing vital investments in future generations.

Our local businesses want to expand and hire new workers, but they need the young people with the abilities and demeanor to succeed. That's what I have heard going around central New York. We need to keep central New York part of the broad shoulders of the middle class on which this country's future rests.

To this House I say: I am committed to do everything I can to ensure that every central New Yorker gets a fair shot at the American Dream.

PASS A BUDGET

(Mr. HARRIS asked and was given permission to address the House for 1 minute.)

Mr. HARRIS. Mr. Speaker, the gentleman from Pennsylvania who spoke just a few minutes ago put his finger right on the problem. We have a $16.4 trillion debt—$50,000 for every man, woman, and child in this country; $50,000 for every baby born today. Before that baby draws his or her first breath, it's greeted with a $50,000 bill, their part of the U.S. debt. Mr. Speaker, that's reckless.

But there's something even more reckless. The only way to solve these problems is with a budget—every house knows it, every business knows it, almost every government knows it, but not the U.S. Senate, which hasn't passed a budget for 4 years.

Tomorrow, the House will take up H.R. 325. This bill will force the U.S. Senate to finally pass a budget in order to increase our debt ceiling.

The time is now. The Senate has to act.

□ 1500

FINAL FLIGHT OF SPACE SHUTTLE ''CHALLENGER'

(Mr. OLSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSON. Mr. Speaker, on January 28, 1986, the Space Shuttle *Challenger* broke apart 73 seconds after launch. The whole world cried watching *Challenger* tumble back to Earth knowing that seven brave Americans had lost their lives. Commander Dick Scobee, pilot Michael Smith, mission specialist Judy Resnick, specialist Ron McNair, mission specialist Ellison Onizuka, payload specialist Greg Jarvis, and America's first and only teacher into space, Christa McAuliffe, all perished pursuing our dreams.

The night of the disaster, President Reagan put all of our thoughts, our pain, and our prayers into words. He said:

> We will never forget them, nor the last time we saw them, this morning, as they prepared for their journey and waved goodbye and ''slipped the surly bonds of Earth'' to ''touch the face of God.''

PRESIDENT OBAMA'S INAUGURAL SPEECH

The SPEAKER pro tempore (Mr. COLLINS of New York). Under the Speaker's announced policy of January 3, 2013, the gentleman from Minnesota (Mr. ELLISON) is recognized for 60 minutes as the designee of the minority leader.

Mr. ELLISON. Mr. Speaker, thank you for allotting the time. I appreciate it very much.

My name is KEITH ELLISON. I'm here today to reflect on what I believe was a historic speech for the ages yesterday. President Obama met the historic challenge, met the historic moment; and I just want to talk about my feelings about how important that speech really, really was. President Obama, you should understand, was called upon to make his second inaugural address. And inaugural addresses, historically, are speeches that people don't always remember, but there are some that we will never forget because of how important they are.

His first speech 4 years ago was a speech during which, over the course of 18 minutes, he talked about trying to reach out diplomatically. He talked about the importance of trying to come together to solve common problems. And I think the basic attitude of the first speech was conciliation in an effort to try to work out problems both foreign and domestic.

In this speech, however, President Obama set forth what I believe was a clear, concise agenda based on values that he owns. I was so proud to hear President Obama talk about the need

to address climate change. He reminded us that you can believe in climate change or you can disbelieve in climate change, but the fact is our storms are harder, the drier weather we are seeing is causing forest fires, and we are seeing climatic catastrophes associated with climate change. We're seeing the consequences of it. So if we ignore the cause, we cannot ignore the consequence. I was so proud to hear him say that.

He also spoke out boldly for equality, human rights and civil rights for all Americans. I remember that he said, and you may recall, too, Mr. Speaker, he said, we will never forget Stonewall, Seneca Falls, and Selma. These are three iconic moments in civil rights history when he talked about the women's rights movement, the gay rights movement, and the African American movement for civil rights; but they all added up to one thing, which is that an American is an American is an American. It doesn't matter what your color is, what your sex is, or who you love and want to be with. What matters is that you are an American and entitled to the full protection of the law in these United States.

I think it was very important for him to do so. It represented an evolutionary moment in American history that a President being inaugurated into his second term would stand up for the first time and say ''civil and human rights for all people.'' I thought it was a great moment, and I found myself cheering even though I hadn't planned on doing so.

But he didn't stop there. He specifically said we need to stand here and protect Social Security, Medicare, and Medicaid, three critical programs this Nation depends on, three critical programs that seniors depend upon. But not only do seniors depend on them. Also we know that seniors and people live on survivors benefits. When their loved one who gets Social Security dies, children are entitled to get survivors benefits. And these survivors benefits are literally putting food on the tables for millions of families all across this country.

But not only that. People with disabilities get Medicare and Social Security. And he stood up for these programs, reminding us that this richest country in the history of the world—the richest country in the history of the world—does not need to throw its poor, its vulnerable, and its aged under the bus. We are not too broke to make sure that our senior citizens, our children who are on survivors benefits, and people who are vulnerable economically, we're not too poor to make sure that there's something for them and that they have a livelihood and a way to make it forward.

Imagine the richest country in the history of the world saying, I'm sorry, Grandma, but we got to cut your benefits because we can't make it. The reality is that when he gave that speech and he specifically identified those three programs as central to the American Dream, the American promise, I was proud. And I said, that's right. And I tell you, I was so happy to hear him say that.

But he didn't even stop there. He talked about the need for immigration reform and the fact that for so many people around the world, America is still the land of opportunity and that we cannot sit by as 12 million people live in our country in the shadows with no pathway toward citizenship. The President specifically called on us to do something about it.

Now, the President knows that guns are a volatile issue. He didn't smack the issue of gun violence prevention right on the head, but he did mention the victims of Sandy Hook; and he did tell us that children have a right to be safe at school, thereby signaling that, you know, yeah, we are going to do some things about the proliferation of guns, high-capacity clips, and background checks, things that make sense, not taking away the right to own a gun, but to do commonsense gun violence prevention measures that I think will make everybody safer. In fact, if you're looking at the news right now, you know that there was another shooting today in Texas—today—today.

So the bottom line is that the President laid out a vision, an inclusive vision, for America. The President got up in front of the world stage, all the Members of Congress, Ambassadors, Senators, the Supreme Court, and everybody assembled and said, This is the direction that we're going in. We're going to say Americans, whatever their background, are included within the promise of America. We're going to address income inequality. We're going to protect the social safety net.

Now, some pundits—you can always count on the punditry to throw salt around—they said, well, it didn't reach out to the Republicans. Well, I think that Republicans are on Social Security, Medicare, and Medicaid; and they probably, or at least their parents, appreciate protection of that program. Republicans live on this planet in which we see the temperature rising and the consequences of global climate change hurting more and more people. Some Republicans are black, some Republicans are Latino, and some Republicans are gay. And when they heard that they are included in Obama's vision of America, they must have felt good about that.

So I don't agree that this speech didn't reach out to the full range of the political spectrum, left and right. I think that if you're in the category that he mentioned, that no matter what your political ideology may be, that you would feel that, yes, this includes me.

Now, I think the President's speech was also great because it was courageous. No President has ever mentioned before the gay community in the United States; and most people like myself and most people are what we call straight or heterosexual.

□ 1510

But all of us know that there is prejudice against the gay community. There's no denying this. There's no sense in denying it. We all know that these folks are our neighbors, they're our coworkers, they're our friends, and we know that they have suffered because of prejudice against them. For a President to stand up and say this isn't right and that everybody is included in the American Dream, I thought was a great moment. It was a first. It was historic. I think that President Obama seized the historical mantle and said, I'm not going to sit up here and use a bunch of flowery, vague language. I'm going to get up here and talk about what I really believe in. I was so proud of Obama yesterday. I admired how he handled himself and what he said.

I think over the past 4 years, President Obama has, in my opinion, bent over backwards to reach out to the Republican Conference. He has really accommodated them in a whole number of ways, and yet their conference—and the record is clear—has come forward and said that their goal over the course of the last 4 years was to make him a one-term President. Well, they failed. He's a two-term President. So the question is: Are we now going to come together? Is the caucus of ''no'' now going to say there are some things we're willing to work with? I hope so.

Let me tell you. My dad was a Republican for many years. Of course, I love my dad and loved him when he was a Republican. He was what I would call a ''sensible Republican.'' He believed in watching the money. He believed in getting the most out of every dollar. He believed that the government had a limited role and shouldn't get in everyone's business. Today, we have folks who are not in the realm of even negotiation. They're willing to shut the government down, allow our country to go over the fiscal cliff and default on America's debt just to get their way. That's an extremist position. This is an extremist ideology. It's not a reasonable thing to say.

Now, some of them will come up here and talk about how big the debt and the deficit is. Wait a minute. When we say that we want to cut oil subsidies to Big Oil companies, they don't want to do that. When we want to raise some taxes on the wealthy so we can use that money to lower the deficit, they don't want to do that. I doubt anyone who says they're outraged by the debt and the deficit, and we give credible solutions on how to lower it and they say ''no''—I begin to doubt that that's really what they're concerned about.

The speech yesterday that the President gave, I believe, is a good starting point. The President is not negotiating with himself. He's declaring his position. The other side in the political divide can declare their position, and then we can come together and negotiate. I'm a huge supporter of the

President, but I kind of believe that what he used to do, he used to state his values, then he used to anticipate what the other side would want, then he used to try to come together, bring both sides together, and then he would go to the table and negotiate. So we would end up not with a liberal position, but with sort of a centrist position, and we would start out right there, and then anywhere we would go from there would be further to the right. So if we're lucky, we end up with a center-right position.

Now I think we start with, as we are proud to be the progressive liberals that we are, we start out with what we believe in, then they say what they believe in, and then we negotiate, and maybe we'll end up in the middle. But I don't want to end up in the center right anymore. I want to end up with some reasonable compromise that protects Social Security, Medicare, and Medicaid; that protects civil rights for all Americans; that addresses this massive income inequality; that addresses climate change; that moves us toward a green economy; that allows people who are immigrants to have a pathway into the respectability of life in American society. The President did not disappoint last night. I believe in those things. Clearly he does, too. And I was so proud to see the President stand and deliver for these important values.

Over the next several weeks, Mr. Speaker, we're going to be in a huge debate. We just finished the whole debate on the so-called fiscal cliff. It really wasn't a fiscal cliff. That was just the name the press loved to call it, but the reality is it was a set of budgetary deadlines and tax deadlines. We were able to come up with a deal, but the worst part of the deal is what wasn't in it. That's why I voted for it. I wasn't thrilled with the deal, but the thing I didn't like about it was the stuff mostly that was not included. Because even though I was happy to extend unemployment for a year, that was good. Even though I was happy to raise taxes on the richest Americans, because I believe it's their patriotic duty to help their country out, that was good too. I believe those were good things.

I thought the fact that we did not deal with the debt ceiling, the sequester, and the continuing resolution really just put us in a position where a few months later our Republican friends would say: You're going to cut vital programs for Americans who need them, or we're going to shut down the government. You're going to cut Head Start, you're going to cut food stamps, you're going to cut Social Security, Medicare, and Medicaid, or we're going to default on America's debt. This is the hardcore bargaining position they've been trying to ram down our throat.

I'll never forget Speaker BOEHNER, who said, ''Look, if they don't take these cuts in one loaf, we'll feed it to them a slice at a time.'' That's a quote.

And so I was concerned that this deal we just did, this so-called fiscal cliff deal, the New Year's Eve deal, even though there were things in it that I thought were good, I was concerned, Mr. Speaker, because of what wasn't in it. I believe the American people and our markets, our business people, deserve to have this budgetary issue resolved in a way so they can actually plan.

My Republican friends correctly point out that there is uncertainty when Congress doesn't solve problems, but they're the ones causing the uncertainty. In fact, they are guilty of creating the problem that they criticize the most. They say that we shouldn't kick the can down the road. They say we should have some finality. But they're the ones who are not agreeing to some finality. They say that we need to make sure that we get some real job creation, but they're the ones cutting into the public sector, causing us layoffs from the Federal Government, and therefore State governments. And of course, people who have government jobs spend money too, which leads people who they do business with to have jobs. If you work for the EPA and you go to a local grocery store, you spend money there, which allows the cashiers and the stock people to have jobs.

Everything they say they don't want it seems like that's what they're for. They don't want job cuts, they don't want job losses, but they create them. They don't want uncertainty, but they create it. They want finality, but they avoid it. It doesn't make any sense. They say they want to reduce the deficit, but they enlarge it. So my point is: What's really going on here?

I think President Obama has just kind of had enough and has said rather than trying to figure out how to do a deal with these folks who keep moving the goalpost, I'm just going to say what I'm about, I'm going to declare what my values are, and they can come to the table and represent their own point of view, and we'll find a way, hopefully, to get to a point where we can agree and go forward. Even if we hate the deal, even if we don't like it, at least maybe we can move forward so Americans can at least be able to plan for their future.

Mr. Speaker, I think that Presidential inauguration speeches are important. They do lay out an important path. I was reviewing, Mr. Speaker, the inaugural speeches of President Abraham Lincoln. I'm a huge fan of Abraham Lincoln. I wouldn't call myself an expert or scholar of Lincoln, but I'm sort of an amateur reader of everything about Lincoln.

In Lincoln's first speech, he was conciliatory. You will recall, Mr. Speaker, Abraham Lincoln, when he was elected, as soon as he was elected, Southern States began to secede even before he was inaugurated. South Carolina, Mississippi, the other States, they started seceding each before he was inaugurated. As soon as he was elected, some of them said, We are out of here.

So when he came to his inaugural speech, the first one, he was trying to keep the Southern States in and trying to keep the border States from leaving. So he said some things that were so conciliatory, that even the abolitionists of the time thought that he wasn't what they were hoping for. He wasn't really against slavery. He said he was, but they thought that he didn't prove it. They thought he was halting, they thought he was too cautious, and they criticized him for this.

But after the Civil War broke out and so much blood was spilled and so much harm was done to our Nation—620,000 people died in the Civil War—President Lincoln came back 4 years later. On that speech, his second inaugural speech, it was a bold defense of the union cause and an argument that slavery must go.

□ 1520

He didn't pull any punches on the second one. Now, he was not bodacious, and he was not offensive—he was trying to be as conciliatory as he could be—but he made very clear that America was going to be, one, whole and not divided and, two, that it would be slave free. He didn't water it down, as some pundits think that Obama should water his position down. The second time around, after we went through all the big fights, President Lincoln stood firm and spoke firmly and clearly but also in a conciliatory way about what he believed in. I don't know. Maybe there were some people back in 1865 who might have said, Well, Lincoln ought to be a little more sympathetic to the South, and he ought to try to work with them more.

Look, I'm not trying to compare this budgetary fight to the horror of slavery. There is no comparison, not at all. I'm not trying to say that our Republican colleagues are in any way sympathetic to slavery. They're not. That's not true. I'm simply trying to make the point that when you start out trying to work with somebody and you can't get anywhere, and when you go through all the travails and difficulties of trying to get somewhere and you can't, then at the end of the fight, if you win, you're probably going to say, Look, I tried to work with you and you wouldn't work with me. I ended up coming out on top on this thing, so now I'm going to bargain for my position.

This is not to say the President is not going to negotiate. This is not to say the Democrats aren't going to negotiate. We are going to negotiate. We believe that the democratic process requires an eye toward compromise, but I also believe that we went to our constituents in 435 districts around this country and that we told them what we believed in and we told them what we stood for, so they deserve for us to at least articulate that position. If we have to make a compromise on some

things for the sake of the Union, for the sake of the Nation, we should do that, but we should never act like we don't believe in what we do, in fact, believe in, which is Social Security, Medicare, Medicaid; which is confronting income inequality; which is equality for all Americans regardless of race, color, sexual preference; and all that kind of stuff. We should say what we believe in. We should say that we believe that a woman should earn every penny that a man makes. We should say these things. We should not be afraid to be who we are and articulate our vision of the world. Then when we go to the negotiating table, there might be some things we have to give up, and there might be some things we get, but we should never make any mistake about what we're all about.

So I'm really proud of the President tonight. I feel the President did a fine job for America yesterday, and I wish the President well. I do know that the President, in being a man of reason, will listen to Republican arguments as to what they would like to see happen, but I also believe, based on what he said yesterday, that he is going to fight for what he believes in, too. He warned us against dogmatism, and he also said Look, don't confuse absolutism with principle. So that's sort of a warning to our side a little bit in his saying, look, I am going to have to negotiate some things. But when he sits around that table, we know where he's starting from, and that makes me feel good.

I wish all the best for this Presidency and this Congress because I think that, if the Republicans are successful and if the Democrats are successful and if the President is successful, then America will be successful. So I'm here to say that I hope we do negotiate, but there are some things that, quite frankly, I'm not willing to cave in on—Social Security, Medicaid, Medicare beneficiary cuts. They're asking for cuts from the people who have already been cut.

Do you know, Mr. Speaker, that 20 percent of widowed women on Social Security have nothing but Social Security to live on, and yet we want to reduce their benefits? Do you know that a full third of widowed women on Social Security depend upon Social Security to the degree of 90 percent of their incomes? We're talking about people who are making somewhere between $17,000 and $24,000 a year to begin with. You cannot go to people who already have so little and say give me back even more.

This is at a time, because of our housing foreclosure crisis, when rents in nearly every city have gone up, and this is at a time when we have limited vitally important programs that help ease the pain of poverty for Americans. So there are some things that we are going to protect in this and that we are going to call upon the masses of Americans to protect.

Let me just say, Mr. Speaker, that today I don't have the ability to be here for the whole hour—duty calls—but I did want to offer a few reflections on the speech that was given. I also want to say a few other things as it relates to the next period coming up.

In the next few weeks, we're going to face a debt ceiling increase. In fact, we have a debt ceiling vote tomorrow. We're not voting to raise the debt ceiling; we're voting to suspend it. I think this is bad policy because markets, businesspeople, and everybody else need to know that the Congress is going to stand by the credit rating and the debts of the American people. We're not going to default, and we shouldn't threaten that we are. It's bad. It's not a good thing to do. It's important for the American people to know that, when we talk about raising the debt ceiling, Congress is not approving new spending. We're not borrowing. We're saying that we're going to pay the bills on debts we already acquired.

It's kind of like this: If you have a family and if somehow you're already obligated to pay a mortgage, if you don't have the money for your mortgage, you may have to go to your cousin or your brother or your uncle and say, I need you to help me until next week so I can pay the mortgage. So you now have borrowed money to pay an obligation that you already owe, an obligation that, if you don't pay, you will default on. You can also have a situation in which somebody doesn't have enough money but goes into a local electronics store and says, I'm going to buy that big screen television right there on my credit card.

Those are two different scenarios—borrowing to meet obligations you've already acquired and borrowing to buy stuff you really cannot afford. Raising the debt ceiling is the first one, Mr. Speaker. It's borrowing to meet obligations we already have. It's not borrowing for new expenditures. So, when we appropriate money and when we have had appropriated expenditures in the past, we might raise the debt ceiling to meet those obligations, which we should do, because to do otherwise is to say that America is going to default on its debts, which we cannot do, not just for our own sakes, but this would cause international harm to the world economy.

People are confused about this whole debt ceiling debate, and I don't believe that it's right for Republicans to just suspend the debt ceiling and then to put a bunch of stuff in there about the Senate and all that kind of stuff, some provisions that are blatantly unconstitutional, too, by the way. So I'm disappointed in this thing that's coming up, but people need to know that this debt ceiling vote is coming up.

They should also know that the sequester is coming up. With the New Year's Eve deal, we delayed the sequester 2 months. These are massive cuts to the tune of, I think, around $89 billion that are going to be put on the Pentagon and domestic spending. They're dumb cuts. We're not looking at specific programs and evaluating their worth and eliminating some and keeping others. We're just, like, ''chop.'' This is no way to budget for a Nation, and I hope we can delay the sequester, but it's coming up soon. Republicans have vowed that they want even more cuts, maybe even in addition to the sequester, to negotiate. I think we should remind everybody that we've already had $1.7 trillion in cuts and that we just did $600 billion in new revenue. That's about $2.3 trillion. How much more cutting do we need to do, particularly when we're talking about vital programs for Americans?

So, Mr. Speaker, if we're going to make cuts, we should cut things that we really don't need. For example, Medicare part D, which passed in 2003, prohibits Medicare from negotiating drug prices with the pharmaceutical companies. Now, the Veterans Administration does negotiate for drug prices all the time, but Medicare is prohibited from doing so. Basically, if the pharmaceutical company says this drug costs this, the government has to pay, and we can't use our large buying power to lower a price.

□ 1530

We should change that. We should introduce competitive bidding. That would save us a quite a bit of money, Mr. Speaker. That's a way we could save money.

Here's another thing we should do. We should eliminate oil subsidies, coal subsidies, and natural gas subsidies. The fossil fuel industry, a highly profitable industry, making a lot of money, a profitable industry, there's no reason in a free market economy we should be subsidizing a profitable company. It doesn't make sense. Even if you are a free market person, you have a hard case to make that we should be handing Exxon, Chevron, and Mobil money. We shouldn't do it. We should end it, and any real conservative would agree with me on that. Now, if somebody is just trying to get money to friends, that's another story. But if you're really about reducing the deficit, that's one way to do it.

You know, there are a number of things we could cut. There's a lot of Cold War weapons systems that could be eliminated. Our nuclear arsenal could be reduced without threatening our national security, and we could save money in doing it.

There are ways to reduce the budget. There are ways to do it, and we probably should. But let's do it in a way where we keep Social Security, Medicare, Medicaid, food stamps, aid for college students, money for investing in medical research, and groundbreaking research to give life to brand-new industries. You know, a lot of people don't know, Mr. Speaker, this thing we call the Internet was started with a government program—something called DARPA. A government grant helped fund the Internet. Yes, it

did. I don't know about Al Gore, but I do know that the government, a government grant, put the money into the form that we now know as the Internet. The government did that.

The government funded the project for mapping the human genome. The government. The government's not always bad.

So we should keep some programs. We should lower others, but we've got to think about this thing in a different way than we are.

All I want to say, Mr. Speaker, as I begin to wrap up is that it is an honor and a privilege to be able to serve in this, the greatest deliberative body in the world. And even though we have big fights with our Republican colleagues, it's an honor to serve with them, too. We're both here, sent here by the 435 districts that we represent to argue our positions and try to come to some kind of solution. I believe that we can have solutions if everyone has an eye toward compromise, but that depends upon everybody starting out carrying out the vision of the district they represent.

My district wants me to stand up for Social Security, Medicare, and Medicaid, stand up for civil and equal rights for everybody, including gay people. My district wants me to find a pathway to citizenship for immigrants who are here. My district wants me to do something about climate change and move our economy toward a green economy. Now, I'm going to start there, and then we can negotiate with our colleagues on where we end up, but I'm proud that the President stood up for our values. I think his speech was groundbreaking, historic, and gave real energy to people who share his value system.

With that, Mr. Speaker, I have to curtail my hour, and I yield back the balance of my time.

FORTY YEARS OF VICTIMS' LEGACY OF ABORTION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from New Jersey (Mr. SMITH) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SMITH of New Jersey. Mr. Speaker, 40 years ago today marks the U.S. Supreme Court's infamous, reckless, and inhumane abandonment of women and babies to abortionists. Forty years of victims, dead babies, wounded women, shattered families. Forty years of government-sanctioned violence against women and children. Since 1973, more than 55 million children have been killed by abortion, a staggering loss of children's precious lives, a death toll that equates to the entire population of England.

The passage of time hasn't changed the fact that abortion is a serious, lethal violation of fundamental human rights; and that women and children deserve better, much better; and that the demands of justice, generosity, and compassion require that the right to life be guaranteed to everyone, regardless of age, sex, race, condition of dependency, disability, or stage of development.

Rather than obscure or dull our consciousness to the unmitigated violence of abortion, the passage of time has only enabled us to see and better understand the innate cruelty of abortion and its horrific legacy—victims—while making us more determined than ever to protect the weakest and most vulnerable and end the mass deception by the abortion industry.

Earlier today, Linda Shrewsbury, an academic and an African American with a degree from Harvard, who had an abortion, told a 40 Years Of Victims press conference:

> The lies that brought me to that day and its sorrowful aftermath are crystal clear in my mind: falsehoods and deceptions that concealed the truth about abortion. Lies planted in my thinking by clever marketing, media campaigns, and endless repetition led to a tragic, irreversible decision—the death of my first child.

She goes on to say:

> It's past time to lance the national wound of abortion with truth. The high culture—thought leaders, media, celebrities—that brought us abortion seem vested beyond extraction.

She said she ''dreamed of the volcano of abortion truth that could erupt one day from the grass-roots—women and men and their relatives witnessing to their suppressed emotion, unspoken trauma, and lived pain. With abortion denial ended, we as a society could then reconnect with reality and life.''

Clearly, Mr. Speaker, there are seemingly ominous present-day signs that hinder ending abortion denial and a reconnection with reality and life. Certainly the re-election of the abortion President Barack Obama, public funding for abortion in the ObamaCare health exchanges that come online in 2014, a massive increase of public funding for abortion, the use of coercion to compel religious believers and entrepreneurs to violate their consciences, slick advertising, and the export of abortion worldwide.

And it is deeply troubling that despite the fact that Planned Parenthood claims direct responsibility for killing over 6 million unborn babies in their clinics, including a record 333,964 abortions in 2011 alone, Planned Parenthood remains President Obama's favorite organization.

Despite these and many obstacles, however, we will never quit. In adversity, our faith and trust in God is tested, but it also deepens and overcomes and forges an indomitable, yet humble, spirit.

The pro-life movement—and I've been in it for 41 years—is comprised of some of the noblest, caring, smart, and selfless people I have ever met. They make up an extraordinarily powerful, nonviolent, faith-filled human rights struggle that is growing in public support, intensity, commitment, and hope.

The compassionate women and men who staff thousands of pregnancy care centers, many of the women being post-abortive themselves who try to save women from that irreversible decision, help women who are experiencing unexpected pregnancies, and they provide tangible assistance and an enormous amount of love and emotional support both before and after the birth of a child.

The pro-life movement is not only on the side of compassion, justice, and inclusion. We are on the right side of responsible science and of history.

Someday future generations will look back on America and wonder how and why such a seemingly enlightened society, so blessed and endowed with education, advanced science, information, wealth, and opportunity, could have failed to protect the innocent and the inconvenient. They will wonder how and why a Nobel Peace Prize-winning President could also simultaneously have been the abortion President.

Dr. Alveda King, niece of the late Dr. Martin King, who had two abortions but is now solidly pro-life, said in one of her speeches:

> My Uncle Martin had a dream. He dreamt that we would live out that which is self-evident, that all men are created equal. He called on America to admit our wrongs and turn from them. Today, I call on all of us, regardless of nationality, race, or religion, to admit our wrongs and turn from them. I believe that the denial of the right to life is the greatest injustice we face in the world today. There is no compassion in killing. There is no justice in writing people out of the human race.

□ 1540

History, Mr. Speaker, will not look favorably on today's abortion culture. We must, indeed and instead, work tirelessly to replace it with a culture of life.

Mr. Speaker, forty years ago today marks the U.S. Supreme Court's infamous, reckless and inhumane abandonment of women and babies to abortionists.

Forty years of victims—dead babies, wounded women, shattered families.

Forty years of government sanctioned violence against women and children.

Since 1973, more than 55 million children have been killed by abortion—a staggering loss of children's precious lives—a death toll that equates to the entire population of England.

The passage of time hasn't changed the fact that abortion is a serious, lethal violation of fundamental human rights. And that women and children deserve better—much better. And that the demands of justice, generosity and

compassion require that the right to life be guaranteed to everyone, regardless of age, sex, race, condition of dependency, disability, or stage of development.

Rather than obscure or dull our consciences to the unmitigated violence of abortion, the passage of time has only enabled us to see and better understand the innate cruelty of abortion—and its horrific legacy victims—while making us more determined than ever to protect the weakest and most vulnerable, and end mass deception by the abortion industry.

Earlier today, Linda Shrewsbury, an academic and African American with a degree from Harvard who had an abortion told a ''40 Years of Victims'' press conference that: ''the lies that brought me to that day and its sorrowful aftermath are crystal clear in my mind—falsehoods and deceptions that concealed the truth about abortion. Lies planted in my thinking by clever marketing, media campaigns and endless repetition led to a tragic irreversible decision—the death of my first child.

I didn't really understand back then. At age 20, I had no inkling of the mental and emotional darkness I was about to enter. I couldn't have grasped the immense psychological toll abortion would take for years into the future—unrelenting tears, guilt, shame, and depression. After spending many years in denial, I did eventually find healing. When I understood and rejected distortions about fetal development, doublespeak about choice, rights, planned and wanted children; I understood the reality and victimhood of my aborted child. I understood the absence of moral bases for choosing to ''dis-entitle'' an innocent human being of life. When I embraced truth, truth set me free and I finally gained inner peace.

It's past time to lance the national wound of abortion with truth. The high culture—thought leaders, media, celebrities—that brought us abortion seem vested beyond extraction. I dreamed of the volcano of abortion truth that could erupt one day from the grassroots—women and men and their relatives witnessing to their suppressed emotion, unspoken trauma, and lived pain. With abortion denial ended, we as a society could then reconnect with reality and life.''

Clearly there are seemingly ominous present-day signs that hinder ending abortion denial and a reconnection with reality and life—the reelection of the abortion President Barack Obama, public funding for abortion in the Obamacare health exchanges that come on-line in 2014, the use of coercion to compel religious believers and entrepreneurs to violate their conscience, and the export of abortion worldwide.

And, it is deeply troubling that despite the fact that Planned Parenthood claims direct responsibility for killing over 6 million unborn babies, including a record 333,964 abortions in 2011 alone, Planned Parenthood remains President Obama's favorite organization.

Despite these and any obstacles, we will never quit. In adversity our faith and trust in God is tested, but it also deepens and overcomes and forges an indomitable yet humble spirit.

The pro-life movement is comprised of some of the noblest, caring, smart and selfless people I have ever met. They make up an extraordinarily powerful, non-violent, faith-filled human rights struggle that is growing in public support, intensity, commitment and hope.

The compassionate women and men who staff thousands of pregnancy care centers throughout America provide women who are experiencing unexpected pregnancies tangible assistance, love and emotional support both before and after the birth of her child.

With malice towards none, even President Obama for whom we must pray, we believe that the nightmare that is abortion on demand will end.

The pro-life movement is not only on the side of compassion, justice, and inclusion; we are on the right side of responsible science and of history.

Someday future generations will look back on America and wonder how and why such a seemingly enlightened society, so blessed and endowed with education, advanced science, information, wealth and opportunity could have failed to protect the innocent and inconvenient. They will wonder how and why a Nobel Peace Prize winning President could also simultaneously have been the Abortion President.

Dr. Alveda King, niece of the late Dr. Martin Luther King, had two abortions but is now pro-life. She said in one speech: ''My Uncle Martin had a dream. He dreamt that we would live out that which is self-evident—that all men are created equal. He called on America to admit our wrongs and turn from them. Today, I call on all of us, regardless of nationality, race or religion, to admit our wrongs and turn from them. I believe that the denial of the right to life is the greatest injustice we face in the world today. There is no compassion in killing. There is no justice in writing people out of the human race.''

History will not look favorably on today's abortion culture. We must instead work tirelessly to replace it with a culture of life.

Pro-lifers celebrate the sanctity of life. Unborn babies are not disposable commodities. We recognize that unborn children, like their older brothers and sisters, have inherent worth, value, and dignity. They are children too. If left alone to grow and mature, they too will become older brothers and sisters—and perhaps parents themselves someday.

Modern medicine and scientific breakthrough—especially the widespread use of ultrasound—have shattered the pernicious myth that unborn children are mere blobs of tissue. It's time to recognize birth merely as a celebratory event in the life of a person—not the beginning of life. And we've got to step up our efforts to educate and persuade. Far too many politicians, judges, journalists and others choose denial and deceptive speech over truth.

Today doctors diagnose illness and disability before birth. New and exciting breakthrough health care interventions for the unborn—including microsurgeries—are leading to an ever expanding array of successful treatments and cures of sick or disabled unborn babies in need of help. Unborn children are society's littlest patients who like any one of us might need health care.

In stark contrast, abortion methods rip, tear and dismember or chemically poison the fragile bodies of babies and abortion pills cause premature expulsion from the womb and death. There is nothing benign, compassionate, or just about an act that utterly destroys the life of a child and often physically, psychologically, and emotionally harms women. And despite the near total absence of any meaningful reporting by the media, women get hurt and some even die from legal abortions.

According to the most recent Centers for Disease Control (CDC) report, from 1973 to 2008 at least 403 women tragically died in the United States from legal abortion. And that sad fact is almost certainly a significant undercount because the methodology employed by CDC is passive and voluntary and likely to miss instances of both mortality and morbidity.

In the years since CDC's ''most recent report,'' many more women have surely died. Like Tonya Reaves, a 24-year-old woman who died last July from a botched second trimester dismemberment abortion—a D&E—at a Chicago area Planned Parenthood abortion mill.

The abortion industry excels at surface appeal argument and propaganda. Indeed the misleading term ''safe abortion'' purposely misses the point that no abortion—legal or illegal—is ever safe for the baby and that all are fraught with negative health consequences for the mother.

Today, at least 104 credible studies show significant psychological harm, major depression and/or elevated suicide risk in women who abort.

The Times of London reported that, ''[S]enior . . . psychiatrists say that new evidence has uncovered a clear link between abortion and mental illness in women with no previous history of psychological problems.'' They found ''that women who have had abortions have twice the level of psychological problems and three times the level of depression as women who have given birth or who have never been pregnant.''

In 2006, a comprehensive New Zealand study found that 78.6% of the 15–18-year-olds who had abortions displayed symptoms of major depression as compared to 31% of their peers. The study also found that 27% of the 21–25-year-old women who had abortions had suicidal ideations compared to 8% of those who did not have an abortion.

At this morning's ''40 Years of Victims'' press conference courageous post-abortive women, as well as the mother of a minor girl who was transported across state lines to New Jersey to evade Pennsylvania's parental involvement laws spoke eloquently of the anguish of abortion.

Irene Beltran said: ''My entire being was overcome by terror, and I felt deep anguish in the core of my soul when I ended the life of my own child for the sake of convenience. At the clinic I was treated like livestock being herded from one step to the next . . . When the abortionist administered the poison in my stomach I was mortified and shocked because I felt my child kick and turn very hastily. Years later I found out she was being burned and could feel the pain. Since I was 6 months pregnant this would be a two-day process. The second day consisted of the abortionist tearing my daughter out of me—limb from limb, piece by piece. But I did not go back. After feeling my daughter fight for her life I went straight to my mother's home crying for help. She drove me to the Labor and Delivery Department at a local hospital. I arrived at the hospital grasping on the slim chance they could save my daughter, but there was nothing the doctors could do. The effects of the toxin were irreversible.''

Marcia Carroll said even though ''my daughter chose to have the baby, raise it . . .. The father's family arranged a taxi, a train, and subway rides to sneak her across state lines

to New Jersey where his family met them in front of the abortion clinic. . .. They planned, financed, harassed, and ultimately threatened my daughter into having the abortion . . .. As a result of the legal abortion that was completed unbeknownst to me, my daughter suffered years of depression, intense grief, post-traumatic stress disorder, nightmares, and thoughts and even attempts of suicide.''

Kellie Stauffer spoke of her abortion at the age of 14: ''We all thought abortion would erase the situation I had gotten myself in and we would go on living life the way it was. That was not the case. . . . life sadly was never the same. I hated myself. I tried to numb my pain in any way I could find, drugs, alcohol, food, meaningless relationships, but nothing took away the deep darkness that overwhelmed my soul. . . . She persuaded me to go to a Rachel's vineyard retreat and that weekend saved my life. I allowed myself to feel the forgiveness God had been showing me all along. . . . I will never forget what I did to my first child. I am still brought to my knees in tears at times when I remember the pain I caused her. In response to God's grace and for my daughter's spirit I will be silent no more.''

Olivia Gans Turner said: ''I was not told vital information about the child I was carrying. Including the medical fact that by the time I had an abortion at 12 weeks, my baby already had a beating heart and brain waves! . . . I have not forgotten one moment of that day, and never will. That single day changed my life forever.''

Abortion not only has deleterious effects on women but on children born subsequently to women who have had a previous abortion.

At least 115 studies show a significant association between abortion and subsequent premature births. Researchers Shah and Zao showed a 36% increased risk for preterm birth after one abortion and a staggering 93% increased risk after two.

Similarly, the risk of subsequent children being born with low birth weight increases by 35% after one and 72% after two or more abortions. Another study shows the risk increases 9 times after a woman has had three abortions.

What does this mean for her children? Preterm birth is the leading cause of infant mortality in the industrialized world after congenital anomalies. Preterm infants have a greater risk of suffering from chronic lung disease, sensory deficits, cerebral palsy, cognitive impairments and behavior problems. Low birth weight is similarly associated with neonatal mortality and morbidity.

The extremism of the pro-abortion industry is shocking.

Last spring, the House of Representatives took up a bill to ban sex-selection abortion. The bill garnered a solid majority—246 to 168—in the House. President Obama, however, made it absolutely clear that he would veto the sex-selection abortion prohibition should it be sent to the White House.

While sex-selection abortion almost exclusively targets girls for extermination—simply because they are little girls—the egregious practice remains legal in most states. In fact, only four states—Illinois, Pennsylvania, Oklahoma and Arizona—and several countries including the United Kingdom proscribe it.

And if that's not shocking enough, many remain unaware of the fact that sex-selection abortion is part of a deliberate plan of population control—a war on women. In other words, abort the girls so they can't grow up someday and have children of their own.

In her book ''Unnatural Selection: Choosing Boys Over Girls, and the Consequences of a World Full of Men,'' Mara Hvistendahl traces the sordid history of sex-selection abortion as a means of population control.

''By August 1969, when the National Institute of Child Health and Human Development and the Population Council convened another workshop on population control, sex selection had become a pet scheme,'' Hvistendahl writes. ''If a reliable sex-determination technology could be made available to a mass market,'' there was ''rough consensus'' that sex-selection abortion ''would be an effective, uncontroversial and ethical way of reducing the global population.''

Many of you might recall the undercover sting operation by Live Action that exposed several Planned Parenthood affiliates who were eager, ready and willing to facilitate secret abortions for underage sex-trafficking victims—some as young or younger than 14. As the prime sponsor of the Trafficking Victims Protection Act—the landmark law to combat human trafficking—I found the willingness of Planned Parenthood personnel to exploit young girls and partner with sex traffickers to be absolutely appalling.

Now, Live Action has released sting-operation videos—part of a series, ''Gendercide in America''—that show Planned Parenthood personnel advising undercover female investigators how to procure a sex-selection abortion. Caught on tape, one staffer tells an investigator to wait until her baby is 5 months along to get an ultrasound that reveals the sex of the child. Then, if it's a girl, kill it.

For most of us, ''it's a girl'' is cause for enormous joy, happiness and celebration. But far too often, this phrase can be a death sentence.

These cruel, anti-woman policies have had horrible consequences everywhere, especially in China (and India as well).

China's one child per couple policy in effect since 1979 constitutes massive crimes against humanity. The Nuremberg Nazi war crimes tribunal properly construed forced abortion as a crime against humanity—nothing in human history compares to the magnitude of China's 34-year assault on women and children.

In China, brothers and sisters are illegal in most instances.

The price for failing to conform to the one child per couple policy is unbearably high. A Chinese woman who becomes pregnant without a permit will be put under mind-bending pressure to abort. She knows that ''out-of-plan'' illegal children are denied education, health care, and marriage, and that fines for bearing a child without a birth permit can be 10 times the average annual income of two parents, and those families that can't or won't pay are jailed and their homes smashed in.

If the brave woman still refuses to submit, she may be held in a punishment cell, or, if she flees, her relatives may be held and, very often, beaten. Group punishments will be used to socially ostracize her. And her colleagues and neighbors will be denied birth permits. If the woman is by some miracle still able to resist this pressure, she may be physically dragged to the operating table and forced to undergo an abortion.

Over the years, I have chaired 43 congressional human rights hearings focused in whole or in part on China's one child policy. At one, the principal witness, Wuijan, a Chinese student attending a U.S. university, testified about how her child was forcibly murdered by the government. She said, ''[T]he room was full of moms who had just gone through a forced abortion. Some moms were crying. Some moms were mourning. Some moms were screaming. And one mom was rolling on the floor with unbearable pain.'' Then Wuijan said it was her turn, and through her tears she described what she called her journey in hell.''

Not only has the Obama Administration turned a blind eye to the atrocities being committed under the one child policy, but continues to provide financial support—contrary to U.S. law—to the United Nations Population Fund (UNFPA), an organization that supports, plans, implements, defends and whitewashes the Chinese government's brutal program.

Twenty nine years ago—on May 9, 1984—I authored the first amendment ever to a foreign aid bill to deny funding to organizations such as the UNFPA that are complicit with China's forced abortion and involuntary sterilization policy. It passed. After all these years, it is astonishing that policy makers—including and especially the Obama Administration—remain indifferent or worse, supportive, of these massive crimes against women and children. The Obama Administration has long enabled this cruel policy by its silence and financial support to the tune of $50 million a year to the UNFPA.

The result of this policy is a nightmarish ''brave new world'' with no precedent in human history, where women are psychologically wounded, girls fall victim to sex-selective abortion (in some provinces 140 boys are born for every 100 girls), and most children grow up without brothers or sisters, aunts or uncles or cousins.

Women bear the major brunt of the one child policy not only as victimized mothers. Due to the male preference in China's society and the limitation of the family size to one child, the policy has directly contributed to what is accurately described as gendercide—the deliberate extermination of a girl—born or unborn—simply because she happens to be a girl.

As a result of the Chinese government's barbaric attack on mothers and their children, there are some 100 million missing daughters in China today.

Because of the missing girls—China today has become the human sex trafficking magnate of the world. Women and young girls from outside the country are being sold as commodities throughout China—a direct consequence of the one child policy. Several prominent people including Ted Turner have suggested that the United States—indeed the world—needs to follow China's example and promulgate a one child per couple policy.

Mr Speaker, despite the best and slickest market branding money can buy, the stubborn fact remains that Planned Parenthood clinics are among the most dangerous places on Earth for a child. Planned Parenthood's own personnel are now taking a second look and, thanks to ultrasound, are clearly seeing what is being done to millions of children in the womb.

One of those abortion providers who took a second look and walked away is Abby Johnson, a former Planned Parenthood abortion

clinic director. In her book ''Unplanned,'' Abby Johnson exposes the duplicity and cruelty of what really goes on behind closed doors at a Planned Parenthood clinic. In it she writes how she witnessed and assisted in an abortion of a 13-week-old baby by holding the ultrasound probe, and as she pointed out in the book, it was the first ultrasound-guided abortion at that facility.

She writes in the book: ''The details startled me. At 13 weeks you could clearly see the profile of the head, both arms, legs, and even tiny fingers and toes. With my eyes glued to the image of this perfectly formed baby, I watched as a new image emerged on the video screen. The cannula, a straw-shaped instrument attached to the end of the suction tube, had been inserted into the uterus and was nearing the baby's side. It looked like an invader on the screen: out of place, wrong. It just looked wrong.''

She goes on to write: ''My heart sped up; time slowed. I didn't want to look, but I didn't want to stop looking either. At first, the baby didn't seem aware of the cannula. It gently probed the baby's side, and for a quick second I felt relief But I couldn't shake an inner disquiet that was quickly mounting to horror as I watched the screen.'' Remember, this is an abortion clinic director saying this.

''The next movement was a sudden jerk of a tiny foot of the baby as he started kicking, as if trying to move away from the probing invader.''

''As the cannula pressed in, the baby began struggling to turn and twist away. It seemed clear to me that the fetus could feel the cannula, and it did not like the feeling. And then the doctor's voice broke through, startling me: 'Beam me up, Scotty,' the abortionist said lightheartedly to the nurse. He was telling her to turn on the suction, in an abortion the suction isn't turned on until the doctor feels he has the cannula in exactly the right place.

Abbey Johnson, abortion clinic director, went on to write: ''I had a sudden urge to yell, Stop; to shake the woman and say, Look at what's happening to your baby. Wake up; hurry. Stop them. But even as I was thinking those words, I thought of my own hand and saw my own hand holding the probe. I was one of them performing this act'' of abortion.

''My eyes shot back to the screen. The cannula was already being rotated by the doctor and now I could see the tiny body violently twisting with it. For the briefest moment it looked as if the baby was being wrung like a dishcloth, twirled and squeezed. And then the little body crumpled and began disappearing into the cannula before my eyes. The last thing I saw was the tiny perfectly formed backbone sucked into the tube. And then everything was gone. The image of that tiny dead baby mangled and sucked away kept replaying in my mind. What was in this woman's womb just a moment ago was alive. It wasn't tissue. It wasn't cells. This was a human baby, fighting for life. A battle was lost in the blink of an eye.

''What I have told people for years''—8 years as a clinic director at a Planned Parenthood clinic— ''what I have told people for years,'' Abby Johnson continues, ''what I believed and taught and defended is a lie.'' Abby Johnson is now an amazing pro-life leader.

Mr. Speaker, as we stand here on the floor of the U.S. House of Representatives this afternoon marking 40 years since seven members of the U.S. Supreme Court imposed abortion on demand for all nine months on the United States of America, the legacy of Roe v Wade—dead babies and injured women, shattered families—begs reappraisal. And courageous women like Abby Johnson are showing the way.

Mr. Speaker, we have a duty to protect. The struggle to re-establish durable protections for the most discriminated minority in America today—unborn babies— is worth any personal sacrifice, inconvenience or pain.

We cannot allow the violence against women and their children to continue.

I would like now to yield to my good friend and colleague, MARSHA BLACKBURN.

Mrs. BLACKBURN. I thank the gentleman from New Jersey for the excellent work that he continues to do, year in and year out, on this issue. I appreciate his leadership.

We do stand today and mark the 40th anniversary of the tragic Roe v. Wade decision, and it really said that not all life is created equal. Since the Supreme Court gave our government's seal of approval, if you will, for on-demand abortion, there have been over 55 million lives lost.

Mr. Speaker, I'm not certain that we think about the gravity or the enormity of the issue until we look at it in that collective sense, 55 million lives that have been lost.

As a woman, I personally believe that America is better than choosing abortion, and I agree, and I believe that women deserve better.

The gentleman from New Jersey referenced the press conference that victims held today, and I was so touched by a statement from one of those that participated in this press conference. Her name is Irene Beltran. Ms. Beltran tells the story of what she endured when she was living in southern California and when she chose the path of abortion, and it is a very tender and heart-wrenching story. I want to quote from one paragraph in her story and this statement that she gave. And I'm quoting Ms. Beltran now:

> I've grief-stricken countless people with the choice that I've made. I've robbed my seven children of a sister that they could have played with, fed, and helped nurture. I've robbed three sets of grandparents of a granddaughter. I've robbed future generations from ever existing. I've suffered from depression, anxiety, and eating disorder, just to name a few. I felt damaged, humiliated and hopeless.
>
> Women deserve better than abortion. I stand before you today because my daughter forgives me, my family forgives me, the Lord forgives me, and I forgive myself. I dedicated the rest of my existence to fight this life-and-death war. This is why I am silent no more.

That is the statement from Ms. Beltran as told at the press conference today. And we all know in our hearts what she says is just so true, that life is a natural right. It's a gift from God, whose love extends beyond our comprehension, and He calls on us to protect the smallest and the weakest among us.

We're moving forward with pro-life legislation in the States, and the gentleman from New Jersey referenced the movement that he has worked in for 40 years. We have 24 State legislatures that passed a record 92 measures that restricted abortion in 2011. Nine States have recently banned most abortions after 20 weeks of pregnancy.

On the national level, we're working to end taxpayer funding for abortion. I have legislation that addresses that Title X funding. And we are continuing to work to make certain that we focus on helping the families that have felt the impact of abortion in their life. We're focusing on celebrating life and committing to making certain that we stand and work toward a pro-life America.

Mr. SMITH of New Jersey. I want to thank my good friend and colleague, MARSHA BLACKBURN, for her exemplary leadership and for her very eloquent statement today.

I'd like to yield to Congresswoman ANN WAGNER, the gentlelady from Missouri.

Mrs. WAGNER. I thank the gentleman for yielding.

Mr. Speaker, it is with heavy heart that I stand here today on the 40th anniversary of Roe v. Wade, a decision that has done so much harm to the moral landscape of our Nation.

Since that dreadful day 40 years ago, there have been more than 55 million abortions in this country. That is roughly one-fifth of the United States population whom we will never know. We will never derive the contributions to society that these nameless angels could have brought to the world. And even worse is the emotional pain that millions of women have endured in the days, months, and years after their abortion.

It's my honor to put in the RECORD today the story of Joyce Zounis, who joins us today. It's compelling testimony, and it's an honor to put her testimony forward.

Since I was sworn into Congress nearly 3 weeks ago, I have had the opportunity to sign on to pieces of pro-life legislation. I believe that it is important that we prevent any taxpayer dollars from going to abortions or organizations that perform abortions.

I believe in the sanctity of life, that life is truly a gift, from conception to natural death, and I am dedicated to protecting the rights of the unborn. I support the efforts to reduce the number of abortions in this country, and will work not only to make abortion illegal, but to make abortion unthinkable.

You see, as a mother of three beautiful children, the sanctity of life is very cherished and very personal to me. In fact, it was exactly 23 years ago that I came to Washington, D.C., on a bus from St. Louis, Missouri, to participate in the March for Life. I know it was exactly 23 years ago because I was 6 weeks pregnant at the time with my second son, Stephen. Taking a 14-

hour bus ride while experiencing morning sickness is generally not advisable, but I knew actively participating in the pro-life movement at a time when I was carrying my unborn child was so very important.

As a mother, I want to raise my children in a world that values life at all stages. I do not want to raise them in a world that exhibits a flagrant disregard for human life. And at that moment 23 years ago, I knew that it was not enough to simply say that I was pro-life; I had to, indeed, walk the walk.

On the anniversary of the Supreme Court decision that legalized abortion in this country, I am heartbroken for the pain this decision has caused over the last 40 years, but I am hopeful, hopeful and inspired by the many young people I have seen today who will be marching side by side with me for life this Friday. I encourage my colleagues to join me and show support for human life at all stages.

JOYCE ZOUNIS—TV AND RADIO PRODUCER AND HOST, LIVING BEYOND THE BANDAIDE OF ABORTION

''We will not speak of this again'' were the words spoken to me as my mom and I, a 15-teen-year old high school sophomore, walked into the abortion facility. I too wanted to forget this problem. I was determined to be the one who decided when I became a mom; NOT a positive reading on a stick. Already disconnected, my mind was not on what was about to happen, but of missing cheerleading practice.

The room was filled with many girls and to my mom's dismay we saw someone we knew. Our secret was blown. I sat in a room waiting for my name to be called just like any other doctor's appointment but this was like no other. They said it won't hurt; it did! They said it would be over real quick; it has lasted 35 years!

Eleven years after my first abortion, I was having my seventh. I was in the same waiting room, walking the same hall, wearing the same gown, taking the same pill, and laying on the same table. To this abortionist's disgust, my pregnancy was further along and required more of his time.

Several hours later the vacuum-like noise broke a decade-old trance—''what have I done?'' I began to weep uncontrollably, and this enraged the abortionist. His gestures were rough, and he was morbidly pleased to have me see his bloody garments when he was finished. The nurse quickly moved me to the recovery room and gave me crackers. Within 10 minutes I was rushed out the back door and nauseous on my way home.

Eleven years, three clinics, two states, seven abortions, and not once was I told of the physical risks I would suffer later: the necessity of bi-lateral mammograms and fear of breast cancer; ovarian cysts; being bed ridden for five months in my last pregnancy and having to explain the possibly of ''mommy dying'' to my four young children due to placenta previa, which resulted in my losing all but two pints of blood; and, a partial hysterectomy at delivery.

Not once was I told of the emotional trauma I would suffer: uncontrollable anger flamed by betrayal, deafening seclusion, and the inability to trust. That child loss through choice would devour my dignity as I justified the twisted truth. Or that deception would slowly creep into all areas of my life including the need to discretely reveal several of my abortions as miscarriages.

I was never told I would feel like I was the only one going crazy. Everyone talks about their ''right to choose;'' but no one talks about the choice. In my case this led to sabotaging many life joys. I will never forget hearing my firstborn's heartbeat. Instead of joy, I was in shock, terrified that the nurses could see right through me and what I had done to my other children.

I was never told you would need to grieve and cry for your unborn; that your life would be forever altered by the horrors of your 'chosen' loss, tormented by the innate longing to hold and know your dead children and their dreams. Or that my five living children would suffer with an impossible mom; trapped by the hidden sadness of her gullible past.

Through divine intervention in 1990, I had participated in an abortion recovery program. The tears so long forgotten had begun to form and fall together with the bandaides covering my shameful sorrows. With grateful relief I was able to acknowledge, name, and mourn my seven babies and rightfully publically position them among their siblings.

For over two decades, my now deceased mom joined me in telling others that abortion hurts everyone: family, friends, and future generations. We were wrong. Abortion was not the right answer for my untimely pregnancies.

I now know that you are forever a mom regardless of the age of your child; 6 seconds, 6 days or 60 years. I was blind to this but now I see. This momma of 12 children chooses to be a voice of truth. In pregnancy you carry the baby for only nine months but in abortion you carry it for a lifetime just with empty arms.

Mr. SMITH of New Jersey. Thank you very much for that very powerful statement.

I yield to the gentleman from Mississippi (Mr. NUNNELEE).

Mr. NUNNELEE. I want to thank the gentleman from New Jersey for his leadership in speaking out on this very important issue.

Our Declaration of Independence, our Nation's birth certificate, states that all are endowed by their Creator with certain unalienable rights, and among those are the right to life; but now, for 40 years, over 55 million Americans have been denied that basic right to life guaranteed by our Declaration of Independence.

The Supreme Court got it wrong with Roe, just as they got it wrong with Dred Scott. Now, I accept the fact that under our system of law Roe is the law of the land today, but I, along with many millions of people around America, pray that one day that decision will be overturned.

While in this body we've had much spirited debate over the right to life, there's one area where we have found bipartisan agreement, and that is that taxpayers should not be forced to subsidize a practice that so many of us find abhorrent. We must protect taxpayers from funding abortion. That's why, earlier today, I introduced legislation that would do just that.

Under ObamaCare, the Federal Government is required to sponsor at least two multistate insurance plans.

□ 1550

The bill that was introduced earlier today would simply prevent those plans from paying for abortions, thus making sure that taxpayers around the Nation are not required to subsidize the taking of life. Now this isn't new policy, in fact, it's simply an extension of longstanding Federal policy, and that's why I urge my colleagues to support this bill.

Recently, President Obama said:

> When it comes to protecting the most vulnerable among us, we must act now. Let's do the right thing.

This bill is an effort to do the right thing, to protect taxpayers from funding the destruction of the most vulnerable among us: the unborn child.

In closing, let's remember the words of the prophet of old:

> This day I call Heaven and Earth as witnesses against you, that I have set before you life and death, blessings and curses. Now choose life, so that you and your children may live.

On this 40th anniversary of Roe, let us rededicate ourselves to choose life.

Mr. SMITH of New Jersey. Thank you so much, Mr. NUNNELEE.

I yield to Mr. POMPEO of the Fourth District of Kansas.

Mr. POMPEO. Today, I stand here on the 40th anniversary of one of the worst decisions of our United States Supreme Court. It was deeply flawed. Too many Justices spoke of emanations of penumbras but missed the core principle contained in the Constitution: this notion that every human being is endowed with this special dignity that we call life.

The cost of that decision has been enormous: 55 million souls were not brought into this world. We can feel it in families torn asunder and in lives that didn't get to become the next great leaders in our Nation. These lives were lost to each of us. They're lost to the families. They're lost to our community. They're lost to their Maker.

But I want to talk today about hope. Ever since this decision in 1973, there's been a march. And I was in the Army. When you march, you march to victory. We've had this special march. We'll have this march again this week. We'll have it in Kansas. Kansas has a very special relationship to this march.

In 1991, in Wichita, Kansas, the city which I represent, we held the Summer of Mercy, where people came together in peace to talk about these lives that should have been protected but had not been. And this week, the airlines permitting, I'll be back to watch young people from all across south central Kansas board buses bound for Washington, D.C. I'll see them off from churches and cathedrals and synagogues, folks coming to Washington, D.C., to once again march on this town to demand that we do everything we can in our power here in Washington, D.C., to protect every human life.

I'm very proud of the rich history and the contribution that the citizens of the Fourth District of Kansas have made to this movement. It is certainly important to me as a matter of faith. But as a matter of science, we have

this one right as well. We must protect every unborn life. I'm dedicated to doing so. I look forward to being with that next generation, these young people coming to Washington, D.C., so this fight can continue.

Mr. SMITH of New Jersey. I yield to VICKY HARTZLER.

Mrs. HARTZLER. Thank you. I applaud my colleague from New Jersey, and I thank him for his leadership on this very important issue.

Today marks the 40th anniversary of the Supreme Court ruling in Roe v. Wade and Doe v. Bolton, two rulings which impose legalized abortion in this country. I was in junior high at the time this ruling came down, and I really didn't understand the implications. It was only later when I took a child development class and they showed pictures of the different stages of the baby's development that I came to realize this wasn't just talk about a blot of tissue. This procedure ended a beating heart and denied life into this world. I became pro-life then and continue to be pro-life now.

This Friday, hundreds of thousands of Americans will come to Washington to recognize this anniversary. And it's not an anniversary observed with celebration, but one marked by somber reflection. We mourn the loss of 55 million aborted boys and girls, innocent children who were never given the right to live, attend school, go to birthday parties, participate on little league teams, or become siblings and peers. We mourn for families who do not know their lost children but wish they did. We mourn the devastating impact abortion has on our culture and our consciences.

This anniversary also represents an occasion to renew our commitment to defending the most fundamental human right: the right to life. We know that more Americans now describe themselves as pro-life—50 percent—than those that consider themselves pro-choice—41 percent—and we know that younger Americans have begun to understand that the protection of their rights cannot be built upon the destruction of an innocent human being's right to life.

Still, we have work to do. The Federal Government continues to subsidize family planning clinics that provide abortions. In 2011, the Nation's largest provider, Planned Parenthood, performed a record number of abortions, over 330,000 abortions. Most of us in Congress represent approximately 750,000 people. If you think about it, that's almost half of a congressional district that was wiped out in 2011 at the hands of Planned Parenthood clinics alone. Planned Parenthood ended the beating hearts of these innocent victims while deluding vulnerable women that their choice wouldn't have any harmful consequences, and they did so with taxpayer funding, over $500 million in 2011.

This must stop.

Abortion does have consequences. It destroys babies. It harms women physically and emotionally, and it harms men, too.

This past weekend, I had the opportunity to hear a man speak, who shared the heartbreak and the shame that he has suffered for over 20 years at the loss of four children that he was responsible for their abortions. It impacted his marriage, his mental and physical health, his parenting, and how he was able to do his job.

Abortion has consequences. It deadens our consciences and it perpetrates the lie that killing the unborn is morally acceptable.

This week, I stand with hundreds of thousands here in Washington who know better, who understand the truth, that abortion harms us and is killing off future generations. We observe the 40th anniversary of Roe v. Wade with the renewed hope that more Americans will see this truth and honor life.

Mr. SMITH of New Jersey. I thank the gentlelady for her very eloquent statement.

I yield to my good friend and colleague, Mr. HUELSKAMP.

Mr. HUELSKAMP. Thank you. I appreciate the time from such a pro-life leader.

First of all, my wife, Ang, and I are proud adoptive parents of four children. Our heartfelt gratitude goes out to their birth mothers and birth families for choosing life for our four children, and I believe you will be eternally rewarded for your generous choice.

It is reassuring, as was mentioned here, that every year millions of Americans descend on Washington and our State capitals, including Kansas, to stand as surrogate voices for the millions of lives taken by abortion. It's a shame that this event has to happen. But this year, descending on Washington is more than just about abortion; it's about religious liberty.

Those in favor of abortion like to cast this debate about rights and choices rather than rights or wrongs. So if we're to use their terms, where is the outrage at the fact that Americans increasingly have no choice, particularly under the President's health care plan, when it comes to paying for abortion, paying for abortion drugs, and numerous other things they find morally reprehensible? And where's the outrage that religious liberty, the first part of the First Amendment, can come at the expense of this radical agenda?

We in this Congress stand as the people's direct representatives in Washington and must stand as a check to the most pro-abortion President in our history. A President's second term is usually about legacy building, but for the sake of the unborn and for the sake of our religious liberty, I fear for the legacy that he will attempt to craft in the next 4 years.

□ 1600

Mr. SMITH of New Jersey. It is a high honor and privilege to yield to the distinguished majority leader, the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. I thank the gentleman.

I come to the floor today to join my colleagues in support of the March for Life.

It seems that too often in Washington these days the focus is on what people are against rather than what they are for. But this Friday, thousands of Americans will gather because of their support of what our Founders described as one of the unalienable rights endowed by our Creator: life. Some of those gathered will be Republicans, others Democrats. Others will belong to no political party at all. They will belong to every faith and race and will belong to every socioeconomic demographic.

Those gathered this Friday and those of us here on the floor of the House this afternoon are joined because we believe that life must be protected—and must be protected especially for those who have no ability to protect it themselves.

Since Roe v. Wade in 1973 medical science has made tremendous gains. Today, expecting parents can watch 3–D images of their young child playing in the womb. Today, doctors can perform life-saving surgeries on children while they are still in utero. Today, thanks to medical science, we know that within 6 weeks after conception these little lives have a heartbeat and brain waves.

Here in the people's House we are taking steps to defend life, as are numerous State legislatures throughout the country. But the real heroes are those men and women who volunteer at pregnancy centers helping women, and those gathered for the March for Life who are committed to this mission. They gather this year not only in the name of protecting life but also to celebrate the life of the founder of the March, Nellie Gray. We'll all miss her red coat up there on that stage, leading the March up the hill, but I know Nellie would be as pleased as I am to see the progress being made for this most important cause—and she would encourage us never to rest until the job is done.

Mr. SMITH of New Jersey. I want to thank the distinguished majority leader for his exemplary leadership for many years, but especially as majority leader, and for reminding all of us that the unborn child, especially over the last 2 decades, has become the littlest patient, where microsurgeries and interventions can save children and enhance their life. I appreciate his extraordinary leadership.

I now yield to our distinguished colleague, the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. I thank my colleague, the gentleman from New Jersey, and I thank you for your leadership as a medical doctor.

It is a real special thing in this Chamber that we have pro-life patriots who represent medicine, the profession of law, mothers, fathers, people who understand life from the most intimate fashion.

I happen to be a pastor. It was 40 years ago that I had just accepted the call to my first church out of divinity school. I was busy in that ministry and getting started and didn't take too much notice of Roe V. Wade. But it was in 1978 when that issue hit me full square in the face, when two wonderful young people in my church came to my office and said, Pastor, we have a problem, and went on to talk about an unplanned pregnancy that they had. As we discussed, they committed to the fact that they intended to keep the child as a gift of God. But ultimately the story didn't go that way because their parents—who were fine, upstanding church members yet determined that these children wouldn't have that as a detriment to their life—encouraged them to, as they called it, terminate the pregnancy.

It broke my heart, and I watch the pain in these two young people go on even to this very day 40 years later. I committed to my God that I would stand for life strongly and have the privilege of doing that in the pastorate, in counseling sessions, on boards of adoption agencies, and crisis pregnancy centers as well.

It was just a few years ago—6 years to be exact—when I held in my hands little John Timothy Walberg, my first grandson, along with his twin brother, Mica Todd Walberg, two little boys born at 24 weeks, 1.12 lbs, 12 inches long, fighting for life. They had been born just down the corridor from where abortions were being done on those same age children. I saw these two boys fight for life. Someday I will see John Timothy again in heaven, but I thank God that little Mica Todd is a live 6-year-old, growing strong, healthy, a gift of God.

The Framers of our Declaration of Independence went to their knees many times. They understood the value of politics, but they also understood the value of truth, truth that came not from man, but truth that came from God. Truths such as these were set in Psalm 127:3:

> Behold, children are a gift of the Lord. The fruit of the womb is a reward.

Jeremiah 1:5:

> Before I formed you in the womb, I knew you. Before you were born I set you apart.

Psalm 139, where it says:

> For You formed my inward parts;
> You wove me in my mother's womb.
> I will give thanks to You, for I am fearfully and wonderfully made.
> Wonderful are Your works,
> And my soul knows it very well.
> My frame was not hidden from You,
> When I was made in secret,
> And skillfully wrought in the depths of the earth.
> Your eyes have seen my unformed substance.
> And in Your book were all written the days that were ordained for me,
> When as yet there was not one of them.

I end by going back to what ultimately came from understanding of truth by our Framers and Founders, when they said:

> We hold these truths to be self-evident, that all men are created equal and endowed by their Creator with certain unalienable rights, among them the right to life, liberty, and the pursuit of happiness.

Mr. SMITH of New Jersey. I now yield to the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. I thank the gentleman from New Jersey for leading this discussion one more time.

Life, liberty, and the pursuit of happiness. Those were the values described by our Founding Fathers. And against that backdrop, we must understand that a Nation is judged the same way that people are judged. We're judged by how we speak for those least able to speak for themselves.

The most fragile in any circumstance are those with no voice at all, the unborn. And on this day, 40 years after a Supreme Court decision, 50 million voices with no representation, no opportunity to speak, how will this Nation be judged? I think the answer is clear. Our Supreme Court at that time expressed conflict on when life began, but today's science leaves no conflict. DNA is established on day one. The heartbeat is visible soon thereafter.

What Nation would put mothers at odds with their unborn children and declare it to be a matter of choice? This is no matter of choice; it's a constitutional question of protection of life. It's a value that—our Founding Fathers would blanch at our definition today. They would have no concept that we would have these discussions.

But the hope lies ahead of us because the younger generations are seeing the technological replays of the unborn and know that it's more than a mass of tissue. Their standing in greater numbers on behalf of life, as is every one of us who are speaking here today.

May God bless this Nation as we seek to protect the unborn.

Mr. SMITH of New Jersey. Thank you very much, Mr. PEARCE, for that very moving statement.

I now yield to the gentleman from Maryland (Mr. HARRIS).

Mr. HARRIS. I want to thank the gentleman from New Jersey for taking a pause every year to let us review what happened 40 years ago and what's happened since. Because some 40 years ago, obviously the Supreme Court decided that it was no longer the State's prerogative to decide what laws could regulate abortion. We know some of the consequences of that: We know we have third trimester abortions; we have abortions for sex selection; we have abortions without the consent or even the notification of parents when minors are involved. That's the path we've gone down. But as the majority says, much has changed in 40 years and deserves reevaluation.

□ 1610

I'm an obstetric anesthesiologist. I've spent 25 years in the labor and delivery suite always wondering about the hypocrisy of being in a labor and delivery suite doing everything we could to save a 24-week baby, while across the corridor, 24-week babies were dismembered under what Roe v. Wade allowed under the law of the land.

The majority leader is right: science has changed tremendously. Why, 40 years ago, we didn't have the Human Genome Project. We didn't realize the richness and diversity of the human genome, which only strengthened the notion that each and every human being is absolutely unique from the moment of conception. And that's in every embryology textbook you can look into. Every human being is unique from the moment of conception. And now, as the majority leader said, we have 3–D and 4–D ultrasound. We can see these human beings that are not blobs of tissue; they are human beings. So maybe we need to revisit what Roe v. Wade said.

Let me tell you a story that really makes you think about revisiting this because, as you know, we spend hundreds of millions of dollars to fund organizations whose real sole purpose is to end life through abortion and very little to help the pregnancy centers that the majority leader spoke of. But in a pregnancy center north about 7 years ago—it's a pregnancy center in Baltimore—a woman speaking Spanish called one afternoon. She was on political asylum in the United States from El Salvador. She was single, had two children already, and was pregnant with a third. She called the pregnancy center, actually, to get a referral for an abortion. That day, by coincidence, maybe the grace of God, a counselor was there who spoke Spanish and spoke to that woman. That woman really wanted to keep her child; but as many women facing abortion, she was in a period of crisis. She needed help, not the help that a Planned Parenthood would offer, but the help that this pregnancy center offered, by helping her through her pregnancy, giving her the support she needed, the money she needed, and the things she needed to have that child.

Now, I know that story because that Spanish-speaking counselor was my wife. Seven-year-old Jennifer comes over to our house now. I look into her eyes, and I wonder if anyone is ever going to tell her the real story of what almost happened and how is someone going to look in her eyes and tell Jennifer that she was better off because of Roe v. Wade.

Mr. SMITH of New Jersey. I now yield to the distinguished obstetrician, Dr. ROE, PHIL ROE, from Tennessee.

Mr. ROE of Tennessee. I thank the gentleman for yielding.

First, Mr. Speaker, I want to thank CHRIS SMITH for not just this year, but for over 30 years of advocating for life and making that one of his missions in life. CHRIS, thank you for what you have done not only for this Congress, but for our country, to make awareness. I really appreciate it. I can't

thank you enough for what you have personally done and sacrificed.

Exactly 40 years ago next month, I was a young doctor in training in Memphis, Tennessee, and I was drafted in the U.S. military and left the country to go to Southeast Asia for a tour of duty there. And something happened when I was gone. Roe v. Wade passed. It really passed, and I wasn't even aware of it because I was out of the country. I came back to my training, which had been interrupted by my military service, and realized something very fundamentally different had happened to America.

As an obstetrician, I personally have delivered around 5,000 babies. In the 31 years I was in medical practice in Johnson City, Tennessee, a small town in northeast Tennessee, our group had delivered over 25,000 babies—25,000 children. I see these children now as doctors, lawyers, teachers, Sunday school teachers, soccer coaches, housewives, and farmers, you name it, bettering our community. I cannot imagine my community without these young people there. They are the future of this great Nation.

As Dr. HARRIS mentioned, I saw when ultrasound went from when it was just a blob that you saw to being able to visualize the heartbeat 28 days or less post-conception. It's unbelievable to be able to see that. And to see this child develop is something that I can't explain to you how fulfilling that is to be able to see that happen. And to have a ''choice'' snuff that out is a law that we have to get right in this country. Thank goodness minds are changing.

I look around this great room here, this great Chamber, and wonder what it would be like if different choices were made, the great people that I've met here in Congress that might not be here had a different choice been made. In this Chamber, we have a clear responsibility and duty for those that do not have a voice. The fourth President of our country, and the architect of the Constitution, James Madison, warned that the rights of the minority must be protected. The unborn children of America represent the greatest silent minority that there is. They are the most innocent among us and deserve the protection we afford all people in this great country.

Life is a precious miracle from God that begins at conception. As a physician, I can personally attest after visualizing literally thousands of ultrasounds. We have to make our laws consistent with science of today.

It's been mentioned before that one of our government's most important duties is to protect the most vulnerable among us, and I pledge to continue to remember and strive toward this as long as I breathe. I'm heartened that so many others today have chosen to do the same thing. And may God very much bless the 4 million women last year in this country who chose life, not a choice to terminate life.

Mr. SMITH of New Jersey. Dr. ROE, thank you very much. Thank you for your great leadership here.

I would like to now yield to my good friend and colleague, Dr. FLEMING, a medical doctor as well, from the great State of Louisiana.

Mr. FLEMING. I thank the gentleman, my good friend from New Jersey, for all the great work that you've done in this area and many others, protecting children; and we're all grateful to you for doing that.

Mr. Speaker, 40 years ago, when the Supreme Court's Roe v. Wade decision was handed down, I was just a college student taking premed courses with a desire to pursue my goal of being a doctor one day. That was when Roe v. Wade was passed, and hardly anybody even noticed what a landmark decision that was that has led now to the death of over 55 million unborn innocents in this country.

Today, after 36 years as a family physician and having delivered hundreds of babies, I know now more than ever that life begins at conception. Over the decades, medical technology has only served to confirm what we know. Ultrasound has given us a powerful window into the womb that shows us a small, intricately developing human being. We know now through DNA that every little baby, every little embryo, is a unique blueprint in history. Protecting these pre-born children must be our first priority. That's what I strive to do as a family physician in Louisiana, looking after expectant mothers and their soon-to-be-born babies.

As a Congressman, my aim has been unchanged. Abortion is an attack on the very creed that I follow as a physician: first, do no harm. As a Member of Congress, I've stood firm against abortion, against laws that have infringed on the conscience protections of medical providers who want nothing to do with abortion, and I have consistently opposed the use of taxpayer dollars for abortion services.

Many think that at the termination of a pregnancy that the problem goes away, but nothing could be further from the truth. We know through studies that young women who have abortions are more likely to have depression, more likely to commit suicide, and more likely to have future miscarriages and problems with their pregnancy.

Mr. Speaker, the problems do not end with the termination of an innocent life. The abortion epidemic has cost 55 million children their lives. This is a national tragedy, and it must stop; and on this heartbreaking anniversary today, 40 years after Roe v. Wade, I'm more committed than ever to defending the lives of the unborn.

□ 1620

Mr. SMITH of New Jersey. I would like to yield to my good friend, Mr. SCHWEIKERT, the gentleman from Arizona.

Mr. SCHWEIKERT. To my good friend, Mr. SMITH, thank you. Thank you for managing this.

The last handful of Congressmen that have come up to the mic have been medical doctors. I get to stand here behind the microphone and share a slightly different story. This is that one very special time of year I get to stand here and say ''thank you'' to a woman named Mary Lynn Sheridan, at the time who was named Mary Lynn Gephart.

She was a 17-year-old who found out she was pregnant, and she was in the car on the way, at that time in southern California, on her way to, apparently, Tijuana. And she broke down crying and kept crying more and kept hyperventilating. The two girlfriends she was with were so terrified she was getting sick in the car, they turned around and took her back home. Heaven forbid, she told her mother she was pregnant.

I was born a few months later at Holy Family Unwed Mother's Home in downtown L.A. The amazing thing is—picture this: You're in your thirties. You come into work one day. You turn on your computer, and there's an email saying, Hi, DAVID, you have no idea who I am, but your sister gave me information. Here's your birth mother.

What do you do? How about if she's never told her family, told her two daughters that I'm out there?

And I send a really carefully worded note after having a family meeting, and I had one of the most amazing experiences you could imagine. Imagine a couple of weeks later, you get a phone call, and it's this little voice saying, I've prayed for you every single day of your life. Every March 3, I go to mass and I light candles for you. Are you okay? Are you happy? Have you had a good life?

All I could tell her through all the tears was, Look, I'm incredibly lucky. I was adopted by an amazing family. I've gotten to live a great life. I'm here in Congress, which, actually, in many ways, may have disappointed her.

But the reason I stand here and tell the story is I've had this amazing relationship, having now met my birth father, having spent holidays with my family that has raised me and my birth family. I have a picture in my office with all these kids and all these people where all of our families—even my little sister, who has met her birth family, because my siblings are all adopted, and we get everyone together and go to Disneyland.

I've noticed there is an amazing change out there where the little kids come up to you and say, Okay, my mom is your sister, but your sister is not my mom's sister. The little kids get it. I think with this I get to come here behind the microphone and say, Thank you. Thank you for giving me the chance to be alive. Thank you for giving me the chance to engage in this battle that we have here in Congress of trying to do good things for our country. Thank you, Mary Lynn Sheridan.

My mother would send my birth mother pictures of me as a baby. So

when I would go to Walnut, California, and go see my birth mother, down the hallway would be all these pictures of me as a little kid. My birth mother has developed a very aggressive type of Alzheimer's, and something amazing has happened in her mind. She can describe all those photos. In her mind now, I grew up with my two younger sisters there in Walnut, California. In her mind, I've been with her this whole time. And that heartbreak she used to describe to me for all those years wondering what had happened to me is gone.

Thank you, God, and thank you to Mary Lynn for giving me a chance to be here today. Thank you.

Mr. SMITH of New Jersey. I thank you so very much for sharing not only with the Congress, but with the country, that very moving story.

I would like to now yield to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. I thank the gentleman from New Jersey for yielding and for leading this Special Order on this 40th anniversary of Roe v. Wade.

Forty has a lot of biblical implications. Moses led them wandering in the desert for 40 years, and Jesus spent for 40 days and 40 nights. Marilyn and I have been married for 40 years.

There are a number of things I would like to tell in this narrative, Mr. Speaker. The first thing I would like to relate is the story of Joyce Zounis, who has delivered to me her narrative, and I will pick out some of the highlights of it and introduce it into the CONGRESSIONAL RECORD.

Mr. SMITH of New Jersey. Will the gentleman yield just briefly to my good friend, Ms. FOXX, because she does have to leave, and then we'll go right back.

Mr. KING of Iowa. I yield to the gentlewoman from North Carolina.

Ms. FOXX. Mr. Speaker, I thank my colleague, Mr. KING. I'm sorry I could not get down here early, but the Rules Committee kept me.

I want to say all of us here are speaking on an extraordinarily important topic to our Nation. Life is the most fundamental of all rights. It is sacred and God-given. But millions of babies have been robbed of that right in this, the freest country in the world. That is a tragedy beyond words, and it's a betrayal of what we, as a Nation, stand for.

Before liberty, equality, free speech, freedom of conscience, the pursuit of happiness, and justice for all, there has to be life. And yet, for millions of aborted infants, many pain-capable and many discriminated because of gender or disability, life is exactly what they've been denied, often at taxpayer expense. And an affront to life for some is an affront to life for every one of us.

One day we hope it will be different. We hope life will cease to be valid on the sliding scale. We hope the error of elective abortions ushered in by an unelected court will be closed and collectively deemed one of the darkest chapters in American history. But until that day, it remains a solemn duty to stand up for life.

Regardless of the length of this journey, we will continue to speak for those who cannot, and we will continue to pray to the one who can change the hearts of those in desperation and those in power who equally hold the lives of the innocent in their hands.

May we, in love, defend the unborn; may we, in humility, confront this national sin; and may we mourn what abortion reveals about the conscience of our Nation.

And I thank my colleague from Iowa very much for yielding.

Mr. SMITH of New Jersey. I yield to the gentleman from Iowa.

Mr. KING of Iowa. I thank the gentleman from New Jersey, and I start again from the beginning, Mr. Speaker.

This is the 40th anniversary of Roe v. Wade. I never imagined that we would be here 40 years afterwards, 55 million abortions afterwards, still seeking respect for innocent, unborn human life and the right of personhood that many over on the other side of the aisle also claim one should have once they're born. But they give no right, no dignity to babies who are preborn.

I would like to provide some of the narrative here of a story written by Joyce Zounis. Joyce's narrative is about her life. Each one of these are just heart-wrenching, and this is among those heart-wrenching stories shared now by millions around the country.

Joyce's story starts out with this in bold, ''We will not speak of this again.''

It's her mother telling her as a 15-year-old girl on the way to the abortion clinic that there would be no discussion outside of what happened that day. That's at age 15.

It says that ''the room was filled with many girls,'' of which she knew weren't able to keep it as a secret.

> They said it won't hurt; it did. They said it would be over real quick; it has lasted 35 years.

And 11 years later—here's the narrative, Mr. Speaker: Eleven years, three clinics, two States, seven abortions, not once was I told of the traumatic suffering that would follow, which it did.

And on the seventh abortion, Joyce Zounis writes:

> Several hours later, the vacuum-like noise broke a decade-old trance—''What have I done?''

And as her story continues, she writes about emotional trauma, ''That child lost through choice would devour my dignity''—they didn't tell her that. She said, ''I justified my twisted truth.''

That goes on every day here in America, 4,000 times a day in America. Everyone talks about their right to choose, but no one talks about the result of the choice.

□ 1630

She writes, ''I will never forget hearing my firstborn's heartbeat,'' a thing of joy for most people.

> Instead of joy, I was in shock, terrified that the nurses could see right through me and what I had done to my other children. I was never told you would need to grieve and cry for your unborn, that your life would be forever altered by the horrors of your ''chosen'' loss.

Put this in this perspective: 40 years of Roe v. Wade. How did we get here, Mr. Speaker? It's important for us to understand how the creeping decisions of a Supreme Court creep in on the innocent unborn lives of 55 million babies who were victims of abortion, of millions of mothers and of fathers who have suffered the trauma and the heartbreak of finding out afterwards that they carried the responsibility and the burden on their consciences that altered them for a lifetime.

It changed their relationships with their other children and with their family members, and it changed their relationships with brothers and sisters and mothers and fathers that they interrelate with in their daily lives.

In 1965, we had a Supreme Court decision called Griswold v. Connecticut, and that was the camel's nose under the tent. At that time, Connecticut had passed State legislation that had prohibited the sale of contraceptives. It was supported by the Catholic Church, of which I am a member, and it was litigated to the Supreme Court. The Supreme Court found a right to privacy, which was manufactured out of thin air. That right to privacy prohibited banning the sale of contraceptives to married couples. That ''right to privacy'' phrase became the foundation, from 1965 until 1973, for Roe v. Wade and Doe v. Bolton. Those two cases came together and essentially said that you have a right to an abortion at any time, for any reason—abortion on demand. That was the conclusion of the two cases, Doe v. Bolton, in '73.

We went on. We got some opportunities to try to make some changes here in Congress; and the beginning of it was the ban on partial birth abortion, which was litigated to the Supreme Court and was turned down. I arrived here on the Judiciary Committee, and we rewrote that language, under the leadership of STEVE CHABOT of Ohio, so that it would comply with the decision of the Court. It was litigated across the countryside, and I went into the courtroom of Judge Kopf in Lincoln, Nebraska, as he had concluded that the findings of Congress were inferior to the preparation work of the attorneys in that court.

Someone had to speak up. I did so in Lincoln that day, and let him know that our congressional findings were deeply deliberated and well founded. I did so through the press, and I found out that he reads the papers. What happened finally was we were able to have a case sustained to the Supreme Court that at least banned the gruesome process of partial birth abortion.

In the process of these debates that we've had, Mr. Speaker, it has been useful. We've marched here. This will be the 40th year that hundreds of thousands and, by now, millions of people—

especially young people—have come to Washington, D.C., and have gone out to the basilica for the pro-life vigil mass—or I've seen as many as 15,000 people out at the basilica—all praying together, all singing together, all joining together in an effort to protect and defend innocent unborn human life, and then have come the next day here to the Mall in Washington and marched together from the Mall all the way around to the Supreme Court and then dispersed across the Capitol Grounds to the various receptions and offices so that they could bring their influence.

This has changed the conscience of America. This has informed millions of now mothers who might have given up their babies to abortion instead. I'm encouraged by the path that we've taken. I have to believe that, over the years, the millions of voices raising together in hymns and prayer and in the marching have had its effect and is having its effect. There will be a day when we see the end of Roe v. Wade. There will be a day when we respect and revere every human life from that instant, or moment, of conception until natural death. That's what I work for. That's what I pray for. That's what many Members of the Pro-Life Caucus here in Congress have and many people across the countryside have.

Mr. Speaker, I am grateful to live in a country that has so many millions of people who have great respect for innocent unborn human life, and I will be forever grateful if I live to see the day that Roe v. Wade is finally set aside and that life is protected in law.

JOYCE ZOUNIS—TV AND RADIO PRODUCER & HOST LIVING BEYOND THE BANDAIDE OF ABORTION

''We will not speak of this again'' were the words spoken to me as my mom and I, a 15-teen-year old high school sophomore, walked into the abortion facility. I too wanted to forget this problem. I was determined to be the one who decided when I became a mom; NOT a positive reading on a stick. Already disconnected, my mind was not on what was about to happen, but of missing cheerleading practice.

The room was filled with many girls and to my mom's dismay we saw someone we knew. Our secret was blown. I sat in a room waiting for my name to be called just like any other doctor's appointment but this was like no other. They said it won't hurt; it did! They said it would be over real quick; it has lasted 35 years!

Eleven years after my first abortion, I was having my seventh. I was in the same waiting room, walking the same hall, wearing the same gown, taking the same pill, and laying on the same table. To this abortionist's disgust, my pregnancy was further along and required more of his time.

Several hours later the vacuum-like noise broke a decade-old trance—''what have I done?'' I began to weep uncontrollably, and this enraged the abortionist. His gestures were rough, and he was morbidly pleased to have me see his bloody garments when he was finished. The nurse quickly moved me to the recovery room and gave me crackers. Within 10 minutes I was rushed out the back door and nauseous on my way home.

Eleven years, three clinics, two states, seven abortions, and not once was I told of the physical risks I would suffer later: the necessity of bi-lateral mammograms and fear of breast cancer; ovarian cysts; being bed ridden for five months in my last pregnancy and having to explain the possibly of ''mommy dying'' to my four young children due to placenta previa, which resulted in my losing all but two pints of blood; and, a partial hysterectomy at delivery.

Not once was I told of the emotional trauma I would suffer: uncontrollable anger flamed by betrayal, deafening seclusion, and the inability to trust. That child loss through choice would devour my dignity as I justified the twisted truth. Or that deception would slowly creep into all areas of my life including the need to discretely reveal several of my abortions as miscarriages.

I was never told I would feel like I was the only one going crazy. Everyone talks about their ''right to choose;'' but no one talks about the choice. In my case this led to sabotaging many life joys. I will never forget hearing my firstborn's heartbeat. Instead of joy, I was in shock, terrified that the nurses could see right through me and what I had done to my other children.

I was never told you would need to grieve and cry for your unborn; that your life would be forever altered by the horrors of your 'chosen' loss, tormented by the innate longing to hold and know your dead children and their dreams. Or that my five living children would suffer with an impossible mom; trapped by the hidden sadness of her gullible past.

Through divine intervention in 1990, I had participated in an abortion recovery program. The tears so long forgotten had begun to form and fall together with the bandaides covering my shameful sorrows. With grateful relief I was able to acknowledge, name, and mourn my seven babies and rightfully publically position them among their siblings.

For over two decades, my now deceased mom joined me in telling others that abortion hurts everyone: family, friends, and future generations. We were wrong. Abortion was not the right answer for my untimely pregnancies.

I now know that you are forever a mom regardless of the age of your child; 6 seconds, 6 days or 60 years. I was blind to this but now I see. This momma of 12 children chooses to be a voice of truth. In pregnancy you carry the baby for only nine months but in abortion you carry it for a lifetime just with empty arms.

The SPEAKER pro tempore (Mr. COLLINS of Georgia). The time of the gentleman from New Jersey has expired.

Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Nebraska (Mr. FORTENBERRY) for 30 minutes.

GENERAL LEAVE

Mr. FORTENBERRY. I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. FORTENBERRY. Mr. Speaker, this Friday, hundreds of thousands of people will gather in Washington for a peaceful march, exercising the most American of values—the right to assemble and the right to freedom of speech. Among the people who will come are multitudes of young persons from all over America—young people who are the inheritors of the great civil rights traditions of this land. These young people are pro-life. Mr. Speaker, they're really saying something pretty simple.

They are saying that the time for honesty has come, that the time for a new national conversation has come, that the time for the violence to end has come, and that the time since the Supreme Court decision that legalized abortion on demand some 40 years ago has inflicted a deep wound on ourselves and the very soul of this country.

Over the past few decades, we have witnessed an evolving desensitization to abortion. It has become too easy to think of abortion as a procedure, as something clinical, somehow normal, removed. Disguised in the mantle and vocabulary of health, minds and hearts can easily become numb to what abortion really is, to what it really does and to who really dies.

But the youth among us, they know better. They know that women deserve better.

Abortion is so often the result of abandonment. A woman, in not knowing where to turn, falls into the grasps of the abortion industry, which says, We can quietly make this go away. There are no consequences here; just pay over there. But the consequences are so very real. Abortion is an act of violence. The woman so often carries the wound from this act of violence imposed upon her. Her unborn child dies. The abortion industry profits from this pain, and the other responsible party—the man—escapes his responsibilities. This is why the early feminist movement saw abortion as another form of male domination over women.

Mr. Speaker, young people, they know this. They sense this. They know instinctively that the Supreme Court's decision was a dinosaur decision, not based on science. They know that the consequences of abortion are very real, and they're simply saying there's a better way. There has to be a better way. We should be loving enough and caring enough. We certainly are big enough. We certainly have resources enough to rally as a community and help a person no matter how difficult her circumstances. They are saying no woman should be left alone or in isolation. We are a community committed to the beautiful gift of life. Mr. Speaker, that's the message from these young people who will gather by the tens of thousands this Friday in Washington, and I'm proud to stand with them.

With that, I yield to my good friend, Congressman SMITH.

Mr. SMITH of New Jersey. I thank my good friend for yielding, and I applaud his tremendous leadership over the years in defense of the culture of life, for being consistent on all human rights issues—from child soldiers and combating that abuse of children to the abuse of unborn children by way of abortion. So I thank him for that. I would just make a few points, because we are coming to a close, Mr. Speaker.

Today, doctors diagnose illness and disability before birth. New and exciting breakthrough health care interventions for the unborn, including microsurgeries, are leading to an ever-expanding array of successful treatments and cures of sick or disabled unborn babies. A few other Members have made this point very clearly, as do I, which is that unborn children are society's littlest patients, and they might need health care just like any one of us.

□ 1640

In stark contrast, abortion methods rip, tear, dismember or chemically poison the fragile bodies of unborn babies to death, and abortion pills cause premature expulsion from the womb and death. There is nothing benign, compassionate, or just about an act that utterly destroys the life of a child and often physically, psychologically, and emotionally harms women. And despite the near total absence of any meaningful reporting by the news media, women get hurt and even die from legal abortions.

According to the most recent Centers for Disease Control report, from 1973 to 2008, at least 403 women tragically died in the United States from legal abortion. And that sad fact is almost certainly a significant undercount because the methodology employed by CDC is passive and voluntary and likely to miss instances of both mortality and morbidity.

In the years since CDC's ''most recent report,'' many more women have surely died, like Tonya Reaves, a 24-year-old woman who died last July from a botched second trimester dismemberment abortion, a D&E, at a Chicago area Planned Parenthood abortion mill.

The abortion industry, Mr. Speaker, excels at surface appeal argument and at propaganda. Indeed, the misleading term ''safe abortion'' purposefully misses the point that no abortion, legal or illegal, is ever safe for the baby, and all are fraught with negative health consequences for the mother.

Today, at least 104 credible studies show significant psychological harm, major depression, and/or elevated suicide risk to women who abort. The Times of London reported that:

> Senior psychiatrists say that new evidence has uncovered a clear link between abortion and mental illness in women who have had no previous history of psychological problems. They've found that women who've had abortions have twice the level of psychological problems, three times the level of depression as women who have given birth or who have never been pregnant.

One comprehensive study out of New Zealand in 2006 found that 78.6 percent of the 15- to 18-year-olds who had had abortions displayed symptoms of major depression as compared to 31 percent of their peers.

Mr. Speaker, there are at least 115 studies that show significant association between abortion and subsequent premature births. You never read about this in the news media.

Researchers Shah and Zao show a 36 percent increase for pre-term birth after one abortion and a staggering 93 percent increased risk after two.

What does this mean for children? Pre-term birth is the leading cause of infant mortality in the industrialized world after congenital anomalies. Preterm infants have a greater risk of suffering chronic lung disease, sensory deficits, cerebral palsy, cognitive impairments, and behavioral problems. Low birth weight is similarly associated with neonatal mortality and morbidity.

These are consequences that are visited upon a woman later on. She's never told this at the abortion clinic that subsequent children that she will have later in her life could suffer prematurity and low birth weight.

And, finally, the extremism of the pro-abortion industry is shocking.

Last spring, the House of Representatives took up TRENT FRANK's bill to ban sex-selection abortion. The bill garnered a solid majority, 246–168 in the House. President Obama, however, made it absolutely clear that he would veto the sex-selection abortion prohibition should it be sent to the White House.

While sex selection targets almost exclusively girls for extermination, simply because they're girls, the egregious practice remains legal in most of our States. In fact, only four States—Illinois, Pennsylvania, Oklahoma, and Arizona—and several countries, including the United Kingdom, prohibit sex-selection abortion. And yet we have not been able to get that legislation enacted into law, and it's opposed by President Obama.

Mr. Speaker, we need to stand up for life. Again, I want to thank my good friend and colleague from Nebraska for having this second Special Order on defending life. And like JEFF, I do look forward to the March for Life on January 25 where we will all rally in defense of the defenseless.

Mr. FORTENBERRY. If the gentleman would perhaps be interested in entering into a bit of a dialogue, and I'm sorry I missed your earlier statement, but let me say to you, thank you for your stalwart leadership, your deep commitment to the beautiful gift of life, for saying to America consistently, constantly, fervently, with heart and emotion for 30-plus years, I think you've been here.

Mr. SMITH of New Jersey. Thirty-three.

Mr. FORTENBERRY. There is a better way. We can do better than this. Women deserve better. But in your last comment, you touched upon the issue of sex-selected abortion, and I wonder if in your earlier comments you talked about policies, such as the one-child policy in China, which are taking hold, sadly, in other parts of South Asia, how they are affecting population imbalance and how it ends up being the little girls, the unborn little girls who are primarily the targets of these state-imposed coercions on families. So you have this very significant imbalance in the population because of the targeting of unborn little girls in the womb for sex-selected abortion. Perhaps you touched on that earlier.

Mr. SMITH of New Jersey. No, I did not.

Mr. FORTENBERRY. It's a very important part of this overall discussion, to talk about the consequences of where all of this leads. And in a country like China, which has imposed this brutality upon its own people, the women who have come here undercover, we've had them in our hearings. They've had to be behind screens because they fear reprisal from the Chinese Government toward their families, who've talked about being victimized by coercive abortion, that issue plus the issue of how this is created, and it is targeted primarily at unborn girls, the grave injustice of that.

I know you're so learned and have such details on that subject, perhaps you can re-raise that if you didn't earlier talk about it.

Mr. SMITH of New Jersey. I thank the gentleman for yielding and for raising that important issue.

The People's Republic of China doesn't have a pro-life movement per se. The government is a dictatorship. Regrettably, going back to 1979, they enacted with great push and encouragement from the United States and from the West, Europe especially, a one-child-per-couple policy where brothers and sisters are illegal, where women are systematically, forcibly aborted, and forced sterilization is commonplace to achieve quotas. Not only does a woman have to get a birth authorization from the Government of China to have a baby; if she has an out-of-plan birth, she is aborted forcibly.

Over the years, as chairman of the China Commission and as chairman of the Human Rights Committee of the Foreign Affairs Committee, I've chaired 43 congressional hearings on human rights in China; and many of those were focused on, as you pointed out, women who had to be behind screens to tell their story about the gross indignity, the exploitation, the crimes against humanity that had been committed against them.

In China today, there are approximately 100 million, maybe more, missing daughters, the direct consequence of sex-selection abortion and what is often referred to as gendercide, the deliberate killing of a little girl simply because she is a girl.

In her book ''Unnatural Selection: Choosing Boys Over Girls and the Consequences of a World Full of Men,'' Mara Hvistendahl traces the sordid history of sex-selection abortion as a means of population control. And almost no one knows about this. You'll never read about this in the local papers. You don't hear about it on the major news broadcasts. She writes:

> By August 1969, when the National Institute of Child Health and Human Development and the Population Council convened

another workshop on population control, sex selection had become a pet scheme.

Hvistendahl writes:

> If a reliable sex-determination technology could be made available to a mass market, there was a rough consensus that sex-selection abortion would be an effective, uncontroversial, and ethical way of reducing the global population.

What that means is that you kill the girl child in the womb, you end one life, and that girl who will never grow up to be a woman because she has been exterminated because she happened to be a girl, will never be a mother. So it is a means of population control. It is absolutely an egregious violation of human rights, and yet our own President refuses to support a ban on sex-selection abortion. He talked about we the people and inclusion yesterday. Where's the inclusion of all unborn babies, but those who are particularly targeted for elimination, the girl child?

□ 1650

And I would also add, finally, Live Action, an undercover sting operation that they had done—and it's on the Web, you can watch it, you can watch the raw footage, liveaction.org—in their series, ''Gendercide in America,'' they showed Planned Parenthood personnel in this country advising undercover female investigators how to procure sex-selection abortions. I watched that and was sickened by the admonishment, the so-called counseling that was all caught on tape.

One staffer tells the investigator to wait until her baby is 5 months along, get the ultrasound. That's when you can determine the gender of the child, boy or girl, and if it's a girl, that's when you can kill it.

And it was all made very clear. The investigators were laying out a scenario where, if it's a girl, I want the girl child to be destroyed. And there was Planned Parenthood accommodating that to the nth degree.

Mr. FORTENBERRY. If the gentleman would yield for a moment, I think it's important, an important tangent. It's not tangential. It's an element of this discussion because it shows once we give up on this basic fundamental human right, once we let go of our civil rights tradition and we don't include every person, including those who are most vulnerable in the womb, we can see the consequences. Maybe not here just yet, to a large degree, but we can certainly see the consequences of what I talked about earlier in terms of the desensitization of what abortion really is.

So in other places it's lent itself to coercive population control, and even to the shocking horror of taking the life of little girls simply because they're a girl. Now, that still bothers our conscience here in this country, but you can see how it's related to the deeper problem of once we start down this pathway, we desensitize ourselves to the hard, to the important reality that the life within is deserving of protection; that women who perhaps are in very difficult circumstances deserve better than this, deserve a fullness of commitment from you and me and the United States Congress and communities of concern everywhere that there is a better way.

We do not have to do this to one another. We do not have to impose this wound upon women. We do not have to think in this paradigm when there are hard circumstances. We can do it differently.

And I think it's important to have a discussion about the broader consequences of what is happening all around us because we desensitize ourselves in what I call a dinosaur decision, because it wasn't based on science. We didn't have the fullness of technology back then, which fortunately helped so many of us understand just how that small, tiny little life is viable, is real, and is growing and can reach its fullness of potentiality if we just nurture it.

And sometimes people who are in circumstances that are tough and difficult and need a little help with that nurturing, they deserve that support and help. That's our message. That's our message.

So if we can turn this back and build upon a new ideal that life is beautiful, life is a gift, it is worthy of support, not only just from individuals but from the culture at large, I think we'll go a long way towards stopping this aggressive, horrific assault that is happening, primarily in other places but is a threat to potentially happen here, where you're even going so far as to select out the little girl for termination because she's a girl.

This is particularly hard for me, to be honest with you, because I have five daughters. Just kind of happened that way. And I remember, in our last ultrasound for the baby, she's 7, I still call her a little baby, but when we saw that child in the womb, my youngest one at that time looked at me and said, Dad, I hope it's a boy so you have someone to play with.

But technology has helped us understand that life, the nature of that life. And so that's why the Supreme Court decision was not scientific, terribly misguided, has inflicted a deep wound upon us, has given us a false notion of choice and freedom, which tickles the ear, sounds good at one level, but the consequences are oh so deep and real for the individual, for those who are responsible and have been able to escape their responsibility, for geopolitical movements now that have ended up in coercive population control measures, which is grievously unjust, particular to women in far away places.

Going back to what I said as well, if you'd like, describe some of the testimony that we heard from the women who came from China in secret, who had to be, again, behind screens because we were fearful, and they were as well, for reprisals against their families back in China simply because they dared stand up and say, the government should not impose coercive abortion upon me.

There was one woman, as I recall, who was in tears. She had four abortions imposed upon her by the government.

You recall that hearing last year because you were responsible for it, and I think it's a great credit to your leadership.

But again, as hard as this is to look at, as painful as it is, I don't think there's been a more powerful hearing in which I've participated in the United States Congress, hearing from the victim of a government-imposed, coerced abortion and what the consequences were on her.

I'm sorry. Perhaps you had raised that earlier. I didn't have the privilege of hearing your earlier talk, but I think that perspective is important as well.

Mr. SMITH of New Jersey. I thank my friend for yielding and for raising again another very important point. You know, at several of these hearings, which were covered very scarcely by the news media, unfortunately, we had some powerful witnesses from women who are actually the victims of coercive abortion.

Over the many years we've had such hearings, and when they tell their story, and they talk about the helplessness and almost hopelessness of the situation, trying to evade family planning cadres in China as they hunt them down.

You know, most people are unaware of the fact that it begins with economic coercion. If you have a baby out of plan, you are fined if you do not voluntarily walk into the abortion mill for the child to be destroyed. And many women want those children.

One of the women we had testify, her name was Wuijan. She was a Chinese student attending a U.S. university, and part of her testimony—these are her words—she said, when she was rounded up, literally grabbed by the family planning cadres and thrown into a van, totally against her will, she said:

> The room was full of moms who had just gone through a forced abortion. Some moms were crying. Some moms were mourning. Some moms were screaming. And one mom was rolling on the floor with unbearable pain.

Then Wuijan said that it was her turn, and through her tears she described her journey into hell. Here is a woman, just like so many others that we heard from, who were literally trussed, picked up, arrested.

I had a woman back in the 1990s, who was pretty much smuggled out of China, who ran one of the family planning centers in Fujian Province, and she self-described herself: ''By day I was a monster, by night a wife and

mother of one.'' And she talked about it, and she got asylum here eventually.

But she talked about how she would use every part of the police state to ensure that women, even if they evaded family planning cadres up to the ninth month—to drag her in and to kill the baby, and if it's very late in the pregnancy, with a poison shot of formaldehyde or some other substance right to the soft part of the brain to kill the baby.

These are crimes against humanity. They are ever-present throughout China. And again, they're missing 100 million girls, maybe more, because of gendercide and the loss of life. There's no precedent. There's no example that even comes close of a government using abortion as a tool of population control and the like. And it came right out of the population control movement and what happened in the early or late sixties and especially into the seventies, right here in the United States.

In 1984, I say to my friend, Mr. FORTENBERRY, 29 years ago I offered the first amendment on this floor, from this podium, to a foreign aid bill to deny funding to any organization, such as the U.N. Population Fund, that is complicit in China's forced abortion policy and involuntary sterilization. It passed, and it morphed into what became known as the Kemp-Kasten Amendment, offered on the appropriations bill by Congressman Jack Kemp.

After all of these years, it is astonishing to me that we still have so many Members of Congress, we have an administration, in the Obama administration, that is, at best, indifferent, and I would say, at worst supportive of these crimes by giving money to the groups that are on the ground enabling these crimes against women. The Obama administration has enabled this cruel policy by its silence and its financial support to the tune of some $50 million a year to the U.N. Population Fund.

We passed, in this House, a prohibition. They, unfortunately, ignore it, do findings that do not comport with the reality on the ground, and then end up sending this money.

□ 1700

And I met with a woman whose name is Peng Peiyun, who ran the family planning program in China, I say to my friend, Mr. FORTENBERRY, for several hours in a conversation in Beijing. She kept coming back to the fact that the U.N. Population Fund was there on the ground and found nothing but voluntary abortions. Of course, there are a loss of lives, too, but no coercion. So the whitewashing that the U.N. Population Fund has been able to provide to this egregious violation of women's rights in China, and now we today, under the Obama administration, are funding it, Mr. FORTENBERRY. So it's something that has to end. We should be on the side of life and respect, not enabling such terrible things.

Mr. FORTENBERRY. As we're winding down here—we only have a few moments left—I think perhaps we can talk about some good news as well as some common ground. Because everybody listening to this and this important dialogue, this highly sensitive dialogue, may not agree with us. But the vast majority of Americans do agree that the government should not be entangled in this. In other words, taxpayer money should not be going for the provision of abortion. That's one bit of good news.

The second bit of good news, I think, is, again, those of us who have been here a little while, who have been in these trenches trying to beg and plead for an increase of awareness as to what the consequences of abortion are, young people are recognizing that, again, there's got to be a better way. They've lived with this through their generation. They've seen the scars, seen the wounds, seen the effects on society. And they're coming forward and saying, Women deserve better. Can't we be loving enough, can't we be big enough to do something different here?

And I think that's a great sign of encouragement for two reasons. One is, projecting forward, maybe we can reshape society. But also, heal the wounds that have already occurred. Because they are substantive and deep. And I think it's important. And young people, I believe, recognize this. They're there saying, Don't make this choice. It's a false choice, particularly if you feel coerced or abandoned. There are people here ready to help, love, get you through. But if there is that deep wound, we're also here to heal and help. And I think it's just such a beautiful message.

It inspires me that so many young people would come to the Capitol and say, Legislators, older generation of America, let's change this paradigm. Let's change this idea. Because it's not serving our country. It's not serving our people. It's leaving us deeply, deeply hurt. And we can do better.

Mr. SMITH of New Jersey. One of the things that is so noble about the pro-life movement is that it loves and cares for women during the time of their crisis. And if they do procure an abortion, they are there, again, with Project Rachel and all of these outreaches to help women find reconciliation and peace.

Mr. FORTENBERRY. And men.

Mr. SMITH of New Jersey. And men, too, have lost track of the number of women we have met that found that peace. We had four women today at the 40 Years of Victims who told their story of the terrible crisis of the abortion but also the reconciliation and peace that they found later.

You make a very good point, Mr. FORTENBERRY, about the young generation. I have never seen more pro-lifers at the March for Life than we are seeing now. And I went to the first one back in 1974 with my wife, Marie, and then made every one thereafter. When I speak in schools, I used to get a great deal of pushback in answer to a question on the right to life. There are still people who push back, but many students say, It's life. Ultrasound has helped enormously. It's a window to the womb. We all remember Dr. Bernard Nathanson, the founder of NARAL, who became a pro-lifer. He said, ''If wombs had windows, abortion would end.'' The ultrasound is a window to the womb. And you can see that magnificent unborn child moving, shaking around, sucking his or her thumb, doing somersaults inside the womb. Blobs of tissue and protoplasm don't do this.

I think this young generation also has another perspective as well. One of my favorite musicals is ''Les Miserables.'' My wife and I have seen it twice—once in New York, once here in Washington. And now the movie. There's a very haunting song in ''Les Miserables,'' a song by Marius, one of the chief people in that musical, Victor Hugo's ''Les Miserables,'' and it's called, ''Empty Chairs and Empty Tables.'' And he says, ''There's a grief that can't be spoken, there's a pain,'' and it goes on and on, ''Empty chairs and empty tables where my friends will live no more.''

We have empty chairs and empty tables. A third of this generation has been killed by abortion. You look to your left, you look to your right in a classroom or at a diner, there are missing children and now young adults even up to the age of 40, since 40 years ago Roe v. Wade was handed down. Empty chairs, empty tables. And I would add to that, empty cribs.

Mr. FORTENBERRY. Again, I thank the gentleman for your poignant words, your passion, your deep belief in this. So I think now is the time to let the healing begin. Let's put the past behind us. Let's look forward, marching arm-in-arm with the new civil rights movement that these young people are the great inheritors of, to say that we as a Nation can all stand for the beautiful gift of life.

I yield back the balance of my time.

Mr. FRANKS of Arizona. Mr. Speaker, the great Henry Hyde once said, "Our moment in history is marked by a mortal conflict between a culture of life and a culture of death. God put us in the world to do noble things, to love and to cherish our fellow human beings, not to destroy them. Today we must choose sides."

It is so very important that those of us here remember that we as Americans, and even more so as members of this body, have a special stewardship that perhaps no other people on Earth have.

While every human being is called of God to make the best difference they can in this life for their fellow human beings, in America that calling weighs heavier upon us as citizens than it does any other people on Earth. Because this Nation was founded on the timeless premise that all men are created equal; with the image of God stamped on each soul; with the rights to LifE, liberty, and the pursuit of happiness—in that order.

Yet today marks 40 years of legalized abortion-on-demand in America. Of over 50 million

innocent unborn babies slaughtered before they see the light of day.

I both hope and believe that the conscience of America has begun to stir. I mourn the genocide marked by today's tragic anniversary, Mr. Speaker. But more than that, I look prayerfully forward to the day when the same America that rushed into Europe to arrest the Nazi holocaust will muster that same courage here at home, and future generations of children will walk in the sunlight of freedom. May it be so, Mr. Speaker.

Mr. HENSARLING. Mr. Speaker, today we as a Nation reflect on the 40th anniversary of the Supreme Court's decision in Roe v. Wade. It is estimated that in the 40 years since that fateful decision, 55 million abortions have been performed in the United States of America—millions of unique and precious human lives ended by the unspeakable tragedy of abortion.

As a matter of morality, history, science, reason, and most of all faith, I can come to no other conclusion but that every human life begins at conception and every life is worthy of protection. We have a sacred responsibility to protect the innocent and defend the rights of those who are unable to defend themselves. The struggle to protect life is truly a struggle to change hearts and minds. It requires faith, reason, debate, action, and compassion.

Often we hear that we ought to do something for the least of these; truly, unborn life is the least of these. Let us recognize it. Let us hold it precious. Let us live up to our responsibilities from the Creator and grant those yet to be born that precious right to life.

Later this week, thousands of citizens will fight for the rights of the unborn by participating in the March for Life in Washington, D.C. Thousands more will march to support the inalienable right to life in local events in Texas and around the country. I applaud those who attend, both in body and spirit, for their determination to uphold the sanctity and dignity of human life and wholeheartedly support their efforts.

Mrs. ROBY. Mr. Speaker, I rise to recognize the 40th anniversary of the monumental court decision Roe v. Wade.

Since the Supreme Court legalized abortion in 1973, 40 years ago today, 54 million abortions have been performed throughout the United States. Over 4,000 babies will be aborted today alone and over the course of 2013, 1.4 million children in the United States will not be granted the gift of life.

Mr. Speaker, I am unapologetically pro-life. I believe that the miracle of human life begins at conception. I believe that every human being has the unalienable right to life and that this right must be protected by law.

As a proud member of the Pro-Life Caucus, I respect the sanctity of human life in all of its stages. Science proves that human beings develop at an astonishingly rapid pace and that the life of a child begins long before he or she is born into this world. At about 22 days after conception, a child's heart begins to circulate his own blood, unique to that of his mother's and his heartbeat can be detected on ultrasound.

Americans have a proud tradition of standing up and fighting for those who can't fight for themselves. As a woman, a wife, a mother of two children, and as the Representative of Alabama's Second Congressional District, I'm committed to fighting for the unborn.

Recently, my home state of Alabama became the fifth state in the Nation to pass a measure banning abortions after 20 weeks, which is the point where unborn children can feel pain. I applaud the Alabama Legislature for taking such a strong stance on abortion and for protecting those who do not have a voice.

As the 113th Congress begins, I will continue to do everything in my power to fight for the unborn, prevent taxpayer money from funding abortions, and protect our democratic system from the encroachment of an all-powerful judiciary.

Mr. Speaker, today is a time to celebrate the miracle of life and mourn those whose lives were unjustly ended. Let us use the 40th anniversary of Roe v. Wade as an occasion to reaffirm our beliefs and vow to fight for the life of every child.

Mr. WEBSTER of Florida. Mr. Speaker, today we remember the children who have died as a direct result of the Supreme Court's decision in Roe v. Wade, and Doe v. Bolton, which were decided 40 years ago today.

In the 40 years since that terrible day, my wife, Sandy, and I have been blessed with six children. It has been our privilege to raise them and watch them grow and mature, and three of our children are now married and have begun to have children of their own. Sandy and I now have eight beautiful grandchildren, and each of them have unique talents and personalities. I look forward to welcoming more grandchildren and great grandchildren into our family in the future.

In the 40 years since that terrible day, an estimated 55 million innocent children have died as a result of abortions performed in the United States. In 2011 alone, Planned Parenthood reported performing 333,000 abortions. The death of 333,000 children in that one year represents more lives lost than if the entire population of Orlando, Florida, was suddenly extinguished. Over the past 40 years, abortion has claimed nearly three times the total population of the State of Florida, or the same number of people who lived in the Northeast United States as of July 1, 2012.

Life is a gift, and each and every day, I am grateful for the gift of my children, and my grandchildren. Today, I mourn the loss of the 55 million children who never had the opportunity to live and grow and to one day have children of their own. I mourn for their families, who never had the joy of knowing them. I mourn for our nation, which will never benefit from the lives and the love of these children, who would have been our sisters and brothers, sons and daughters, our friends, and our neighbors.

We must never cease to fight for life, nor cease to be grateful for our own.

Mr. LONG. Mr. Speaker, I rise today to acknowledge the 40th Anniversary of the Supreme Court decision of Roe v. Wade. I was a senior in high school when the case was decided and I still remember that decision vividly today. I could not understand how the Court could legalize the stopping of a beating heart on demand. I thought it was outrageous then and the intervening years since then have done nothing to change my opinion. My opinion has been reinforced by the tragic record of abortion. Fifty five million innocent children have been lost and countless women have suffered both mental and physical pain as a result of abortion.

We are a nation of 315 million people. That means that over one sixth of our friends, neighbors, and family members are not with us today because of abortion. Millions of children have been denied the right to live their own lives, to skin their knees on the playground, to go on their first date, to graduate from high school, and to go on to have families of their own. All those unique, amazing lives were ended before we were even able to know them.

The tragedy of abortion doesn't stop with the loss of so many innocent children. Like any medical procedure, abortion can have devastating side effects and complications that cause pain and suffering. Mental anguish, regret, and other emotional pain can also result from abortion.

It is time for us as a nation to reject such a dismal and heartbreaking procedure. It is time for us to reject the cold callous indifference of abortion that abandons women and their precious children. We're a nation that takes care of our own, that protects the most innocent and vulnerable among us, and stands up for justice for women and children. As Roe v. Wade shows, justice does not flow from the pen of a judge. Justice comes from the loving heart of a human being and from the natural law enshrined in the Declaration of Independence. "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights that among these are Life, Liberty and the pursuit of Happiness." Today, let us continue the fight for Life and justice for all Americans and especially for unborn children and their mothers.

Mr. ROSS. Mr. Speaker, I solemnly rise today in memory of more than 50 million innocent lives who were lost as a result of the Roe v. Wade decision that was handed down 40 years ago today.

As Americans, we have a moral obligation to protect the rights of the unborn, and to protect the sanctity of life.

That is why I was proud to cosponsor two pieces of legislation that would prohibit the hard-earned dollars of taxpayers that make up family planning grants from being awarded to any entity that performs abortions.

Introduced by Rep. DIANE BLACK and Rep. MARSHA BLACKBURN, these bills will prohibit hundreds of millions of federal taxpayer dollars from subsidizing large abortion providers such as Planned Parenthood.

As a Christian, a father, and a Member of the Pro-Life Congressional Caucus, I am deeply committed to preserving our nation's traditional family values and will always be a strong advocate for policies that value the sanctity of life.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 325, NO BUDGET, NO PAY ACT OF 2013

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 113–2) on the resolution (H. Res. 39) providing for consideration of the bill (H.R. 325) to ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. GABBARD (at the request of Ms. PELOSI) for today.

Mr. ADERHOLT (at the request of Mr. CANTOR) for today on account of a death in the family.

PUBLICATION OF BUDGETARY MATERIAL

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, January 22, 2013.

REVISIONS TO THE AGGREGATES AND ALLOCATIONS OF THE FISCAL YEAR 2012 AND 2013 BUDGET RESOLUTIONS

Mr. RYAN of Wisconsin. Mr. Speaker, pursuant to section 503 of H. Con. Res. 112, the House-passed budget resolution for fiscal year 2013, deemed to be in force by H. Res. 5, I hereby submit for printing in the CONGRESSIONAL RECORD revisions to the budget allocations and aggregates. The revision reflects the budgetary impact of H.R. 8, the American Taxpayer Relief Act of 2012, which makes permanent certain tax policies enacted in 2001, 2003, and 2010 and would provide relief from the Alternative Minimum Tax. A corresponding table is attached.

This revision represents an adjustment pursuant to sections 302 and 311 of the Congressional Budget Act of 1974, as amended (Budget Act). For the purposes of the Budget Act, these revised aggregates and allocations are to be considered as aggregates and allocations included in the budget resolution, pursuant to section 101 of H. Con. Res 112.

Sincerely,

PAUL RYAN,
Chairman, House Budget Committee.

BUDGET AGGREGATES

[On-budget amounts, in millions of dollars]

	Fiscal Year	
	2013	2013–2022
Current aggregates: [1]		
Budget authority	2,793,848	[2]
Outlays	2,891,589	[2]
Revenues	2,293,339	32,472,564
The American Taxpayer Relief Act of 2012 (H.R. 8):		
Budget authority	0	[2]
Outlays	0	[2]
Revenues	−203,799	−3,515,231
Revised aggregates:		
Budget authority	2,793,848	[2]
Outlays	2,891,589	[2]
Revenues	2,089,540	28,957,333

[1] Section 506 of H. Con. Res. 112 stipulates that adjustments to allocations and aggregates shall apply while the measure is under consideration and take effect upon enactment of that measure. The current aggregates reflect the original budget resolution levels adjusted only for those measures, which were provided an adjustment during consideration and that have been enacted into law. Presently, the revenue aggregates in H. Con. Res. 112 have been adjusted by −203,799 for FY2013 and by −$3,515,231 for FY2013–FY2022 for measures enacted into law.

[2] Not applicable because annual appropriations acts for fiscal years 2015 through 2022 will not be considered until future sessions of Congress.

DIRECT SPENDING LEGISLATION—AUTHORIZING COMMITTEE 302(a) ALLOCATIONS FOR RESOLUTION CHANGES

[Fiscal years, in millions of dollars]

	2013		2013–2022 Total	
	Budget authority	Outlays	Budget authority	Outlays
House Committee on Ways & Means				
Current allocation:	985,036	982,582	11,683,572	11,672,931
Changes for the American Taxpayer Relief Act of 2012 (H.R. 8)	0	0	+198,295	+198,295
Revised allocation:	985,036	982,582	11,881,867	11,871,226

ADJOURNMENT

Mr. SESSIONS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 6 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, January 23, 2013, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

74. A letter from the Senior Counsel for Regulatory Affairs, Department of the Treasury, transmitting the Department's final rule — Determination of Foreign Exchange Swaps and Foreign Exchange Forwards Under the Commodity Exchange Act received January 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

75. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Fluroxypyr; Pesticide Tolerances [EPA-HQ-OPP-2011-0962; FRL-9371-1] received January 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

76. A letter from the Acting Principal Deputy, Department of Defense, transmitting authorization of four officers to wear the authorized insignia of the grade of major general and brigadier general; to the Committee on Armed Services.

77. A letter from the Assistant Secretary for Legislative Affairs, Department of Treasury, transmitting annual report on recruitment and retention, training and workforce development, and workforce flexibilities; to the Committee on Financial Services.

78. A letter from the Acting Secretary, Federal Trade Commission, transmitting a report under Section 319 of the Fair and Accurate Credit Transactions Act of 2003; to the Committee on Financial Services.

79. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Colorado; Revisions to New Source Review Rules [EPA-R08-OAR-2011-1025; FRL-9762-5] received January 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

80. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; New Hampshire; Redesignation of the Southern New Hampshire 1997 8-hour Ozone Nonattainment Area [EPA-R01-OAR-2010-0290; FRL-9768-7] received January 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

81. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Implementation Plans; State of Utah; Smoke Management Requirements for Mandatory Class I Areas under 40 CFR 51.309 [EPA-R08-OAR-2011-0636; FRL-9636-6] received January 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

82. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Emissions Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters [EPA-HQ-OAR-2002-0058; FRL-9676-8] (RIN: 2060-AR13) received January 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

83. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Ambient Air Quality Standards for Particulate Matter [EPA-HQ-OAR-2007-0492; FRL-9761-8] (RIN: 2060-AO47) received January 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

84. A letter from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Regional Reliability Standard PRC-006-SERC-01 — Automatic Underfrequency Load Shedding Requirements [Docket No.: RM12-9-000; Order No. 772] received January 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

85. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Amendment to the International Traffic in Arms Regulations: Afghanistan and Change to Policy on Prohibited Exports (RIN: 1400-AD26) received January 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

86. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Interagency Working Group on U.S. Government-Sponsored International Exchanges and Training FY 2012 Annual Report; to the Committee on Foreign Affairs.

87. A letter from the Acting Secretary, Department of Commerce, transmitting the Department's Performance and Accountability Report for fiscal year 2012; to the Committee on Oversight and Government Reform.

88. A letter from the Administrator, National Aeronautics and Space Administration, transmitting the Administration's Agency Financial Report for fiscal year 2012; to the Committee on Oversight and Government Reform.

89. A letter from the Chairman, Commission on Civil Rights, transmitting a copy of the charter of the U.S. Commission on Civil Rights State Advisory Committees; to the Committee on the Judiciary.

90. A letter from the Federal Liaison Officer, Department of Commerce, transmitting the Department's ''Major'' final rule — Setting and Adjusting Patent Fees [Docket No.: PTO-C-2011-0008] (RIN: 0651-AC54) received January 15, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

91. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting a letter regarding two additional pending cases under Section 3 of the Defense of Marriage Act; to the Committee on the Judiciary.

92. A letter from the Secretary, Judicial Conference of the United States, transmitting a report on the continuing need for bankruptcy judgeships; to the Committee on the Judiciary.

93. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's ''Major'' final rule — Major Capital Investment Projects [Docket No.: FTA-2010-0009] (RIN: 2132-AB02) received January 15, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

94. A letter from the Chair, NASA Aerospace Safety Advisory Panel, transmitting the Panel's Annual Report for 2012; to the Committee on Science, Space, and Technology.

95. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a semi-annual report to Congress on the continued compliance of Azerbaijan, Kazakhstan, Moldova, the Russian Federation, Tajikistan, and Uzbekistan with the Trade Act's freedom of emigration provisions, as required under the Jackson-Vanik Amendment; to the Committee on Ways and Means.

96. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting notification of intent to obligate funds for purposes of Nonproliferation and Disarmament Fund (NDF) activities; jointly to the Committees on Foreign Affairs and Appropriations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SESSIONS: Committee on Rules. House Resolution 39. Resolution providing for consideration of the bill (H.R. 325) to ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes (Rept. 113–2). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. MOORE (for herself, Mr. CONYERS, Ms. BASS, Mrs. BEATTY, Mr. BERA, Mr. BISHOP of New York, Mr. BLUMENAUER, Ms. BONAMICI, Ms. BORDALLO, Mr. BRADY of Pennsylvania, Mr. BRALEY of Iowa, Ms. BROWN of Florida, Ms. BROWNLEY of California, Mrs. BUSTOS, Mrs. CAPPS, Mr. CAPUANO, Mr. CÁRDENAS, Mr. CARNEY, Mr. CARSON of Indiana, Ms. CASTOR of Florida, Mr. CASTRO of Texas, Mrs. CHRISTENSEN, Ms. CHU, Mr. CICILLINE, Ms. CLARKE, Mr. CLAY, Mr. CLEAVER, Mr. COHEN, Mr. CONNOLLY, Mr. COSTA, Mr. COURTNEY, Mr. CUMMINGS, Mrs. DAVIS of California, Mr. DANNY K. DAVIS of Illinois, Ms. DEGETTE, Mr. DELANEY, Ms. DELAURO, Ms. DELBENE, Mr. DEUTCH, Mr. DINGELL, Mr. DOGGETT, Mr. DOYLE, Ms. DUCKWORTH, Ms. EDWARDS, Mr. ELLISON, Mr. ENGEL, Mr. ENYART, Ms. ESHOO, Ms. ESTY, Mr. FALEOMAVAEGA, Mr. FARR, Mr. FATTAH, Mr. FOSTER, Ms. FRANKEL of Florida, Ms. FUDGE, Ms. GABBARD, Mr. GARCIA, Mr. GRIJALVA, Ms. HAHN, Ms. HANABUSA, Mr. HASTINGS of Florida, Mr. HECK of Washington, Mr. HIGGINS, Mr. HIMES, Mr. HINOJOSA, Mr. HOLT, Mr. HONDA, Mr. HORSFORD, Mr. HUFFMAN, Ms. JACKSON LEE, Mr. JEFFRIES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. KILDEE, Mr. KILMER, Mrs. KIRKPATRICK, Ms. KUSTER, Mr. LANGEVIN, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Ms. LEE of California, Mr. LEVIN, Mr. LEWIS, Mr. LOEBSACK, Ms. LOFGREN, Mr. LOWENTHAL, Mrs. LOWEY, Mr. BEN RAY LUJAN of New Mexico, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. LYNCH, Mr. MAFFEI, Mrs. CAROLYN B. MALONEY of New York, Mr. MARKEY, Ms. MATSUI, Mrs. MCCARTHY of New York, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. MCNERNEY, Mr. MEEKS, Ms. MENG, Mr. MICHAUD, Mr. GEORGE MILLER of California, Mr. MORAN, Mr. MURPHY of Florida, Mr. NADLER, Mrs. NAPOLITANO, Mrs. NEGRETE MCLEOD, Mr. NOLAN, Ms. NORTON, Mr. O'ROURKE, Mr. OWENS, Mr. PALLONE, Mr. PASCRELL, Mr. PETERS of Michigan, Mr. PIERLUISI, Ms. PINGREE of Maine, Mr. POCAN, Mr. PRICE of North Carolina, Mr. QUIGLEY, Mr. RANGEL, Ms. ROYBAL-ALLARD, Mr. RUPPERSBERGER, Mr. RUSH, Mr. SABLAN, Ms. LORETTA SANCHEZ of California, Ms. LINDA T. SÁNCHEZ of California, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCHNEIDER, Mr. SCHRADER, Ms. SCHWARTZ, Mr. SERRANO, Ms. SEWELL of Alabama, Ms. SHEA-PORTER, Mr. SHERMAN, Ms. SINEMA, Mr. SIRES, Ms. SLAUGHTER, Mr. SMITH of Washington, Ms. SPEIER, Mr. TAKANO, Ms. TITUS, Ms. TSONGAS, Mr. VAN HOLLEN, Mr. VARGAS, Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, Ms. WATERS, Mr. WAXMAN, Mr. WELCH, Ms. WILSON of Florida, and Mr. YARMUTH):

H.R. 11. A bill to reauthorize the Violence Against Women Act of 1994; to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, Education and the Workforce, Financial Services, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAMBORN:

H.R. 326. A bill to amend the Congressional Budget Act of 1974 to establish a point of order to prohibit the extension of the public debt limit unless a concurrent resolution on the budget has been agreed to and is in effect; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CHAFFETZ (for himself and Mr. TIERNEY):

H.R. 327. A bill to establish requirements relating to the provision of certain products to the Government of Afghanistan, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CHAFFETZ (for himself and Mr. QUIGLEY):

H.R. 328. A bill to establish a pilot program for the expedited disposal of Federal real property; to the Committee on Oversight and Government Reform.

By Mr. FITZPATRICK:

H.R. 329. A bill to amend the NICS Improvement Amendments Act of 2007 to encourage States to provide records to the National Instant Background Check System; to the Committee on the Judiciary.

By Mr. CALVERT (for himself and Mr. TAKANO):

H.R. 330. A bill to designate a Distinguished Flying Cross National Memorial at the March Field Air Museum in Riverside, California; to the Committee on Natural Resources.

By Mr. CALVERT (for himself and Mr. TAKANO):

H.R. 331. A bill to direct the Secretary of Veterans Affairs to permit the centralized reporting of veteran enrollment by certain groups, districts, and consortiums of educational institutions; to the Committee on Veterans' Affairs.

By Mr. SCHIFF (for himself, Mr. VAN HOLLEN, Mr. MEEKS, Mr. CICILLINE, Mr. CARTWRIGHT, Mr. HONDA, Mr. ELLISON, Mr. MORAN, Ms. SLAUGHTER, Mr. MCGOVERN, Ms. NORTON, and Mr. SERRANO):

H.R. 332. A bill to provide victims of gun violence access to the same civil remedies as are available to those injured through other means; to the Committee on the Judiciary.

By Mr. BISHOP of Georgia (for himself, Mr. ROGERS of Alabama, Ms. BROWN of Florida, Mr. SIMPSON, Mr. COURTNEY, Mr. RUNYAN, Mr. DEFAZIO, Mr. GRIFFIN of Arkansas, Mr. RAHALL, Ms. TSONGAS, Ms. BONAMICI, Mr. LARSEN of Washington, Mr. HOLT, Mr. MORAN, Mr. LOEBSACK, Mr. TIERNEY, Mr. CONNOLLY, and Mr. PETERSON):

H.R. 333. A bill to amend title 10, United States Code, to permit retired members of the Armed Forces who have a service-connected disability rated less than 50 percent to receive concurrent payment of both retired pay and veterans' disability compensation, to eliminate the phase-in period for concurrent receipt, to extend eligibility for concurrent receipt to chapter 61 disability retirees with less than 20 years of service, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POE of Texas (for himself, Mr. CONAWAY, Mr. CHABOT, Mrs. MILLER of Michigan, Mr. CULBERSON, Mr. HALL, Mr. DUNCAN of South Carolina, Mrs. BLACKBURN, Mr. KING of Iowa, Mr. FARENTHOLD, and Mr. WEBER of Texas):

H.R. 334. A bill to approve the Keystone XL pipeline project permit; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOUSTANY (for himself, Mr. COURTNEY, Mr. THOMPSON of California, Mr. CUMMINGS, Mrs. MILLER of Michigan, Ms. BORDALLO, Mr. CAPUANO, Mr. BRADY of Texas, Mr. MCCAUL, Mr. RIBBLE, Mr. MICHAUD, Mr. LYNCH, Mr. JONES, Mr. GRIMM, Mr. NADLER, Mr. DEFAZIO, Mr. HARPER, Mr. DINGELL, Ms. LEE of California, Mr. MEEHAN, Mr. CONYERS,

Mr. FARENTHOLD, Mr. SCHRADER, Mr. CARNEY, Mr. SOUTHERLAND, Ms. PINGREE of Maine, Mr. BUCSHON, Mr. CASSIDY, Mr. HIMES, Mr. FLEMING, Mr. WALBERG, Ms. SPEIER, Mr. KING of New York, Mr. GRIFFIN of Arkansas, Mr. RUPPERSBERGER, Mr. HIGGINS, and Mr. DUNCAN of Tennessee):

H.R. 335. A bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAPUANO (for himself, Mr. CLEAVER, Mr. MCNERNEY, and Ms. NORTON):

H.R. 336. A bill to amend title 18, United States Code, to provide penalties for counterfeiting or selling Presidential inauguration tickets, and for other purposes; to the Committee on the Judiciary.

By Mr. COOPER:

H.R. 337. A bill to require States to carry out Congressional redistricting in accordance with a process under which members of the public are informed of redistricting proposals and have the opportunity to participate in the development of such proposals prior to their adoption, and for other purposes; to the Committee on the Judiciary.

By Mr. FALEOMAVAEGA (for himself, Mr. SABLAN, Ms. BORDALLO, and Mr. PIERLUISI):

H.R. 338. A bill to amend title 18, United States Code, to include certain territories and possessions of the United States in the definition of State for the purposes of chapter 114, relating to trafficking in contraband cigarettes and smokeless tobacco; to the Committee on the Judiciary.

By Mr. GINGREY of Georgia (for himself, Mr. WESTMORELAND, Mr. STOCKMAN, Mr. ROE of Tennessee, and Mrs. BLACKBURN):

H.R. 339. A bill to require the Bureau of Alcohol, Tobacco, Firearms, and Explosives to make video recordings of the examination and testing of firearms and ammunition, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIJALVA (for himself, Mr. CONYERS, and Mr. CUMMINGS):

H.R. 340. A bill to amend the Higher Education Opportunity Act to restrict institutions of higher education from using revenues derived from Federal educational assistance funds for advertising, marketing, or recruiting purposes; to the Committee on Education and the Workforce.

By Mr. HONDA (for himself and Mr. DANNY K. DAVIS of Illinois):

H.R. 341. A bill to facilitate nationwide availability of volunteer income tax assistance for low-income and underserved populations, and for other purposes; to the Committee on Ways and Means.

By Mr. HUNTER (for himself, Mr. THOMPSON of Pennsylvania, Mr. FRANKS of Arizona, Mr. TURNER, Mr. JONES, Mr. YODER, Mr. BRADY of Pennsylvania, Mr. CONAWAY, Mrs. HARTZLER, Mr. COBLE, Mr. CULBERSON, Mr. BENISHEK, Mr. GOWDY, Mr. KINZINGER of Illinois, Mr. ROONEY, Mr. NUGENT, Mr. WESTMORELAND, Mr. GRIMM, Mr. GRIFFIN of Arkansas, Mr. WILSON of South Carolina, Mr. PALAZZO, and Mr. COFFMAN):

H.R. 342. A bill to prioritize certain Government obligations for continued payment in the event that the statutory debt limit is reached, to appropriate funds for the pay and allowances of all members of the Armed Forces, and for those civilian employees of the Department of Defense and the Coast Guard serving in a combat zone, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JONES:

H.R. 343. A bill to amend title 10, United States Code, to ensure that every military chaplain has the prerogative to close a prayer outside of a religious service according to the dictates of the chaplain's own conscience; to the Committee on Armed Services.

By Mr. LYNCH:

H.R. 344. A bill to restore the application of the Federal antitrust laws to the business of health insurance to protect competition and consumers; to the Committee on the Judiciary.

By Ms. NORTON:

H.R. 345. A bill to amend the District of Columbia Home Rule Act to eliminate all Federally-imposed mandates over the local budget process and financial management of the District of Columbia and the borrowing of money by the District of Columbia; to the Committee on Oversight and Government Reform.

By Mr. NUNNELEE:

H.R. 346. A bill to amend title I of the Patient Protection and Affordable Care Act to ensure that the coverage offered under multi-State qualified health plans offered in Exchanges is consistent with the Federal abortion funding ban; to the Committee on Energy and Commerce.

By Mr. PETRI (for himself, Mr. LOEBSACK, Mr. MICHAUD, Mr. HANNA, Ms. NORTON, Mr. THOMPSON of Pennsylvania, Ms. MOORE, Mr. GRIMM, and Ms. CASTOR of Florida):

H.R. 347. A bill to provide, develop, and support 21st century readiness initiatives that assist students in acquiring the skills necessary to think critically and solve problems, be an effective communicator, collaborate with others, and learn to create and innovate; to the Committee on Education and the Workforce.

By Mr. RANGEL (for himself, Mr. VAN HOLLEN, Mr. BLUMENAUER, and Mr. MCDERMOTT):

H.R. 348. A bill to amend the Internal Revenue Code of 1986 and the Social Security Act to provide for employment tax treatment of professional service businesses; to the Committee on Ways and Means.

By Mrs. ROBY (for herself, Mr. BONNER, Mr. BACHUS, and Ms. SEWELL of Alabama):

H.R. 349. A bill to amend the Food Security Act of 1985 with respect to maximum enrollment and eligible land in the conservation reserve program; to the Committee on Agriculture.

By Mr. AUSTIN SCOTT of Georgia (for himself, Mr. WESTMORELAND, Mr. DUNCAN of South Carolina, and Mr. MULVANEY):

H.R. 350. A bill to repeal the Legal Services Corporation Act; to the Committee on the Judiciary.

By Mr. MCGOVERN (for himself, Ms. PINGREE of Maine, Mr. CAPUANO, Mr. COHEN, Mr. CICILLINE, Mr. HOLT, Mr. MICHAUD, Mr. DEFAZIO, Mr. LANGEVIN, and Ms. SHEA-PORTER):

H.J. Res. 20. A joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures with respect to elections; to the Committee on the Judiciary.

By Mr. MCGOVERN (for himself, Mr. JONES, Ms. PINGREE of Maine, Mr. CAPUANO, Mr. COHEN, Mr. CICILLINE, Mr. FARR, Mr. DEFAZIO, and Ms. LEE of California):

H.J. Res. 21. A joint resolution proposing an amendment to the Constitution of the United States to clarify the authority of Congress and the States to regulate corporations, limited liability companies or other corporate entities established by the laws of any State, the United States, or any foreign state; to the Committee on the Judiciary.

By Mr. HARRIS:

H.J. Res. 22. A joint resolution proposing an amendment to the Constitution of the United States to limit the number of consecutive terms that a Member of Congress may serve; to the Committee on the Judiciary.

By Mr. RIGELL:

H. Con. Res. 9. Concurrent resolution prohibiting the House or Senate from adjourning for a period of more than 5 days during a fiscal year unless the House involved has adopted a concurrent resolution on the budget for such fiscal year and has approved legislation to provide funding for the operations of the government for the entire fiscal year; to the Committee on Rules.

By Mr. GINGREY of Georgia:

H. Res. 40. A resolution expressing the sense of the House of Representatives that active duty military personnel who are stationed or residing in the District of Columbia should be permitted to exercise fully their rights under the Second Amendment to the Constitution of the United States; to the Committee on Oversight and Government Reform.

By Mr. HOLT:

H. Res. 41. A resolution expressing support for designation of February 12, 2013, as Darwin Day and recognizing the importance of science in the betterment of humanity; to the Committee on Science, Space, and Technology.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. MOORE:

H.R. 11.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. LAMBORN:

H.R. 326.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 2

By Mr. CHAFFETZ:

H.R. 327.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the Constitution: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States;

By Mr. CHAFFETZ:

H.R. 328.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the Constitution: The Congress shall have Power

To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Clause 2 of Section 8 of Article I of the Constitution: To borrow Money on the credit of the United States;

Clause 18 of Section 8 of Article I of the Constitution: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. FITZPATRICK:

H.R. 329.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

By Mr. CALVERT:

H.R. 330.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mr. CALVERT:

H.R. 331.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mr. SCHIFF:

H.R. 332.

Congress has the power to enact this legislation pursuant to the following:

The Equal Access to Justice for Victims of Gun Violence Act is constitutionally authorized under Article I, Section 8, Clause 3, the Commerce Clause and Article I, Section 8, Clause 18, the Necessary and Proper Clause. Additionally, the Preamble to the Constitution provides support of the authority to enact legislation to promote the General Welfare.

By Mr. BISHOP of Georgia:

H.R. 333.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sect. 8, Clause 1: to provide for the common defense and general welfare

Art. I, Sect. 8, Clause 12: to raise and support Armies

Art. I, Sect. 8, Clause 16: to provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress

Art. I, Sect. 8, Clause 14: The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14 of the United States Constitution,

Art. I, Sect. 8, Clause 18: to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. POE of Texas:

H.R. 334.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 3

By Mr. BOUSTANY:

H.R. 335.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. CAPUANO:

H.R. 336.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 3, Clause 1: ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States;''

Article I, Section 3, Clause 6: ''To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;''

By Mr. COOPER:

H.R. 337.

Congress has the power to enact this legislation pursuant to the following:

(1) The authority granted to Congress under Article I, Section 4 of the Constitution of the United States gives Congress the power to enact laws governing the time, place, and manner of elections for Members of the House of Representatives; and

(2) The authority granted to Congress under Section 5 of the 14th Amendment to the Constitution gives Congress the power to enact laws to enforce Section 2 of such Amendment, which requires Representatives to be apportioned among the several States according to their number.

By Mr. FALEOMAVAEGA:

H.R. 338.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

''The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.''

By Mr. GINGREY of Georgia:

H.R. 339. Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution that states that Congress shall have Power ''To regulate Commerce with foreign Nations, and among the several States . . .''

By Mr. GRIJALVA:

H.R. 340.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §1 and 8.

By Mr. HONDA:

H.R. 341.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. HUNTER:

H.R. 342.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7 of the U.S. Constitution sets the power of appropriations and states that ''No Money shall be drawn from the Treasury but in Consequence of Appropriations made by Law . . .''. In addition, Article I, Section 8, Clause 1 states that ''The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . .''. Also, Article I, section 8 of the United States Constitution (clauses 12, 13, 14, 16, and 18), grant Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming, and disciplining the militia; and to make all laws necessary and proper for carrying out the foregoing powers.

By Mr. JONES:

H.R. 343.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article 1, section 8 of the United States Constitution (clauses 12, 13, 14, and 16), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and to provide for organizing, arming, and disciplining the militia.

By Mr. LYNCH:

H.R. 344.

Congress has the power to enact this legislation pursuant to the following:

Article 1 section 8 Clause 3 of the United States Constitution.

By Ms. NORTON:

H.R. 345.

Congress has the power to enact this legislation pursuant to the following:

Clause 17 of section 8 of article I of the Constitution.

By Mr. NUNNELEE:

H.R. 346.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution.

By Mr. PETRI:

H.R. 347.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution.

By Mr. RANGEL:

H.R. 348.

Congress has the power to enact this legislation pursuant to the following:

Article XVI of the Constitution—Congress shall have power to lay and collect taxes on incomes. . . .

By Mrs. ROBY:

H.R. 349.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority on which this bill rests in the power of Congress in in the U.S. Constitution under Article 1, Section 8, Clause 3, Commerce Clause.

By Mr. AUSTIN SCOTT of Georgia:

H.R. 350.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18. To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof.

By Mr. McGOVERN:

H.J. Res. 20.

Congress has the power to enact this legislation pursuant to the following:

Article V of the Constitution of the United States.

By Mr. McGOVERN:

H.J. Res. 21.

Congress has the power to enact this legislation pursuant to the following:

Article V of the Constitution of the United States.

By Mr. HARRIS:

H.J. Res. 22.

Congress has the power to enact this legislation pursuant to the following:

Article V.—The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mr. LONG and Mr. POMPEO.

H.R. 24: Mr. HASTINGS of Washington, Mr. TIBERI, Ms. PINGREE of Maine, Mr. WOODALL, Mr. ROSKAM, Mr. WOLF, Mr. HARRIS, Mrs. CAPITO, Mr. GRIFFITH of Virginia, Mr. MCKINLEY, Mr. HUELSKAMP, Mr. GERLACH, Mr. SMITH of Nebraska, Mr. HUNTER, Mr. WHITFIELD, Mr. JOYCE, and Mr. COLLINS of Georgia.

H.R. 32: Mr. LATHAM, Mr. DEFAZIO, and Mr. NUNNELEE.

H.R. 44: Mr. HONDA.

H.R. 45: Mr. SCALISE, Mr. LONG, Mr. GOHMERT, Mr. JORDAN, Mr. PITTENGER, Mr. LAMALFA, Mr. LAMBORN, Mr. CULBERSON, Mr. POSEY, Mr. PRICE of Georgia, Mr. FLEMING, Mr. MESSER, and Mr. MULVANEY.

H.R. 61: Mr. BENTIVOLIO, Mrs. WAGNER, and Mr. MCINTYRE.

H.R. 71: Mr. SABLAN.

H.R. 106: Mr. HASTINGS of Washington and Mr. FORBES.

H.R. 107: Mr. BARTON.

H.R. 109: Mr. BENTIVOLIO and Mr. BISHOP of Utah.

H.R. 110: Ms. CHU, Ms. TITUS, and Mr. FALEOMAVAEGA.

H.R. 111: Mr. THOMPSON of California, Ms. TITUS, Mr. FARR, Mr. VARGAS, Mr. FALEOMAVAEGA, and Mr. SCHIFF.

H.R. 125: Ms. DELAURO.

H.R. 129: Mr. MORAN, Mr. CAPUANO, and Ms. NORTON.

H.R. 137: Mr. SERRANO, Ms. MENG, Ms. DEGETTE, Mr. TIERNEY, Ms. SPEIER, Ms. PINGREE of Maine, Mr. MORAN, Ms. SCHWARTZ, Mr. CARNEY, Mr. SARBANES, Mr. GEORGE MILLER of California, Mr. PAYNE, and Mr. BISHOP of New York.

H.R. 138: Mr. SERRANO, Ms. MENG, Mrs. NAPOLITANO, Ms. SCHWARTZ, Ms. PINGREE of Maine, Mr. HOLT, Mr. HINOJOSA, Mr. DANNY K. DAVIS of Illinois, Mr. SARBANES, and Mr. PAYNE.

H.R. 141: Ms. MENG, Ms. DEGETTE, Ms. SCHWARTZ, Ms. PINGREE of Maine, Mr. HOLT, Ms. MOORE, and Mr. SARBANES.

H.R. 142: Ms. DEGETTE, Ms. SCHWARTZ, Mr. HOLT, and Mr. SARBANES.

H.R. 146: Ms. ZOE LOFGREN, Mr. ELLISON, and Ms. NORTON.

H.R. 149: Mr. FLEISCHMANN, Mr. HECK of Nevada, Mr. HUDSON, Mr. GOSAR, Mrs. LUMMIS, and Mr. OLSON.

H.R. 181: Mr. HANNA, Mr. CROWLEY, Mr. REED, Mr. NADLER, Mr. BISHOP of New York, Ms. SLAUGHTER, Mr. GIBSON, Ms. MENG, Mrs. LOWEY, Mrs. CAROLYN B. MALONEY of New York, Ms. CLARKE, Mr. ENGEL, Mr. COLLINS of New York, Mr. TONKO, Ms. VELÁZQUEZ, Mrs. MCCARTHY of New York, Mr. KING of New York, Mr. RANGEL, Mr. OWENS, Mr. MAFFEI, Mr. ISRAEL, Mr. SERRANO, Mr. JEFFRIES, and Mr. MEEKS.

H.R. 182: Mr. MICHAUD.

H.R. 196: Mr. OLSON and Mr. ROE of Tennessee.

H.R. 207: Mr. RENACCI.

H.R. 217: Mr. SIMPSON, Mr. STIVERS, Mr. TERRY, Mr. ROSS, Mrs. BACHMANN, Mr. STEWARD, Mr. LANKFORD, Mr. CHAFFETZ, Mr. BROOKS of Alabama, Mr. AUSTIN SCOTT of Georgia, Mr. GARDNER, Mr. HURT, Mr. YOUNG of Florida, Mr. RODNEY DAVIS of Illinois, Mr. MCINTYRE, Mr. WILLIAMS, Mrs. NOEM, Mr. COLLINS of Georgia, Mr. BARR, Mr. HOLDING, Mr. PETRI, Mr. HUDSON, Mr. WHITFIELD, Mr. WENSTRUP, Mr. MESSER, Mrs. WAGNER, and Mr. RIBBLE.

H.R. 220: Mr. MARCHANT.

H.R. 227: Ms. SCHWARTZ, Mr. HOLT, Ms. NORTON, and Ms. LEE of California.

H.R. 233: Mr. CARTWRIGHT.

H.R. 235: Mrs. CHRISTENSEN, Ms. SCHAKOWSKY, Mr. WAXMAN, Mr. PALLONE, Mr. DINGELL, Mr. HULTGREN, Mr. FARENTHOLD, Mr. YODER, Mr. Schack, Mr. BURGESS, and Mr. HANNA.

H.R. 246: Mr. FRANKS of Arizona.

H.R. 247: Mr. FRANKS of Arizona, Mr. DUNCAN of South Carolina, and Mr. HARRIS.

H.R. 258: Mr. LAMBORN and Mr. WENSTRUP.

H.R. 262: Mr. HUFFMAN, Mr. FORTENBERRY, and Mr. PAULSEN.

H.R. 283: Mr. FINCHER, Mr. DUNCAN of Tennessee, and Mr. CHABOT.

H.R. 297: Mr. GINGREY of Georgia.

H.R. 301: Mr. CONNOLLY, Mr. CONYERS, Mr. MCGOVERN, Mrs. NAPOLITANO, Mr. SIRES, and Mr. ROSKAM.

H.R. 303: Mr. TIERNEY, Mr. HINOJOSA, Ms. PINGREE of Maine, Mr. TONKO, Mr. LOEBSACK, Mr. CONYERS, Mr. GRIFFIN of Arkansas, Ms. BONAMICI, Mr. MCINTYRE, Mr. SCOTT of Virginia, Mr. LATHAM, Ms. HAHN, Mr. MORAN, Mr. MICA, Mr. RUNYAN, and Mr. MEEHAN.

H.R. 310: Mr. SOUTHERLAND, Mr. WEBSTER of Florida, Mr. BARR, and Mr. MCINTYRE.

H.R. 311: Mr. HUIZENGA of Michigan.

H.R. 317: Mr. COFFMAN, Ms. GRANGER, Mr. LAMBORN, Mr. LAMALFA, Mr. WALDEN, and Mrs. BLACKburn.

H.R. 322: Mr. CULBERSON.

H.R. 324: Mr. BENISHEK and Mr. JONES.

H. Res. 10: Ms. CHU.

H. Res. 24: Mr. GIBBS, Mr. PIERLUISI, Mr. BISHOP of New York, Mr. WILSON of South Carolina, Mr. STIVERS, Mr. FINCHER, Mr. MCGOVERN, and Mr. ROSKAM.

H. Res. 31: Mr. FORTENBERRY and Ms. WATERS.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. CAMP

The provisions that warranted a referral to the Committee on Ways and Means in H.R. 325, to ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the U.S. House of Representatives.

OFFERED BY MRS. MILLER OF MICHIGAN

The provisions that warranted a referral to the Committee on House Administration in H.R. 325, to ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

Vol. 159 WASHINGTON, TUESDAY, JANUARY 22, 2013 No. 7

Senate

(Legislative day of Thursday, January 3, 2013)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

O thou beginner of our yesterdays, mystery of our today, and the hope of our tomorrows, Lord, we sometimes take Your mercies for granted. Forgive us when we forget to be thankful for Your presence in our Nation and world.

Thank You for the inauguration of our President and for this new chapter in our Nation's history. Bless President Barack Obama. May the last words of King David of Israel characterize the leadership and legacy of his Presidency: ''Those who rule over people must be just, ruling with Godly reverence. And they shall be as the light of the morning without clouds, as the tender grass springing out of the Earth by clear shining after rain.''

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable PATRICK J. LEAHY led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, if any, the Senate will be in a period of morning business until 12:30 today. During that period of time, Senators will be permitted to speak for up to 10 minutes each. We will be in recess from 12:30 until 2:15 to allow for our weekly caucus meetings.

WORKING TOGETHER

Mr. REID. Mr. President, today, with the inspiration of the second inauguration of President Obama fresh in our minds, we renew our efforts to fulfill the promise of prosperity for every American.

The theme of yesterday's inauguration was ''Faith in America's Future.'' Dr. Martin Luther King, Jr., whose birth and life we also celebrated Monday, once said, ''Faith is taking the first step even when you don't see the whole staircase.'' I have faith that the Members of the 113th Congress will bring this Nation closer to realizing the promise of prosperity. The last Congress was too often characterized by sharp political divides—divides that hampered efforts to foster success for all Americans. I am hopeful and cautiously optimistic that the 113th Congress will be characterized not by our divisions but by our renewed commitment to cooperation and compromise. I urge every woman and every man fortunate enough to serve in this Chamber to remember that it is possible to hold fast to our principles while making the compromises necessary to move our country forward.

Democrats will hold fast to the guiding principle that a strong middle class—and an opportunity for every American to enter that middle class—is the key to this Nation's success. Democrats will stand strong—strong for the standard of balance. We will remain resolute—resolute in the pursuit of fairness for all Americans, regardless of where they were born or the color of their skin, regardless of the size of their bank accounts, regardless of their religion or sexual orientation.

Those principles will direct our course as we introduce our first 10 bills today—a tradition we have had in the Senate, which is that the majority party introduces the first 10 bills—as we mend our broken immigration system, strengthen our schools, and rebuild our roads and bridges, and we will look to those principles as we bring forth other measures included in those 10 bills. Those principles will be foremost in our minds as we balance the right to bear arms with the right for every child to grow up safe from gun violence. Those principles will be our North Star as we work to end wasteful tax loopholes and balance thoughtful spending reductions with revenue from the wealthiest among us. And those principles will point the way as we work to ensure that this country's uniformed servicemembers never struggle to find employment when their military duties end. Through every struggle and every triumph, those principles must be our guide.

Not a single piece of important legislation can pass the Senate or become law without the votes of both Democrats and Republicans, so we will be willing to compromise and work with our colleagues across the aisle. Unfortunately, a number of bipartisan bills passed the Senate during the last Congress that were never acted upon by the House of Representatives. So this year the Senate will revisit some of those legislative priorities that passed on a bipartisan basis here.

We will again take up the Violence Against Women Act. This is an important piece of legislation that is expiring. We will take up the farm bill, which is a revolutionary piece of legislation that would save the country up

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Printed on recycled paper.

to $24 billion. We will again revisit historical reforms to save the U.S. Postal Service, and we will take up legislation to make whole victims of Hurricane Sandy. Each of these initiatives passed the Senate on a bipartisan basis after deliberation and debate during the last Congress but was left to languish by the House.

The Senate will continue to help our fellow Americans recover from Hurricane Sandy before another similar disaster strikes. Hundreds of thousands of homes and businesses were destroyed in New York, New Jersey, and New England, and tens of thousands of Americans were left homeless by this destructive storm. We have a responsibility to aid our countrymen as they rebuild their lives and their communities, as we have after terrible floods, fires, and storms in other parts of our Nation.

Once we complete that vital legislation, the Senate will take action to make this institution we all love—the U.S. Senate—work more effectively. We will consider changes to the Senate rules. Because this matter warrants additional debate, today we will follow the precedents set in 2005 and again in 2011. We will reserve the right of all Senators to propose changes to the Senate rules, and we will explicitly not acquiesce in the carrying over of all the rules from the last Congress. It is my intention that the Senate will recess today rather than adjourn to continue the same legislative day and allow this important rules discussion to continue later this month. I am hopeful and cautiously optimistic that the Republican leader and I will reach an agreement that allows the Senate to operate more effectively in the coming months.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. SCHATZ). The Republican leader is recognized.

NEW BEGINNINGS

Mr. MCCONNELL. Mr. President, I wish to start by congratulating President Obama on his inauguration. Presidential inaugurations are always a time for the country to come together. We all feel a certain pride in the event, and we are reminded of how fortunate we are to live in a Nation where we have the ability to choose our leaders freely and resolve our differences in peace. Inauguration Day is also a time for new beginnings, a chance to learn from the mistakes and missed opportunities of the past as we reengage in some vitally important debates about our future.

Too often over the past 4 years, political considerations have trumped the need to put our country on a sound financial footing and a path to prosperity. Today we should recommit ourselves to the task of facing up to our problems head-on. I understand that the passions of an election can sometimes overshadow the business of governing, but the Presidential campaign is now behind us, and so it is my hope that the President will finally be willing to do what Republicans have been asking him to do since his first inauguration 4 years ago, and that is to work with us on identifying durable solutions to the problems we can only solve together, to put aside those things we know we can't agree on and focus on what we can.

We should start with spending and debt because if we don't get a handle on that, nothing else matters. If we don't work together to strengthen our entitlement programs, they will go bankrupt. Automatic cuts will be forced on seniors already receiving benefits, rendering worthless the promises they have built their retirements around. It is nice to say, as the President did yesterday, that these programs free us to take the risks that make our country great, but if we don't act to strengthen and protect them now, in a few years they simply won't be there in their current form. And if we don't work together to control the debt, then the cost of our interest payments alone will eventually crowd out funding for things we all agree on—from defense, to infrastructure, and assistance for those who need it most. In short, the debate we are now engaged in over the growing Federal debt is about much more than numbers on a page; it is about the cost of inaction in terms of promises broken, jobs lost, and dreams deferred. That is why there is simply no more time to waste.

Over the past 4 years, while the President focused on reelection and too many Senate Democrats focused on avoiding tough decisions, the debt grew by more than $6 trillion. We saw the President blast House Republicans for doing their job and passing a budget while Senate Democrats didn't even propose one. Rather than work with us to save existing entitlements, we saw the President team up with Democrats in Congress to force through a brandnew entitlement that will make it even harder to cover the cost of programs we already have. In short, Democrats have put off the hard stuff until now, and our problems have only gotten worse.

But that was the first term. A second term presents the opportunity to do things differently, and in the Senate that means a return to regular order. Later this week the House plans to send the Senate a bill to address the debt limit in a timely manner. Once we get it, the Senate should quickly respond. If the Senate version is different from the one the House sends over, send it to conference. That is how things are supposed to work around here. We used to call it legislating.

I know a lot of Democrats are afraid of a process that exposes their priorities, particularly on spending and debt. After nearly 4 years of refusing to pass a budget, they have only now reluctantly agreed to develop a spending plan for the coming fiscal year. All I would say to that is since the revenue question has been settled, I am sure the American people are eager to see what other ideas Democrats might have to bring down our ruinous deficits.

Let me just say that one thing Americans will no longer tolerate is an attitude that says we can put off our work until the very last minute. They are tired of eleventh-hour deals. They are tired of careening from crisis to crisis, and so am I.

The good news is that a return to regular order is the surest way to solve the problems we face. And I hope some of my friends on the other side will agree that there is value in this body actually functioning the way it was intended to. Let's face it. The status quo isn't working. The Senate isn't functioning as it should. It has nothing to do with the process that has served us well for a very long time. But if we work together and strive to avoid some of the bad habits that have developed around here, I truly believe we will be able to achieve the kinds of solutions that have eluded us for the past 4 years and deliver some positive results for the people who sent us here, with time to spare.

We can do better. I know my constituents expect better than what they have been getting from Congress in recent years, and so should we.

Mr. President, I yield the floor.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for debate only until 12:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Indiana.

CHALLENGES AHEAD

Mr. COATS. Mr. President, I appreciate the remarks of the minority leader, and I think he essentially gets to the point all of us, in this first week for the 113th Congress, need to be focused on and need to address. This is our first workweek back after the inauguration festivities of yesterday, and I think it is an appropriate time for the Members of this body to discuss the challenges that lay before us over the next 2 years.

The most critical and, in my opinion, the most pressing of these challenges is one we have been dealing with for the past 2 years and is now of even more critical importance, and that is the out-of-control government spending that weakens the health of our economy, threatens the security of our country, and jeopardizes opportunities for future generations.

When I arrived here 2 years ago, it was clear the American people were

concerned about out-of-control Federal spending. At the beginning of the President's term 4 years ago, the debt limit stood at $10.626 trillion plus. In the 4 years of that term, it has risen to over $16.400 trillion—nearly a $6 trillion increase.

It is unprecedented in the history of our country to have such out-of-control spending. It has resulted in our borrowing a very substantial amount of each year's budget, which is not healthy whether you are a family or you are a business or you are a State government or you are the Federal Government. The chickens will come home to roost if we continue to do that.

Each American's share of our national debt now is well over $50,000. That means every new baby born in this country instantly owes the government more than $50,000.

We have had 4 straight years of trillion-dollar deficits without a budget in this body. The minority leader just talked about that. Hopefully, we will finally have a budget to work off of and a budget for which we can look at what the priorities are and make tough decisions about how we spend taxpayers' money.

We currently spend over $40,000 a second. These are not partisan numbers, and this should not be a partisan issue. These are the facts. As our former Governor in Indiana, Mitch Daniels, said: Just do the arithmetic. This is not a deep philosophical or ideological issue. It is a matter of basic math.

With financial problems as great as these, it is my hope as we return now to this 113th Congress we will be able to address this fiscal crisis. It is the same hope I had 2 years ago when I joined the 112th Congress. As we know, we went through a series of efforts to begin to address this problem. Many of those were on a bipartisan basis—we had the Gang of 6 and then we had the supercommittee of 12. These were bipartisan efforts. Many of us worked with our colleagues across the aisle to try to put a grand bargain together. Of course, the President had his own commission led by Mr. Bowles and former Senator Simpson. He rejected that. The Simpson Bowles proposal would have been a good blueprint upon which to begin our discussions. I will be talking some more about that and the disappointment—the extreme disappointment—of Mr. Bowles and Mr. Simpson in terms of the inability of this body to address what has been predicted as the most predictable financial crisis in our Nation's history.

We went through this whole process of the fiscal cliff. We, unfortunately, had to pick the lesser of two evils in order to protect nearly 99 percent of taxpayers from drastic tax increases, starting with the lowest to the highest taxpayer. The fiscal cliff deal may have allowed the President to fulfill his campaign promise to raise taxes on millionaires and billionaires, but it did little or nothing to address excessive Federal spending.

So the debate now shifts. The President got his taxes. With revenue off the table, the debate shifts to where it needs to be and should have been in the first place; that is, addressing spending reductions.

Just last week Fitch Ratings warned that America's AAA credit rating is at risk if the Congress and the President increase the debt limit but fail to enact a ''credible medium-term deficit reduction plan.'' We can expect to see more headlines like this if we do not come together and take action to deal with our country's debt obligations.

In the coming days and weeks I will be speaking in this Chamber and outlining what I believe are rational steps we need to take to get our fiscal house in order. The easy thing to do, and the way Congress has operated over these past 2 years, is to look at our fiscal situation and say: Well, we have more time; or we can deal with this after the next election. While I thought that was exactly the wrong tactic to take, that is what happened. There were a series of efforts, but each one ended up so-called kicking the can down the road or postponing the day of decision.

This is the day of decision. This is the hour of decision. This is the time when we have to step up now and address our out-of-control spending. We have had that next election. The President has been reelected for 4 years. Members have been reelected. We have this challenge now in front of us. Continuing with the status quo, governing by a crisis, and failing to address our spending problem must be unacceptable.

Mr. President, 2013 is the year. In 2014 we are back in another election. We all know the precious 6 to 9 to 12 months that lay before us is the time—postelection, with the President's reelection and new Members here—this is the time we have to step up and address our debt and deficit problem.

If we do not do so now, most experts who look at this, whether they are liberal or conservative, nonpartisan or partisan, ideological or nonideological, have virtually all come to the conclusion that unless we address this now in 2013, with an election year in 2014, 2015 will be too late.

We have seen what is happening in Europe. We see what is happening in Japan. We see what is happening around the world—a world hungry for America to lead, to address its problem, not by pushing it down the road, not through avoiding tough decisions, but addressing the real issue before us that impacts the future of this country and the future of generations to come.

So now is the time, now is the hour of decision that we have to take to go forward and address this problem. As I said, I will be using this platform and others as a way to address what I believe we need to go forward with, not only looking at the larger picture but also looking at how this government spends way beyond its means, spends money that it does not have, wastes money through bureaucracy and waste and failed efforts, tries to do more than it should or could or is able, and I want to document some of those—everything from the macro to the micro, from the absurd to the bureaucratic to the necessary tough decisions, particularly in regard to our entitlements that have to be addressed in order to preserve and save those programs for not only current beneficiaries but for future beneficiaries.

Mr. President, I appreciate the opportunity to begin this process, and I think each of us must dedicate ourselves to the challenge that lies before us. That challenge is dealing with our out-of-control fiscal situation, that if not controlled will bring this country down and continue this economic malaise that we are currently in.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL of New Mexico. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CHANGING SENATE RULES

Mr. UDALL of New Mexico. Mr. President, I rise today to talk about our efforts to change the Senate rules. As we began the 113th Congress on January 3, Senators MERKLEY, HARKIN, and I submitted a resolution to reform the Standing Rules of the Senate. Thirteen of my colleagues have signed on to cosponsor our resolution.

When we submitted the resolution, we agreed with the majority leader that it would be best to have the debate about reforming our rules after the inauguration. I appreciate his willingness to work with us on this important issue. Although we postponed the debate, we preserved the right of a simple majority of this body to amend the rules in accordance with article 1, section 5 of the Constitution.

Senate Resolution 4, our proposal to reform the rules, is simple, it is limited, and it is fair. Again, we are not ending the filibuster. We preserved the rights of the minority. Here is what we are proposing: an end to the widespread abuse of silent filibusters. Instead, Senators would be required to go to the floor and actually tell the American people why they oppose a bill or nominee in order to maintain a filibuster. Debate on motions to proceed to a bill or to send a bill to conference would be limited to 2 hours. Postcloture debate on a nominee, other than a Justice of the Supreme Court, would be limited to 2 hours rather than the current limit of 30 hours.

These are sensible changes. These are reforms we are willing to live with if

we are in the minority, and yet we are warned these simple reforms will transform the very character of the Senate and leave the minority without a voice. These arguments are covers for continued abuse of the rules.

The reforms we propose are modest—some would say too modest—but they would discourage the excessive use of filibusters. The minority still has the right to filibuster, but not the right of one Senator to do so by simply picking up the phone, by simply making an announcement and then going out to dinner or, more likely, out to a fundraiser. I have listened carefully to the arguments by the other side against these changes. Let me say, again, we are not talking about taking away the rights of the minority, we are not talking about abolishing the right of debate or to filibuster, but there must be change. The abuse of the filibuster and other procedural rules has prevented the Senate from doing its job. We are no longer the world's greatest deliberative body. In fact, we barely deliberate at all. This does not honor this institution, and it does not serve the American people.

For most of our history the filibuster was used very sparingly, but in recent years what was rare has become routine; the exception has become the norm. Everything is filibustered, every procedural step of the way, with paralyzing effect. The Senate was meant to cool the process, not send it into a deep freeze.

Since the Democratic majority came into the upper Chamber in 2007, the Senates of the 110th, 111th, and 112th Congresses have the three highest totals of filibusters ever recorded. Lyndon Johnson faced one filibuster during his 6 years as Senate majority leader. In the same span of time HARRY REID has faced over 390. Lyndon Johnson, 1, HARRY REID, 390. Legislation is blocked at every turn. The result is not surprising. The Senate of the 112th Congress passed a record low 2.8 percent of bills introduced. That is a 66-percent decrease from the last Republican majority in 2005–2006, and a 90-percent decrease from the high in 1955–1956. By every measure, the 112th Congress was the most unproductive Congress in our history.

My Republican colleagues have come to the floor and made many impassioned statements in opposition to amending our rules at the beginning of this Congress. They say the rules can only be changed with a two-thirds supermajority, as the current filibuster rule requires. They argue that any attempt to amend the rules by a simple majority is breaking the rules to change the rules. This is simply not true. The supermajority requirement to change Senate rules is in direct conflict with the U.S. Constitution. Article 1, section 5 of the Constitution states:

> Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behavior, and, with the Concurrence of two thirds, expel a Member.

When the Framers required a supermajority, they explicitly said so, as they did for expelling a Member. On all other matters, such as determining the Chamber's rules, a majority requirement is clearly implied. There have been three rulings by Vice Presidents, sitting as President of the Senate—where the Presiding Officer is sitting today—who have ruled on the meaning of article 1, section 5.

In 1957, Vice President Nixon ruled that:

> The right of a current majority of the Senate at the beginning of a new Congress to adopt its own rules, stemming as it does from the Constitution itself, cannot be restricted or limited by rules adopted by a majority of a previous Congress.

Vice President Rockefeller and Vice President Humphrey made similar rulings at the beginning of later Congresses.

The Constitution is clear, and there is also a longstanding common law principle—upheld in the Supreme Court—that one legislature cannot bind its successors. Many of my Republican colleagues have made the same argument. For example, in 2003 Senator JOHN CORNYN wrote in a Law Review article:

> Just as one Congress cannot enact a law that a subsequent Congress could not amend by majority vote, one Senate cannot enact a rule that a subsequent Senate could not amend by majority vote. Such power, after all, would violate the general common law principle that one parliament cannot bind another.

So amending our rules at the beginning of a Congress is not breaking the rules to change the rules, it is reaffirming that the U.S. Constitution is superior to the Senate rules. When there is a conflict between them, we follow the Constitution.

Some of my colleagues may believe that using the Constitution in this way would be harmful to the Senate. But there is an alternative. We do not have to reform the rules with only a majority vote. Each time the filibuster rule has been amended in the past, a bipartisan majority of Senators was prepared to use the constitutional option. But with a majority vote on the reforms looming, enough Members agreed on a compromise and they passed the changes with two-thirds in favor.

We could do that again. I know many of my Republican colleagues agree with me. The Senate is not working. As I visit with my Republican colleagues on the other side of the aisle, they tell me they are unhappy with the way things are. I said 2 years ago I would push for the same reforms at the beginning of the next Congress regardless of which party was in the majority.

At the time, many people believed the Democrats would lose their majority. So let me be clear: If Leader MCCONNELL had become the new majority leader in this Congress, I would have asked him to work with me on these same reforms.

I will say again, the proposed changes will reform the abuse of the filibuster. They will not trample the legitimate rights of the minority party. I am willing to live with all the changes we are proposing, whether I am in the majority or the minority.

The other side has suggested a change in the rules is an affront to the American people. But the real affront would be to allow the abuse of the filibuster to continue.

We have to change the way we do business. We have to govern. It is time for us to pay attention to jobs and the economy and what matters to American families—what they talk about around the kitchen table. That was the message that was sent us from this election, and we would do very well to listen to it.

Under the abuse of the current rules, all it takes to filibuster is one Senator picking up the phone. That is it—does not even have to go to the floor and defend it—just a phone call by one Senator: no muss, no fuss, no inconvenience, except for the American public, except for a nation that expects and needs a government that works, a government that actually works together and finds common ground.

Maybe some of my colleagues believe the Senate is working as it should, that everything is fine. We do not take that view. It is not working and it needs change. The American people of all persuasions want a government that actually gets something done. The challenges are too great, the stakes are too high for a government of gridlock to continue.

The New York Times yesterday and several of the local newspapers in my home State have editorialized about moving forward with reform and how important that is. I ask unanimous consent that an editorial from the New York Times and an editorial from the New Mexican be printed in the RECORD.

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

[From the New York Times, Jan. 21, 2013]

A CHANCE TO FIX THE SENATE

For six years, Democrats in the Senate have chafed at an unprecedented abuse of the filibuster by Republicans, who have used the practice to hold up nominees high and low and require a supermajority for virtually every bill. But now that they finally have an opportunity to end much of this delay and abuse, Democrats are instead considering only a few half-measures.

When the Senate returns on Tuesday, it will still technically be in the first legislative day of the session, which means only a simple majority is necessary to change the rules for the rest of the session.

With the support of 51 senators, the rules could be changed to require a ''talking filibuster,'' forcing those objecting to a bill to stand and explain their reasons, at length. The current practice of routinely requiring a 60-vote majority for a bill through a silent objection would end, breaking the logjam that has made the chamber a well of inefficiency and frustration.

Several younger senators, led by Jeff Merkley of Oregon and Tom Udall of New Mexico, say that if pressed, a majority of the Senate would support their plan for the talking filibuster. But older senators aren't so

sure, and have reportedly persuaded Harry Reid, the majority leader, to back off the idea. With the experience of having been in the minority themselves, these Democrats are fearful of losing a powerful tool should Republicans ever return to power in the chamber.

That would squander a moment for change. Supermajorities were never intended to be a routine legislative barrier; they should be reserved for the most momentous bills, and the best way to make that happen is to require that objectors work hard for their filibuster, assembling a like-minded coalition and being forthright about their concerns rather than hiding in the shadows or holding up a bill with an e-mailed note.

Currently there are six opportunities to filibuster most bills, and Republicans have exploited them all. Mr. Reid wants to reduce those opportunities and speed things up, primarily by ending the filibuster on motions to proceed to debate on bills.

That change alone could cut a week of delay on most measures. He also wants to curb filibusters that prevent conference committees from meeting and that hold up some presidential nominations.

A faster-moving Senate would be useful, but that should not be the only goal. The best way to end the Senate's sorry history of inaction is to end the silent filibuster, forcing lawmakers to explain themselves if they want to block legislation supported by the majority.

[From the New Mexican, Jan. 5, 2013]

FILIBUSTER REFORM: WE NEED IT NOW

The first day of the 113th Congress took place last week. But fortunately, for the hopes of filibuster reform in the U.S. Senate, opening day will continue later this month, likely Jan. 22. It is, after all, on the opening day of a session that the Senate can revise its rules with a simple majority of 51 votes—and a rules revision to make it easier to do the people's business is desperately needed.

New Mexico Sen. Tom Udall, a Democrat, has been a leader in the efforts to reform the U.S. Senate, a move that should not be seen as partisan. Should easing the logjam of holds on bills and appointments help the Democratic majority right now, a rules change could assist Republicans in the future. In politics, no majority is permanent, after all. However, Udall and others—notably U.S. Sen. Jeff Merkley, an Oregon Democrat—are right to keep pressing for substantive reform in how the contemplative Senate does its work. The problem facing the Senate is this: Obstructionists in the minority have essentially made it impossible to do business without a supermajority. To pass legislation, the Senate routinely needs 60 votes—the number that can overcome a filibuster—rather than a simple majority. With their reform, Udall and Merkley want any senator who puts a hold on a bill to have to get up and actually filibuster. That is, talk and talk and talk, without stopping, so that the whole world sees who is gumming up the works. Anonymous holds would stop, whether on legislation or appointments that require Senate confirmation. This seems like common sense. A senator who wants to make a stand should have to stand up and tell the country why.

What is common sense in flyover country is controversial in Washington, D.C., where lawmakers enjoy exercising secret holds out of the light of day. Even instituting the reform will be difficult. Normally, changing Senate rules takes 67 votes; on the first day of Congress, though, 51 votes will do the job. Senate tradition—and boy, is the Senate traditional—frowns upon changing rules with such a narrow margin. Doing so is called the ''nuclear'' option by detractors, and the ''constitutional'' option to those hoping to break open stifling Senate culture. In recent days, a different Senate rules change package has been discussed, one proposed by Democratic Sen. Carl Levin of Michigan and Republican Sen. John McCain of Arizona and backed by others. We like its bipartisan origins, but unfortunately, the senators' proposal appears too watered down to fix gridlock. It would make it tougher for the minority to block debate, but by guaranteeing minority members two amendments, could serve up another method of killing legislation.

We are encouraged that Majority Leader Harry Reid of Nevada chose to recess, rather than adjourn, the Senate on its first day of the session, thus giving Udall and Merkley time to garner support for their substantive rules reform. The right for a single senator to stand on principle, holding up legislation out of strong conviction, must be protected—and asking a politician to talk, after all, is no heavy penalty. What must go by the wayside is the ability of any senator to stall appointments, or hold up necessary legislation, just because.

When the Senate continues its first day later this month, we urge Majority Leader Reid to go for broke. Seek true reform, allowing the filibuster to remain only if senators will stand up and speak for their positions out loud where all can see. If need be, institute the reform with 51 votes. Otherwise, the Senate will not be able to conduct the essential business of the country—again. And whether approving Cabinet secretaries or ambassadors or judges, or passing necessary laws on immigration and gun control, the nation needs a Senate that can move legislation through in a timely, thoughtful but never cumbersome fashion.

Mr. UDALL of New Mexico. Three of my Senate colleagues who have just been elected are in the Chamber. I think one of the best things about this new class of Senators who have come into the Senate is they have studied this issue, they understand this issue, they have been out there with the American people and listened to them. The American people are demanding change.

So it is a real pleasure to see in the chair the Senator from Hawaii, who is the Presiding Officer, and on the floor the Senator from North Dakota and also the Senator from Maine. I know shortly we will be going into our caucus and having a very lively debate about which way to move forward, how we do reform.

I am convinced we are going to reform these rules. I hope we do it working with our colleagues on the other side of the aisle. But if they will not come with us, we are in a position where we are in the majority, and we have to make this institution work for the American people.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MERKLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. HEITKAMP). Without objection, it is so ordered.

Mr. MERKLEY. Madam President, I am rising today to talk about the vision we have ahead for the next 2 years and how this Senate can fulfill its responsibilities under the Constitution to do its legislative responsibilities addressing the big issues facing America.

I don't think anyone is unaware that for the last 2 years this Chamber has seen simply inaction and paralysis. It has been rated as one of the worst 2-year sessions in the history of the U.S. Government.

Well, what are we going to do differently? How is it that we only address 1 out of 24 appropriations bills over the last 2 years? How is it that so many important bills never made it to the floor of the Senate, bills such as the replacement for No Child Left Behind, which was a bipartisan vision that came out of committee.

How is it that so many bills came to this floor to never see a final vote? These are bills, such as the DISCLOSE Act, which would have eliminated secrecy in campaign donations; the DREAM Act, which would have honored creating a future for those who know only America as their home; the President's jobs package, which would have helped put America back to work; and the closing of loopholes for the biggest, most wealthy oil companies. Those funds could be put to use reducing our deficit or funding critical programs for working Americans.

On issue after issue after issue, we saw inaction. What we heard yesterday at the start of this next 2 years was a call from the President for action. In his inaugural speech he said:

> For now decisions are upon us, and we cannot afford delay. We cannot mistake absolutism for principle, or substitute spectacle for politics, or treat name-calling as reasoned debate. We must act, knowing that our work will be imperfect. We must act, knowing that today's victories will be only partial.

The President echoed, if you will, the thought that he brought into his first 4 years, the urgency of now. We have big issues facing America, and it is time for the executive branch and the legislative branch to work together to address those issues.

In this call for action, we must ask how much action can there be if we see more than 100 filibusters in the next 2 years? How much action can there be if on every request for a vote an objection is heard that creates a day of delay in this Senate? The contrast is enormous from the time that Lyndon B. Johnson was President of the Senate.

Lyndon B. Johnson, during 6 years of presiding over this body, saw one filibuster. HARRY REID, in his 6 years of presiding over this Senate, has seen 391 filibusters.

Let me convey that even when we have the votes to end a filibuster, the fact that it is launched creates enormous paralysis. Imagine you are debating a bill, and you continue debating through the end of the week. When you come in the following Monday to debate, and nobody has anything left to

say, then someone says: I ask unanimous consent that we have a final vote on this bill. Now, you see, we don't have a previous question on this floor, so one has to ask unanimous consent. Any of the 100 Senators can weigh in and say no.

When they weigh in and say no on that Monday, then on Tuesday a petition is put forward with 16 Senators saying: Let's have a vote on closing debate. That vote can't happen until Thursday, under the rules.

If it is successful on a Thursday, we have to have 30 hours more of debate before we can hold the final vote. That takes us into Saturday. Monday through Saturday is lost based on an objection on Monday by one Senator.

If we have 391 of these objections that waste a week of our time in the course of a 6-year period, then we basically waste every legislative week because there are not 391 weeks in a 6-year period.

It becomes pretty simple to see why we only were able to get one appropriations bill done in the last 2 years, and why so many bills never made it to the floor of the Senate for consideration even though they were essential to restoring the economic vitality of our Nation and putting people back to work. I, for one, find this absolutely unacceptable.

Over our history there have been three basic forms of filibusters. The first only worked in an age when transportation didn't work very well, and at any given moment there were a number of Members who couldn't get here to the floor of the Senate because they were traveling from their farms and the axle on their wagon broke or the train broke down or so on and so forth. Sometimes those journeys would take many weeks and things happened along the way. In that situation, a quorum of 50 percent plus 1 was sometimes in doubt, and those seeking delay could say: You know what. Let's deny a quorum.

Well, that was an effective tool only through that period. Then, as that changed, folks said: You know, we have the respect here of hearing everyone out. Therefore, if I can get to the floor of the Senate, I may delay this Senate as long as I am able to speak.

Well, it is through this effort that we have a number of famous filibusters, folks such as Strom Thurmond holding forth for 24 hours. We have, however, seen that a person can only delay the Senate for 24 hours. Then someone else can seek the floor, and you may proceed. So that was a fairly modest strategy.

In both the case of the denying quorum and in the case of speaking as long as you could, you had to spend time and energy. You had to organize, and it was visible before this body. It was visible before the reporters gathered in the balcony. Therefore, the American people, long before there was a television camera here, could see what you were doing, and the public could provide feedback on that.

But now we come to the modern era, from 1970 forward, in which it has become popular to start using the objection as an instrument of party warfare, the objection to a final vote. If we turn back before 1970, we had an overlap between the parties of perhaps 30 Members. So if you had used this objection, you would have a good sense that you would be able to get cloture. Furthermore, there was a social contract that you only interrupted the workings of this body on an issue of deep principle. You only blockaded the operations of the Senate on an issue of profound concern to your State, not as a routine instrument of party politics.

But that has changed over the last 43 years, since 1970 forward, and now the minority party can say: Let's show that the majority can't even get an agenda onto the floor of the Senate, and then let's complain about them not acting. This is not a philosophy that serves America. It is not a philosophy that was embraced through the extent of our history. You came here with the responsibility to contribute in committee, to contribute on the Senate floor, to try to make bills better, and to try to get issues addressed. You were not trying to paralyze this body so issues don't get addressed that may be contained on that side. That, quite frankly, is an unacceptable theme that has started to haunt this Hall, and we need to do something about it.

Indeed, if we look at the modern era where the parties have become so divided, we no longer see that overlap of 30 Senators. Therefore, any minority group, be it the Democrats, be it the Republicans, has the ability to bring this Chamber to a halt. But is it right to do so? If we cannot persuade our colleagues it is wrong to do so, then we need to change the rules of the Senate. We need to insist if someone is going to throw a shoe into the gears, if someone is going to blockade the ability of the Senate to deliberate and decide, then that Senator needs to take responsibility here on the floor of the Senate.

Yes, we should get rid of the filibuster on the motion to proceed. Filibustering on whether to get to a bill does not enhance deliberation on the bill itself. We should make that decision in a crisp fashion and get on to the work, not waste weeks trying to decide if we are going to do the work of the people.

Second, we should get rid of the filibuster on going to a conference committee. Both Chambers have decided. They have voted in favor of the bill. It has been passed in different forms. Nothing should impede getting to conference and having a negotiation. Indeed, out of those negotiations, even if starting with one Chamber having a dramatic view different from the other, there is a coming together that takes steps forward that both Chambers can agree to. So nothing should impede that negotiation from going forward. We recognize a bill can still be filibustered when it comes back from committee, so why impede getting to the conference committee in the first place?

We should greatly reduce the number of hours after we have gotten cloture on debate. On nominations, by the time we vote on closing debate, our Members know how they are going to vote on that nominee. So we could have a final 2 hours but not a final 30 hours. Thirty hours is another wasted set of days we can ill afford. And certainly it makes sense to say, whenever possible, we should cut down that 30 hours on bills after we have reached cloture. We can do it by unanimous consent, and we often do that now. We can do it by requiring Senators to proceed to a vote if they do not stand and talk, but that is postcloture.

Here is the thing: When 41 Senators say they want additional debate, they want to delay the decisionmaking process here in the Senate, they should be willing to stand and make their case before their colleagues and the American people. It takes time and energy if you go that direction. It doesn't become a freebie where one Senator spends no time, no energy, and can go off to dinner or on vacation while paralyzing the Senate. You should have to spend the time and energy to be here to make your case.

Not only is that important in stripping away frivolous filibusters, it also means the American people get to weigh in. I am absolutely convinced if we were to go back to the debate on the DISCLOSE Act, which stripped away secrecy in campaign donations, and we had 59 votes to close debate—we needed a sixtieth—if those who voted for additional debate, and who fled this Chamber fearful of making their case before the American people, had been required to stand and defend secrecy and foreign donations in our campaign system, the American people would not have said they were heroes but they were bums. They would have weighed in and said to their own Senators: Join the effort to close debate, because to stand in the way of a final vote over secrecy in campaign donations does great damage to our democracy. Maybe the pressure and common sense of the citizens would have helped address the bitter partisanship that guides this body.

At a minimum, the citizens of this Nation have the right to know what is happening to legislation here on floor. The idea it is being paralyzed by the secret filibuster is unacceptable, so we should include the talking filibuster in any package we bring to modify the rules of the Senate.

I see my colleague from New Mexico has come to the floor, and he spoke earlier. He has put forward the vision that we must, at the start of every 2 years, evaluate how the Senate is working, and if it has problems we need to pass changes in the rules to address those problems.

This is not some remote concept of inside baseball. This is about American citizens having a legislature that can

address the big issues facing our Nation. So I praise him for his leadership in putting this forward, which has led to this day. And it is the second time. We were here 2 years ago making this case, making this argument that we owe it to our citizens to improve the workings of the Senate, and we are here again today.

There is a saying about the Senate, that the Senate is the world's greatest deliberative body. If only it were so. It has been, at various points in its history, a thoughtful Chamber, a deliberative Chamber. But not today. It is driven by deep partisan differences, those being converted into strategies of paralysis, that prevent deliberation. We must change that. It is our responsibility as Senators to change that. The American people expect it. Let's make it so.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL of New Mexico. Madam President, I ask unanimous consent to engage in a colloquy with my friend, the Senator from Oregon.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. UDALL of New Mexico. Madam President, once again let me say at the beginning it is a real pleasure to see my old attorney general colleague, now the Senator from North Dakota, HEIDI HEITKAMP, in the chair presiding over the Senate, and also to see the Senator from Maine, ANGUS KING, here—our new Senators. I think Senator MERKLEY would agree with this, that our new Senators bring an energy to this that we don't necessarily have. We are 4 years from our last campaign. We ran in 2008. I love hearing their stories and what they have heard and how they have visited with people in townhall meetings.

The American people get this. I don't think there is any doubt that they really get this. I know my colleague has done a number of townhalls on this issue. I just hope, as we have the chance to discuss this, both in our caucus and on the floor and with other Senators, that we can capture the energy of the Senators who have arrived here and have been out with the people in their States, with their constituents, and what they bring to this.

But I wanted to ask the Senator because, among many of our Senators, he does regular townhall meetings—and I have also done a number in my career—is this kind of rules change something that is so arcane that people don't understand it? Are they saying: Why are you bothering with procedure or do people get it? Do they get it in Oregon when you are in a meeting?

Mr. MERKLEY. To my colleague from New Mexico, I would say they most adamantly get it. In fact, I had 13 townhall meetings 2 weeks ago, in conservative parts of the State, in more liberal parts of the State. And in every setting—every setting from conservative to liberal—folks said: Please, please continue this effort to address the filibuster and the paralysis, and the simple notion behind the talking filibuster.

If a Senator is voting for more debate—that is to delay the workings of the Senate—then he or she should be making their case on the floor so the citizens get to see what is going on and they get to decide whether they support it or oppose it. That idea resonates with people. It is the way folks think the Senate works, and they often think the rules that required it in the past have been changed so it does not happen now. So it is a chance I have to explain to them that what has changed is the social contract; that when people objected to the Senate proceeding with its business in the past, they wanted to make their views known on the Senate floor. They wanted to take responsibility because they realized it was a very high privilege to be able to delay the Senate and they had a responsibility to do so only for deeply principled or large issues and to make their case known.

So I do see overwhelming support. I feel as though the American people are so far ahead of maybe our own Chamber in understanding how broken we are and how much it needs to be fixed.

Mr. UDALL of New Mexico. The Senator made some nice comments about me—he was probably a little too generous—and I wanted to also thank him for all the work he has done on this issue. He has been a passionate voice for change, and he and I have both reached out to our friends across the aisle and tried to get things done.

I always bring this back to the question of why are we doing this. We are doing this so government can tackle the issues the American people care about. And I think there are two times in history—I am sure there are many others—where for me the Senate was in its glory days. We should always remember we have that potential. We see little bits of light every now and then here, such as with the passage of a transportation bill or a farm bill out of the Senate where bipartisanship exists and we come together, but I wish to talk very briefly about two time periods that I consider to be the glory days of the Senate.

One was before the Civil War. In the 40 years before the Civil War, the Senate was grappling with how do we hold the Union together. There was tremendous discussion, and Senators such as Daniel Webster and John Calhoun and others would work with each other and have heated debate, but for that 40 years before the Civil War, they held the country together. It was the Senate that fashioned those compromises that allowed the country to stay out of the Civil War. They didn't completely prevent it, but most people, looking at history, say those were some of the glory days of the Senate.

The second period was in the 1960s and 1970s, with Senators such as Muskie and Stafford and Chafee—giants in this body—who stepped forward on civil rights, stepped forward on environmental issues, stepped forward on the pressing issues of the time. So the Senate, once again in that time period, passed laws.

I remember; I was a kid here in Washington, and my father was Secretary of the Interior, when the wilderness law, the Clean Water Act, the Clean Air Act, and the Environmental Protection Agency was set up. Those were big laws—big, bold laws—that were dealing with our problems. So once again, they are glory days of the Senate.

I think we have that potential. As I see the new Senators coming in, the folks who were elected with us, and the Senators who arrived in the last 5 or 10 years, I think we have the ability to respond in a big, bold way to the crises that face us.

I know Senator MERKLEY came here as a young man with Senator Hatfield, I believe, and he saw a different Senate. Maybe he could talk about that. We don't want to stay; I know we are going to a caucus and we have our generous chair here—our presiding officer—so we don't want to keep her up here too long.

Anyway, I yield to the Senator.

Mr. MERKLEY. I think my colleague from New Mexico is absolutely right in pointing out there were periods when the Senate really worked to face the big issues of America. And it wasn't that there weren't profound differences. There were fierce differences, emotional differences, deep differences, but folks came to this floor, they conversed, they laid out their arguments and, ultimately, they made decisions about which way to go. They didn't bring the attitude: Well, let's paralyze this Chamber from doing anything. Had they done that, there would never have been the set of changes that addressed significant issues in either of those periods.

My colleague is right that a part of the reason I feel so strongly about restoring the functioning of this Senate is that when I came here as an intern at age 19 for Senator Hatfield, I had the very good fortune to be assigned to the Tax Reform Act of 1976, and then I had the even better fortune that it came up on the floor of the Senate. So during the many days it came before the body, I sat up in the staff gallery and watched as amendment after amendment was raised and debated and voted on. And since in those days there was no camera or e-mail, the member of the Senate team who was responsible for it would run down from the staff gallery, intercept their Senator, and tell them what the issue was, what was said about it, what the folks back home thought about it, what the set of motions was that had been dealt with on it, and so it was a legislature at work. And rarely, rarely, did the thought that anything would not be decided by 51 pass the minds of Senators.

Again, that objection for 51 was reserved for very special, very rare occasions. It might happen once or twice in your career.

I do feel that the conversation we have before us is so important that I thought I would put up this chart. As my colleague can see, this just dramatizes it. It is a picture of Lyndon B. Johnson showing his one filibuster in 6 years, one time that he needed to get a cloture motion to try to shut down debate; otherwise, there was a courtesy that people said what they had to say and then stood aside and took votes. And here we have HARRY REID in his 6 years—it says ''387 and counting.'' It hit 391 before we completed his sixth year. So there is an enormous difference.

The work we are engaged in right now of trying to find a way to have every voice heard and then to be able to proceed to be accountable and transparent before the public is so important.

As the Senator and I have engaged in this conversation, sometimes we have heard criticism from across the aisle saying: You are trying to silence the voice of the minority. Does the Senator see anything in the proposals that we have been advocating that in any way silences the voice of the minority?

Mr. UDALL of Colorado. In looking at this, I do not see anything in the proposals, and I think we, in working on this together, tried to bring a discipline to it that said we want to preserve the best traditions of the Senate, we want the minority to be heard, we want the minority to have amendments, and we want them included in the process. What we don't want is the tyranny of the minority. And the Founders talked about the tyranny of the minority. They talked about the fact that if you allowed a small minority to govern and block the governing of the majority, that was the tyranny of the minority, and they feared that.

So I think that when we consider this and we talk about the filibuster and our institution today, our Senate, where many times the Republican leader has come to the floor and said that it is going to take 60 votes, everything takes 60 votes, that isn't the way the Founders designed it. The Founders actually had very strong language for what they thought of supermajorities.

Everybody remembers their history. The Founders came off the Articles of Confederation. It was a supermajority. It didn't work. It was broken. So they only put into the Constitution in five places supermajorities—things such as expelling a Member and ratifying a treaty—but otherwise it was simple majorities. And when the history is going to be written, it is hard to tell how this happened. But to have a leader of the Senate stand and say that everything takes 60 votes—the Founders never contemplated that. When they adopted rule XXII in 1917, that wasn't what they were trying to do, and the rule has actually been turned on its head.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Madam President, I would like to follow up on the last point Senator UDALL of New Mexico made about our Founders.

I have in my hand three of the Federalist Papers, Federalist Papers 22, 75, and 58. These are by Madison and Hamilton, and they explore this issue of the supermajority. It was a very conscious decision that a supermajority was not put into the Constitution for decisions of these Chambers. And the reason why—and they explained it more eloquently—is essentially that if you take the path that the minority thinks is the right path rather than the path the majority thinks is the right path, then over time you make a series of worse decisions. The minority might be right on occasion, but most of the time the viewpoint brought by those representing the greatest number of States in this case or the greatest number of citizens on the House side is the path that makes sense. And they warned about the supermajority as an instrument that would bring paralysis. It is almost as if they could look forward 200 years to this moment and say: Don't do that because you will end up with paralysis.

This is from Federalist Paper No. 22 by Alexander Hamilton. He wrote this in 1787, and he notes in commenting about the issue of a simple majority that ''there is commonly a necessity for action. The public business must, in some way or other, go forward. If a pertinacious minority can control the opinion of a majority, respecting the best mode of conducting it, the majority, in order that something may be done, must conform to the views of the minority; and thus the sense of the smaller number will overrule that of the greater, and give a tone to the national proceedings. Hence, tedious delays; continual negotiation and intrigue; contemptible compromises of the public good.''

Let me read that last set of words about what Hamilton said would happen if you had a supermajority requirement in the Senate: ''tedious delays; continual negotiation and intrigue; contemptible compromises of the public good.'' I think anyone watching the proceedings of the Senate for the last 2 years would say that Hamilton was right on the mark in that regard. And, of course, he was not alone. There was not a single Federalist Paper written arguing that there should be a supermajority in the Senate or the House because of the experience that had been had previous to forming the strategy embodied in the Constitution.

Let's turn to James Madison. In Federalist 58, James Madison said:

> It has been said that more than a majority ought to have been required for a quorum . . .

He goes on to discuss it in various views, and he said:

> Lastly, it would facilitate and foster the baneful practice of secessions; a practice which has shown itself even in States where a majority only is required; a practice subversive—

And here is the key language—

> a practice subversive of all the principles of order and regular government; a practice which leads more directly to public convulsions, and the ruin of popular governments, than any other which has yet been displayed among us.

He also made the point that we would end up with equitable sacrifices to the general weal—or general good.

So as we turn to our conversations in our respective caucuses and to the dialog here on the floor of the Senate, I ask my colleagues to search your hearts about our responsibility to the citizens of the United States of America to address the big issues facing America, which means that we don't paralyze this body in secret. If my colleagues have points to make, then make them as was done during the periods of great debate on the floor of the Senate: Make them on the floor of the Senate, engage in that debate, and when no more is to be said, when all 100 Senators say: We have had our full input, then let's make a decision.

Madam President, I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:38 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

The PRESIDING OFFICER. The Senator from Illinois is recognized.

EXTENSION OF MORNING BUSINESS

Mr. DURBIN. Madam President, I ask unanimous consent the period for morning business be extended until 4 p.m. today and that all provisions under the previous order remain in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORAN. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEBT CEILING

Mr. MORAN. Madam President, let me take a moment to welcome you to the Senate. I look forward to working with you and welcome you, coming from the House of Representatives to the Senate.

Over the Christmas holidays most of our Nation was focused on what Congress would do to avoid the so-called

fiscal cliff. What was largely missing from that conversation was how to address the much greater and more damaging problem, our growing national debt.

I am not exactly sure what the definition of fiscal cliff was. I think it had different meanings to different people. We dealt with a portion of the fiscal cliff, a slight delay in sequestration, and the consequences of the so-called Bush tax cuts expiring on December 31, but the serious problem is our national debt. Last year's budget shortfall reached $1.1 trillion; the fourth straight year of trillion-dollar deficit spending.

This out-of-control government spending has increased our national debt to a record $16 trillion, which is more than the entire U.S. economy produced in goods and services for the entire year of 2012.

Last week Secretary Geithner let Congress know it will reach its borrowing limit as soon as mid-February. President Obama will request that Congress raise the debt ceiling once again. This is the fifth time that President Obama has requested the debt limit be raised to allow the Federal Government to borrow and spend more money.

What is the point of even having a debt limit if Congress simply extends the Treasury's borrowing capacity each time the limit is reached? While some may say it is irresponsible not to raise the debt limit, our Nation finds itself at a point of such indebtedness that it is equally as irresponsible to extend the debt ceiling without significant reductions in Federal spending.

I voted against an increase to the debt limit 2 years ago and intend to vote against another increase unless we substantially change the way government does business by reducing Federal spending.

In addition to it being alleged that it is irresponsible not to raise the debt ceiling, sometimes it is suggested it is not compassionate to not spend money. Where is the compassion in spending money we don't have that is being borrowed and will have to be repaid by future generations of Americans—our kids and grandkids?

Our country is facing enormous fiscal challenges that, if left unchecked, will have a disastrous impact on the future of our Nation. The simple truth is that government is spending more than it is taking in, and this pattern must not, and in fact cannot, continue.

During the last 2 years alone the government has spent more than $7.3 trillion and increased the Nation's debt by more than $3.2 trillion. We didn't get into this situation overnight. It has been years in the making. Our staggering national debt and deficits are the responsibility of many Congresses and Presidents from both political parties who have allowed us to live well beyond our means for far too long. Americans deserve leadership in Washington to confront these fiscal challenges and fight for the future of our Nation. However, to date, our President and our Congress—this Congress—has failed to provide that leadership.

We learned from the New Year's Eve fiscal cliff negotiations that our work to tackle our debt must begin now. It cannot wait until the eleventh hour when the deadline is near and the consequences are preventable. We have all heard the saying that the definition of insanity is doing the same thing over and over but expecting different results. Why should we expect our fiscal situation to change if we keep doing the same thing: raising the debt limit so we can borrow more money and spend more money?

We know what needs to be done. It will just take the political courage to do it. Rather than wait for another last-minute deal that gets rushed through with little input from the American people, it is time we have an open and honest debate.

I think Americans are ready for leadership that involves tough decisions. The President must come to the table with Congress and put courage and common sense before politics, and that means getting serious about our government's finances.

One of the best ways to rein in spending is to set a budget and live by it. No country, business, or family can operate responsibly without a budget. Crafting a budget is one of the basic responsibilities of Congress, but this Senate has not passed a budget in more than 1,300 days.

When a Kansas family meets the max on their credit card, they don't just call the credit card company and ask them to raise their credit limit so they can keep on spending. No. They cut back on spending and change their budget. Washington needs to do the same.

I hope the stories the Senate is going to address a budget are true, and I hope that means the Budget Committee will meet and—in regular order—deal with a budget. I am a member of the Senate Appropriations Committee. I hope we have the opportunity to do appropriations bills which matter and follow that budget.

We must take serious action to address this fiscal cliff—the real one—of $48 trillion in unfunded obligations. These programs, which represent promises made by the Federal Government to Americans, must be kept. It is not about undoing Social Security or Medicare or Medicaid, it is about making certain they are available, fiscally sound, and that another generation of Americans can receive the benefits.

Another solution, besides the budget, in getting our spending back under control is to consider and adopt many of the bipartisan recommendations put forth by the President's own Deficit Reduction Commission. The cochairs of that Commission have warned that if we fail to take swift and serious action, the United States faces the most predictable economic crisis in history. Yet the President and Senate leadership has ignored these recommendations and continues to spend borrowed money without regard for the consequences.

The President's solution is to raise revenues to balance the budget, but those tax increases—if he got all he asked for—would only cover our spending for a few weeks. The budget the President proposed during the 4 years he has been President raises taxes. Every budget that the President has proposed in the 4 years he has been in office has raised taxes. One would think maybe that means the deficit is going down. But, unfortunately, the budgets proposed by President Obama would raise taxes, raise spending, and increase debt. To me, that suggests increasing taxes is never the solution that results in less spending and less deficits but just increased taxes and more spending.

History shows us that every time money is raised in Washington, DC, more money is spent by Washington, DC. The revenues we need to balance our books are not increases in taxes but revenues coming from a strong and growing economy. To turn our economy around and put people back to work, Congress and the administration should be implementing policies that encourage job creation; rein in burdensome government regulations; replace our convoluted Tax Code with one that is fair, simple, and certain; open foreign markets to American-manufactured goods and agricultural products; and develop a comprehensive energy policy. We are not immune from the laws of economics which face every Nation.

The Congressional Budget Office estimates that government spending on health care, entitlements, Social Security, and interest on the national debt will consume 100 percent of the total revenues generated by the Federal Government by the year 2025. That means the money the government spends on national defense, transportation, veterans' health care, and other government programs will have to be borrowed and will drive us even further into debt.

The CBO issued a report last June which warned that unless we work to reduce our debt, we will face the increased probability of a sudden fiscal crisis that would cause investors to lose confidence in the government's ability to manage its budget, and the government would thereby lose its ability to borrow at these affordable rates.

I do not want to experience the day when our creditors decide we are no longer creditworthy and America has to suffer the same consequences as the countries that have ignored their debt crisis. We need to look no further than the current situation of many countries in Europe to see what high levels of national debt will do to a country's economic health.

Last week one of the major credit rating agencies, Fitch, warned that

America risks losing its AAA credit rating if Congress and the President fail to agree to a ''credible medium-term deficit reduction plan.'' Fitch's warning is yet another reason we need to work together to put our country on a sustainable path for the future. We need to heed this warning and take steps now to prevent another credit downgrade.

The American people expect the President and Members of Congress to confront our Nation's challenges and not push them off to some future date. They also want their concerns and voices heard. The last-minute deals, the negotiations by a handful of people are very disturbing to me and to many Americans.

Today I am pleased to share a new opportunity which gives Kansans a voice in the debate on how to reduce spending through a new Web site called Fight for our Future. Kansans can access that site from my home page and learn more about the government's true fiscal condition. Not only can they share their thoughts on why we should cut spending, but they can also vote for a debt reduction proposal they think will be most effective. They will be able to add their name to a message that will be sent to the President and congressional leaders to urge us to put politics aside and work to save our country's future.

The debate over government spending is often seen as one that is philosophical or simply partisan bickering. All my life I heard Republicans and Democrats argue about spending, deficits, and taxes. They think that is what goes on in Washington, DC. This time it is different. Our failure to act will have dramatic consequences to the daily lives of Americans. This is about whether an American can find a job, afford to make payments on their homes and cars, and whether their kids will have a bright future.

The debt limit crisis we are facing now did not have to be a crisis. We knew the day would come when we would have to deal with the consequences of living beyond our means. Let's work together to solve this tremendous challenge.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. MANCHIN). The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF MORNING BUSINESS

Mr. INHOFE. Mr. President, I ask unanimous consent that the period for morning business be extended until 5 p.m. today, and that all provisions of the previous order remain in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. INHOFE. Mr. President, yesterday President Obama made a beautiful speech. I think everyone agrees that he is a very persuasive speaker. Although I didn't agree with anything he said, it was said beautifully.

I want to read one part of his speech because I don't want to get it wrong. He said:

> We will respond to the threat of climate change, knowing that the failure to do so would betray our children and future generations . . . The path towards sustainable energy sources will be long and sometimes difficult. But America cannot resist this transition. We must lead it. We cannot cede to other nations the technology that will power new jobs and new industries. We must claim its promise. That's how we will maintain our economic vitality and our national treasure.

That is a direct quote which came out of the President's speech, and it has a lot of little subliminal things in there that people did not pick up on, but I did.

One is—and they talked about that—we must show the leadership. That is because of all the things they try to do to damage the economy, to destroy the economy, in terms of the cap-and-trade agenda. And all of that are things that other countries are just waiting for us to do. It is not that we are going to provide the leadership, and all of a sudden China is going to say: Hey, they are doing it, so maybe we ought to do it. China, instead, is sitting back hoping that will happen in this country, so they can have all the jobs that are chased away from our manufacturing base.

There are a few sentences the President dedicated to global warming, and the rest of his speech could be labeled as a liberal laundry list. And I think everyone was expecting that.

I was not surprised that the President decided to do this. All during the campaign and during the weeks since the election, the President's extreme environmental base has been very vocal with their frustrations.

A lot of them go back and say: At one time, Mr. President, you had the White House and you had the House and you had the Senate, and yet you did not even try to get this stuff done. They are talking about, of course, the cap-and-trade system. In fact, there is one good reason he did not get it done, and that is because the votes just are not there.

They want the President to immediately regulate hydraulic fracturing, officially reject the permit for the Keystone pipeline, advance the regulatory powers of the EPA to cut CO_2 emissions, use all of his political capital to push a legislative fix to climate change, and to kill America's oil and gas industry.

That is what was expected of him. And now, since he does not have to run for reelection, you are going to get a lot more than you did before. So that should make them happy. But it is a lot more rhetoric and not a lot more action.

Studies done during the most recent debate—and that would have been the Waxman-Markey bill; that was the cap-and-trade bill just a couple years ago that they had; I think that might have been the last one we had—the estimates—this is interesting—going all the way back to the Kyoto treaty, they said, the cost, if you try to do cap and trade, is going to be between $300 billion and $400 billion a year. Well, that is between $300 billion and $400 billion a year.

I do something in my State of Oklahoma, and I suggest that the Presiding Officer may do this in his State of West Virginia. Every year I get the figures on how many families there are in my State of Oklahoma who file a Federal tax return and actually pay Federal taxes. Then I do the math. The way it works out, if you are talking about $400 billion a year—and I have not had one person argue with that figure that I have been using for over 10 years now—but if you do the math, that means for each person in my State of Oklahoma, it would cost them about $3,000 a year to do it. The interesting part of this is, you do not really accomplish anything by doing it.

This same agenda at the EPA, under authority he is claiming is under the Clean Water Act, has to be something we are going to talk about. And I do not have any hesitation in doing that.

Bills such as the Waxman-Markey bill—and I believe Senator BOXER and several others have had bills—the cost of that being of some $400 billion a year, would affect industries and emitters of CO_2 that emit 25,000 tons of CO_2 or more a year—25,000 tons. That would truly be just the big emitters. However, the effort of this administration—since they cannot get it passed through legislation—is to do it through regulation under the Clean Air Act.

The Clean Air Act is specific. And the Clean Air Act goes after anyone who emits at least 250 tons of CO_2. So stop and think about that because it is very difficult to try to evaluate it and determine just how much it would cost. The regulations they have would force these facilities to receive—anyone who is regulated under this—EPA construction permits, rehabilitation permits, monitoring devices, and install unnecessary and costly technology to reduce CO_2 emissions without any corresponding benefits. This would give the EPA a hand in everything.

The cost of this is so great that it cannot be calculated. Stop and think about this. If the Waxman-Markey bill—or any of the other pieces of legislation that were called cap-and-trade regulations—were passed, that would regulate only those 25,000 tons or more of emissions. However, the Clean Air Act is 250 tons. So 25,000 tons would be $400 billion a year. How much would it be for just 250 tons? That means every

university, every school, every hospital would be subject to the regulation. That is something they have been attempting to do for a long time.

I have to say, there are a lot of appointees of President Obama whom I do not like at all. One I do like—and I am sorry she is not staying—is Lisa Jackson. Lisa Jackson was the Director appointed by President Obama to be the Director of the Environmental Protection Agency. I found one thing really curious about her. While she is very liberal philosophically, she does not lie. That is all I can really ask of people.

I can remember in this case, when they finally gave up—this is just 2 years go. They finally gave up and said: We are not going to be able to pass any kind of a bill for cap and trade, but we are going to go to Copenhagen and tell them we are going to do it another way. If we cannot get a bill passed, we will do it through regulation.

To do it through regulation instead of legislation—this is kind of in the weeds—you have to have an endangerment finding. That is what the law says. So Lisa Jackson was before our committee, and I asked her a question. I said: Madam Administrator, tomorrow I am going to leave for Copenhagen to be the one-man truth squad—because everybody has been over there lying to these other countries saying we are going to pass something over here—and I have a feeling that once I leave town, you are going to have an endangerment finding and do this through regulation. I could see her kind of smiling. I said: When you do that, the regulation that you have is going to have to be based on science. That is what the law says. What science are you going to use? Her answer was: Well, we will use mostly the United Nations IPCC.

A lot of people do not realize—I wrote a whole book about this—this thing all started way back 12 years ago, and it was a thing by the United Nations. They formed the IPCC, the Intergovernmental Panel on Climate Change. They are the ones who came up with all this stuff. So she said it is going to be on the IPCC.

Well, poetic justice. It could not have been done better if we had planned it, because it was not weeks after that, it was days after that, that what happened? Climategate. All of a sudden, they realized, through some leaked information, that the IPCC had been lying all those years.

I will mention a couple things.

The UK Telegraph said it is the ''worst scientific scandal of our generation.''

Clive Crook of the Financial Times said: ''The stink of intellectual corruption is overpowering.''

IPCC prominent physicist resigns because ''Climategate was a fraud on a scale I have never seen.''

Further, another U.N. scientist bails. U.N. IPCC coordinating author Dr. Phillip Lloyd calls out IPCC ''fraud.'' ''The result is not scientific.''

And the list goes on and on. Just stop and think about it. The UK Telegraph—one of the biggest publications in the UK—saying it is the ''worst scientific scandal of our generation.''

So we now know that was the science they were going to use. I will always be appreciative of Director Jackson for being totally honest in her response.

But we can guess that would be devastating and cripple the Nation and bankrupt our economy. We know what would happen. The contrast here is stark. On one hand, you have the President saying he wants to control carbon for the sake of protecting our economy and, on the other hand, you have the President's EPA embarking on a regulatory crusade that potentially would be devastating to our economy and America.

The President and the EPA have been working for 4 years to build a case to justify the need for Federal regulation of hydraulic fracturing. A minute ago I listed all the things that were in his speech that I think would be devastating to the economy. One is hydraulic fracturing. I will bet you, 5 years ago, if you said hydraulic fracturing, people's eyes would glass over and they would not know what you were talking about. They all know now because hydraulic fracturing is a process that is used to get oil and gas out of tight formations. I know quite a bit about it because it all started in 1949 in my State of Oklahoma.

In 1949, in Duncan, OK, we discovered that you could unlock these reserves using hydraulic fracturing. So it is something that has been used that way for over a million—a million—applications, and the States have been regulating it and doing so quite well. Everyone is satisfied with the way it has been regulated.

There has never been a case—getting back to Lisa Jackson, I asked her a question in one of our committee hearings—and it was live with TV covering it—I said: Can you tell me and can you identify one case in a million—a million applications of hydraulic fracturing—one case where there has been groundwater contamination? She said she could not. So there has never been a confirmed, documented case of groundwater contamination because of hydraulic fracturing.

Because of these facts, the only reason for EPA regulation of hydraulic fracturing is to significantly limit, if not ban, its use. It would kill the domestic oil and gas industry, which I believe, more often than not, that is exactly what they want.

Well, in closing, the President's remarks yesterday were not surprising to me. But it did confirm the fact that this President is not interested in pursuing an agenda that would help the growing segments of the economy, such as the oil and gas industry.

People talk about our reliance upon the Middle East and people who could become our enemies for oil and gas. All we have to do is produce our own, get the political obstacles out of the way, so we can be totally independent.

I wish to mention two things President Obama has said. One, he says that oil and gas production during his administration—his 4 years—has boomed. This is true, but not in the public sector. It has done so because of hydraulic fracturing, horizontal drilling, and all these technologies that have been very successful and have worked. He has made the statement over and again that: Well, it would not do any good if we opened public lands for production because it would take 10 years before that would affect the supply and the cost of oil and gas.

Well, there is a guy whose name is Harold Hamm. Harold Hamm is arguably the most successful independent oil man in America today. He is from Enid, OK. I called him because I was going to be on a very liberal TV show and knew they were going to ask this question. I called him so I could document an answer. The statement they were going to make was: Well, President Obama has said it would take 10 years for that, for oil to reach the pumps if you opened public lands. How long do you think it would take?

So I called Harold Hamm. I said: Harold, you have to be accurate in responding to this question because I am going to use it on national TV tonight, and I am going to use your name. So I said: If you were to set up your rig in New Mexico and start drilling—you say: Go right now—how long would it take for the first barrel you brought up to reach the pumps? Without hesitating, he said 70 days—not 10 years, 70 days. Then he went on and told me what would happen each day, how long it would take to go through the refining process and reach the pumps.

So that is just one of the things that has been said over and over to make people believe it is true.

Let me mention a couple of things in winding this down.

Richard Lindzen is from MIT. Richard Lindzen is probably the foremost authority. No one has really questioned him in the past. His statement was: Regulating CO_2 is a bureaucrat's dream. If you regulate CO_2, you regulate life.

That is exactly what it would be. Everyone would fall into that regulation.

Getting back to why—I do not want people to sit around and worry about it—you are going to hear a lot of talk and the President is going to do all he can under regulations to try to do cap and trade. We found out—it took extensive research—that the President, in his first 4 years, has actually spent $68.4 billion on cap and trade, and that was not authorized.

So he can do a lot of it through regulation, but it is not going to pass. The reason it is not going to pass is, as we have stated, the cost would be extensive. And what would be accomplished—again, going back to when I asked a question of the Administrator of the EPA, Lisa Jackson, in another

hearing—I said, if we were to pass any of the regulations, any of the legislation, the Waxman-Markey legislation or any of the rest of them, would this reduce CO_2 emissions worldwide? She said: No, it would not. She said: Because the problem is not here in the United States. The problem is in China, in India, in Mexico, and other places.

So you can carry that argument even further. If we were to do this in just the United States, if you were one of those who really believes that CO_2 emissions are causing all these problems—which I do not agree with—but if you really believe that, it still would not reduce them. It would actually have the effect of increasing them because as we chase away our manufacturing base—because we cannot generate the electricity to sustain it—where do they go? They go to countries such as China and India and Mexico and other countries where they have little or no emissions regulations.

So with that, while it sounded real good yesterday in his speech, and I do have a great deal of respect for the President and his persuasive abilities, I want people to realize, those who are out there recognizing that we can become independent in our energy development in this country, that they are not going to be able to pass cap-and-trade any more now than they have failed to do so in the last 10 years.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. LANDRIEU. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. WARREN). Without objection, it is so ordered.

HURRICANE SANDY

Ms. LANDRIEU. Madam President, I came to the floor this afternoon to speak briefly about Hurricane Sandy and what the Senate and the House could and should be doing to help the survivors of this catastrophic disaster that occurred now over 3 months ago on the northeast coast. We from Louisiana are very familiar, unfortunately, with disasters. We have had quite a number over the past several years. Unfortunately, I have become an expert on disasters. I don't want to be, but I am becoming one as chair of the Homeland Security and Governmental Affairs Committee and as a leader from Louisiana. All of us, whether we are school board members, city council members, mayors, parish officials or Governors from Louisiana, are becoming experts on disasters because we are having a lot of them.

So I came to the floor to say just a few things this afternoon about Hurricane Sandy. First, I wish to begin by saying the people of the Northeast—and they don't need me to tell them this—have a wonderfully strong delegation in the Senate, Senators SCHUMER, GILLIBRAND, MENENDEZ, and LAUTENBERG. Of course, in Maryland—though we don't hear much about Maryland, there were one or two small counties that were terribly affected in Maryland—and Senator CARDIN and Senator MIKULSKI have been, day in and day out, working with me and with many others, of course, trying to fashion a robust and smart response to the disaster on the East Coast.

We want it to be smart because the taxpayers don't want to waste money on things that don't work. Of course, the survivors want it to be smart because they need us to do our best work now. We can't be late and sloppy and bureaucratic. They have churches to rebuild and faith-based organizations to get back up and running. There are schools and libraries and, most importantly, of course, their homes and their businesses. So this is very important work.

It has been difficult because there are many different philosophies about how to tackle this. I have made my positions fairly clear on certain aspects such as offsets, et cetera. But today I wanted to come to the floor to just acknowledge the extraordinary work of the delegation—led in large measure by Senator SCHUMER—of Members who have been absolutely rolling up their sleeves at every meeting and trying to build bipartisan support, which we have to do in the Senate. The House can sometimes get away with sending things over here with only the Republicans voting for it and no Democrats, but over here we can't get anything done unless it is done with all of us together. It is just a different set of rules in the Senate, so we have had to work very hard.

Senators SCHUMER and GILLIBRAND and other Members worked very hard to get together the necessary votes to get that $60 billion out of here a couple weeks ago. The House, of course, unfortunately, stripped away some provisions but, happily—happily—they left some of the best reforms we have been able to think of in the last 4 or 5 years in the bill, and that is what I wish to talk about today.

I am a big believer in sending aid to the people in America who need it. We send a lot of aid overseas, and we will sure send a lot of aid when we rebuild Afghanistan and Iraq, but I am a real big believer in sending aid to our own taxpayers when their homes are flooded or tornadoes have taken out their area or fires have raged out of control or major storms have hit their area. I am a big believer that when people pay taxes all their life—middle-class families as well as the poor and the working poor, as well as the wealthy, who pay a lot of taxes—they deserve their government to respond when they are at a very dark moment. That is what is happening on the east coast, and these constituents and citizens of ours could not get this help. They need it more quickly.

We are moving as fast as we can—not fast enough for this Senator, but hopefully we can get this vote and this bill to the President's desk. I know President Obama will be happy to sign this and is eager to sign it. I wish to also say thank you to President Obama for his strong support of a robust supplemental and to say how proud I am to have worked with his Cabinet, many of whom are involved in this recovery, and particularly the Secretary of HUD, who is probably one of the most able leaders. All the Cabinet members are very able, but the Secretary of HUD is particularly knowledgeable about rebuilding in a more coordinated fashion because he actually got to practice on us down in the gulf coast. We were kind of like the guinea pigs. Hopefully, we have worked out a lot of the problems and we can take all the best practices and lessons learned.

But Shaun Donovan will do a great job leading that effort on the east coast, I have no doubt, with both a very strong Democratic Governor and a very strong Republican Governor—Governor Christie and Governor Cuomo in that area—along with Mayor Bloomberg and Mayor Cory Booker and so many other small-town officials involved in the recovery. They will have a great friend and a knowledgeable and reliable partner in Secretary of HUD Shaun Donovan.

But let me go into just a few things we were able to redesign, thinking that our citizens and our constituents want government to be leaner. They want government, most importantly, to be smarter and more efficient, and I could not agree more. We have tried, at least in the disaster recovery—when the response to Katrina and Rita was such a disaster itself—to reshape some of this and make it better and smarter. So we put some very effective and smartly designed programs into the Sandy supplemental.

I want to begin by thanking my friend and colleague from the State of Mississippi, Senator COCHRAN, who joined me in introducing the Disaster Recovery Act in 2011 that contained many of these reforms. Our States have endured the same series of disasters and bureaucratic roadblocks to recovery over the past eight years, and we are determined to prevent communities in the northeast from experiencing the same inefficiency and waste. His contributions to the Gulf Coast's recovery and the development of this legislation have been tremendous, and I am grateful for his partnership in this endeavor.

I also wish to thank my House colleagues, particularly Congressman SHUSTER, Congressman RAHALL, Congressman DENHAM, Delegate HOLMES-NORTON, Congressman MICA, who is the outgoing chair of the committee over there and was so instrumental in helping to fashion some of this, Congresswoman SLAUGHTER, Congresswoman LOWEY, Congressman ALEXANDER and Congressman RICHMOND. In particular,

CEDRIC RICHMOND, who is from Louisiana and a dear friend, along with Congressman ALEXANDER, from my home State, were very instrumental in helping their colleagues—one is a Republican, one is a Democrat—kind of understand why it is important to have these reforms stay in the bill, and they were successful. I am very grateful to them for that.

One of the things from the several lists of things that were in this bill—and that I want to put into the RECORD—I will just go over and highlight briefly.

No. 1, in the Sandy supplemental, it will reauthorize two expired pilot programs from the post-Katrina Emergency Management Reform Act that allowed FEMA to repair rental units as a cost-effective temporary housing alternative to trailers and mobile homes and to utilize expedited debris removal procedures.

This might not seem very interesting to people, unless you and your family are looking at living in an 8-by-16 or 8-by-24 trailer for the next 6 months. Then you are very interested. In the old days, when Katrina happened, all people were given were trailers and, in some instances, with formaldehyde in them, which made for a lovely and very healthy way to live for 6 months. We don't want to go over the nightmares of what happened after Katrina and Rita, but we decided we had to give our citizens some other options besides trailers. So if something would happen in Massachusetts, Madam President, your Governor and your local officials could come together and maybe be a little bit creative in thinking about some rental repairs, where maybe people could move into some of the blighted properties. That would also help with the blight. Instead of spending $120,000 per trailer, maybe we could do a little investing in some blight reduction and, at the same time, giving people a temporary place to live. So that is smart. I think taxpayers appreciate it when we try to spend their money in a wiser, built-to-last kind of way. That is what the Sandy supplemental allows.

It also allows the State to draw down a portion of its hazard mitigation funds from FEMA in order to leverage mitigation opportunities earlier in the reconstruction process. In the old days, it would take 18 to 36 months for funding to become available, in some instances, to rebuild a school. That is too long. Can you imagine a community going 3 years without even getting their school started?

I realize sometimes it takes a long time to build things, but you don't want to wait 3 years before you start. So the way we do it now, without spending any more money, is just allowing the Federal Government to push out some of the front money to the locals so they can get started on mitigation projects much sooner. So that is a very smart reform that is included.

In addition, we also provide grants on the basis of reliable fixed estimates for rebuilding damaged infrastructure and facilities and expedited removal of storm debris. This approach will be faster, cheaper, and more effective. The Public assistance program as currently designed may be one of the most dysfunctional programs in the entire Federal Government and will not work for this disaster. Under the current approach, initial damage estimates are often incomplete. Projects must be reversioned multiple times. Decisions are often not made in writing. Frequent staff turnover leads to decision reversals. Hundreds of meetings result in incalculable administrative waste. And it can take years for even a small project to be completed. And let me just put this in English.

What this means is in the old days when Katrina hit—and people are not going to believe it when I say this, but it is true, and I will put this in the RECORD so people can go find it. But in the old days we would have to take measurements and pictures of a tree to determine how wide the branch was because if it was more than 3 inches you got reimbursed, and if it was less than that you didn't. We would have to go take pictures of trees where the debris came down to try to get the paperwork necessary for the reimbursement. Those days are hopefully over with.

We will now do kind of an estimate just like any normal, rational person would do. You know from past storms how much debris is usually there. You could sort of measure that. There are ways—not just subjective but objective, like geospatial modeling, without having to take pictures of limbs on trees and measure them individually—which is a complete waste of time and wholly irrational and, of course, survivors who are standing there without a house are wondering why government officials are going around taking pictures of shrubs. So we need to move past that. Hopefully, we will with some of this legislation.

No. 4 codifies temporary legislative measures that were enacted to facilitate smarter recovery, including third-party arbitration, eliminating penalties on alternate projects, and consolidating facilities into a single project. This was my most important thing, and I would like to take a minute to explain it to everyone.

A while after Katrina, which was a nightmare, I kept wondering why these project worksheets were never getting settled. We would send thousands of these worksheets to the Federal Government and say: This was our library. We estimate it will cost $5 million to rebuild it.

The Federal Government would say: No, we think it is $2.5 million. That is all we owe you.

So I said: I can understand there could be a disagreement. Who resolves it? No one. What do you mean, no one? No one. It just keeps going around and around, and we just keep sending paper back.

I said: Is there any timeline for the resolution? No. I said: Is there any third-party arbitrator? No. So we put in a third-party arbitrator so that if a project is disagreed to by the locals about what was there, what it looked like, how they should rebuild it, we now have a rational way to step in and get a decision, and it is nonnegotiable. You can't appeal it. But it is better than not having a decision. The local governments really support this, and I am happy we could get that done.

In addition—this was one of my favorites—everyone would run around giving press conferences about how we were going to build smarter and stronger and better, et cetera. Except when we looked into the law and actually read the law, it was illegal. If you tried to move a police station like 10 feet to get it out of the way of the river, or the land had sunk and you wanted to move it to higher ground, you would actually be penalized 25 percent because it became an alternate project since it wasn't exactly the same. So I said: We don't want to build the exact same thing. That was the problem to begin with. Some of our buildings were in places they shouldn't have been. Some of our buildings were built with materials we should never have used. So why are we having to rebuild the same old thing?

Well, that was because that was what the law said. I said: Well, the law needs to be changed, and we are changing it.

So I hope people, while they fuss at government—and I know we have a lot to do to get things straight—know a lot of thought has gone into some of these reforms, and they are based on real-life experiences on what communities have gone through. Hopefully, the Northeast will benefit from this as we go forward.

Let me just put a few more things in the RECORD. No. 5 allows families to use FEMA individual assistance for childcare expenses.

Here is another thing we found. We do depend on individual citizens to rebuild their communities. Trust me. The Federal Government may send a lot of money, but they didn't gut houses. Do you know who gutted houses? The churches helped, the volunteers helped, and seniors. Many veterans who had fought the war in the ''greatest generation,'' they, at 80 years old, put on gloves and overalls and gutted their own houses.

I mean take your house down to the studs. It is a hard thing to do. Not only is it physically hard, it is emotionally devastating. The Federal Government did not come in and gut people's houses. We had to gut our houses by ourselves.

After we sorted our debris by EPA requirements and dragged it out to the sidewalk and made sure it didn't touch a part of the lawn—because if it did, they couldn't pick it up because they can't go on private property to pick up debris. It is a nightmare. But this is going to be alleviated because parents and grandparents need to get back to gut their homes. They have to have a

place for their kids to go that is safe. You can't have children running around in dangerous places. So people aren't thinking about this in a recovery, but schools have to be up and running, and you really should be able to use some of this money for daycare so the parents can work. Some of them quit their jobs to rebuild their homes. They lived off their savings and they went back to work. It is a tough situation.

But I am happy, and I want to thank Mark Shriver, Save the Children, and the National Commission on Children and Disasters who led this initiative trying to help us focus on the storms of the future, what we could do better to help children to make sure their needs are cared for. We think about adults, but, of course, most of these families have kids, sometimes young children. So we have done a little bit. I wish we could have done more, but we negotiated the best we could, and at least we got the childcare provision in.

It reduces bureaucratic waste by eliminating duplicative agency reviews for the same project and the same set of laws governing environmental, historic preservation, and benefit-cost requirements. It also helps the environment by incentivizing recycling of debris. So if we can find a way to recycle it, then people get paid a little bit more as opposed to just throwing it in the landfills. We think that will be a good opportunity to try to promote some good technologies for recycling. And—this is very important—it also corrects a gap in current law that prohibited tribal governments from requesting Federal assistance. They were completely prohibited under the former law. Really, as a matter of fair policy and the Federal law, tribes should be able to request some assistance as well, and that was corrected in this piece of legislation.

It also, finally, eliminates a perverse incentive in the law to use high-priced contract labor for emergency work instead of local government employees, such as firefighters and police officers, which should save the Federal Government millions of dollars.

In closing, I want to thank all of the different organizations that helped to pass this: the U.S. Conference of Mayors, the National League of Cities, the National Association of County Organizations, International Association of Emergency Managers, International Association of Firefighters, International Association of Fire Chiefs, and the Association of State Floodplain Managers.

This is not a subject that is always fun to talk about because when you are talking about it, it is a lot of suffering that is going on, whether it is Joplin, MO, or Gulfport, MS, or New Orleans, LA, or New York, NY, or the boardwalk in New Jersey. And many of those not-so-small beach communities are very highly populated. There is a lot of suffering. But it is important for us to try, when we can, when we see that the response is not what it should be, to take the time to push out some reforms, to fix what we can fix so that the $60 billion that I hope we will send to them can be used smartly, quickly, and efficiently.

I am living proof of a Senator who has had to literally help lead the rebuilding of the gulf coast, along with my friends from Texas, Mississippi, Alabama, and Florida. My hometown is New Orleans. My brother is now the mayor, and he is rebuilding that city every day. Eighty percent of the residential communities on the east bank were destroyed completely. That would be like 80 percent of the District of Columbia but not Anacostia, but 80 percent—which would be the whole other side of DC on this side of the river—being uninhabitable. It is hard for people to get their head around that scale. I think Massachusetts has experienced some of these storms. But the scale and scope of the loss is just hard to get your head around. Even though it is not on the 5 o'clock news or the 6 o'clock news or 10 o'clock news or now 24-hour news, it is still happening. So this money and these reforms are important.

So I hope the Senate will act quickly this week. We may have to take up a few amendments from the minority. We have already had the debate about offsets, and we have decided that in the middle of the battle we don't have to argue about who is going to pay for the bullets. We need to go ahead and send the money, and we will figure out how to pay for it later. We are going to pay for it. It is not a question of whether it is going to be repaid. It will be paid for. We should not be arguing about that while the water is rising or while people are gutting their homes or worshiping in tents along the beach. They need their churches back, they need their communities back, and we need to send them money and the smarter tools to help them with the recovery.

So I again thank so many colleagues for helping with this, particularly Senator Lieberman and Senator COLLINS, who led a lot of these efforts through their leadership of the Homeland Security Committee and spent a significant amount of time along with their staff reviewing and helping to improve this legislation, as well as my colleagues on the Appropriations Committee on Homeland Security.

EXTENSIONS OF MORNING BUSINESS

Ms. LANDRIEU. Madam President, I ask unanimous consent the period of morning business be extended until 6 p.m. today, and that all provisions of the previous order remain in effect.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. LANDRIEU. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. DONNELLY). Without objection, it is so ordered.

MORNING BUSINESS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING DANIEL K. INOUYE

Mr. LAUTENBERG. Mr. President, I deeply miss my friend Danny Inouye.

Danny Inouye's passing leaves a huge void in the Senate and for me personally, as I have lost a dear friend, and now being the sole U.S. Senator to have served in World War II is a lonesome post—especially after losing the presence of a Medal of Honor winner.

Danny was not only a great Senator for his constituents, but also the most popular among his Senate colleagues. He exemplified what it means to serve and represented the very best qualities of our country. Whether in the Army or as Hawaii's representative in Washington since the State's birth, he worked tirelessly to do right by every Hawaiian and every American.

Danny volunteered to serve in the Army's 442nd Regimental Combat Team, which was almost entirely made up of Nisei, or people of Japanese descent born in the United States. Although its members faced discrimination at home and many of their families were in internment camps, the 442nd is widely acknowledged as the most decorated infantry unit in the history of the U.S. Army. All of us who served admired the courage and heroism Danny displayed on the battlefield especially in San Terenzo, Italy when 4 days before the war's end, he lost his arm in battle, earning a Purple Heart.

When Danny first joined the Senate in 1962, World War II veterans were common in our chamber and, over the past five decades, the Senators who served in World War II have shared a bond that overcame partisan politics. But I am now the last of that group and I will continue to look to Danny's example to bring colleagues together to do what is right for all Americans.

Danny and I partnered together time and time again on the Appropriations Committee to write legislation that has made America safer and healthier for our families. I will always be especially thankful for his help in crafting relief bills for New Jersey in our times of need after Hurricane Irene and Superstorm Sandy. In fact, his last piece of legislation in the Senate was one to provide relief to those affected by Sandy.

But perhaps Danny's defining quality was this—in a time and profession that increasingly rewards grandstanding and grasping for the spotlight, Danny served with intelligence, grace and humility. And while he was always a humble and quiet leader, when Danny spoke other Senators listened closely and took his words to heart. His voice never wavered when it came to advocating for an America that leaves no one behind.

He was a giant in the Senate, and we will never forget the legacy he leaves behind. As the last World War II veteran in the Senate, I promise to always do whatever I can to uphold his commitment to service and love of country.

Mr. CASEY. Mr. President, I am proud to join my colleagues in remembering our friend and colleague Senator Daniel Inouye. Dan Inouye dedicated his life to Hawaii and represented Hawaii from when it achieved statehood until his death.

Senator Inouye was respected and loved by members of both parties and both chambers. He was the last Senator to serve with both Everett Dirksen and Richard Russell. Senator Inouye learned early the importance of doing something for the good of the Nation and the good of the Senate, as well as the importance of personal relationships and trust among colleagues. For Dan Inouye, his word was his bond and that applied to Democrats and Republicans alike. He became the chairman of the Appropriations Committee, the Senate President Pro-Tempore, was the second longest serving Senator in history and served on special committees investigating the Watergate and Iran Contra scandals. At the time of his death, he had long become a Senate giant in his own right.

Long before reaching the Senate, Dan Inouye was an American hero. Enlisting in the Army after the bombing of Pearl Harbor, he served in Europe earning a Bronze Star, Purple Heart and Distinguished Service Cross for helping his fellow soldiers while suffering terrible injuries. Later in life, President Clinton would confer upon him the Medal of Honor.

His moral character and life experiences made Senator Inouye a leader on many of the pressing issues of the day from civil rights to veterans benefits and from health care to helping people with disabilities. Through his position on the Appropriations Committee, Senator Inouye was able to direct funding to important projects and research that helped bring about important advancements as well as simply help people.

Dan Inouye was also a strong supporter of Israel and the Jewish community. From his advocacy on behalf of Holocaust survivors, to his efforts to help free Jews from the former Soviet Union to his influential role in securing funding for Israel, Senator Inouye was a tireless friend and advocate. He was given the nickname ''Trumpeldor'' after a Zionist hero, Joseph Trumpeldor.

In closing, I am reminded of a quote used to eulogize Daniel Webster that President Nixon used when eulogizing Everett Dirksen, ''Our great men are the common property of the country.'' Senator Inouye was indeed a great man and our country is better off today for his commitment, his conscience and his years of dedicated service.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE RECEIVED DURING RECESS

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 3, 2013, the Secretary of the Senate, on January 4, 2013, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bill:

H.R. 41. An act to temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the National Flood Insurance Program.

Under the authority of the order of the Senate of January 3, 2013, the enrolled bill was subsequently signed on January 4, 2013 by the President pro tempore (Mr. LEAHY).

MESSAGE FROM THE HOUSE

At 10:03 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 152. An act making supplemental appropriations for the fiscal year endingSeptember 30, 2013, to improve and streamline disaster assistance for Hurricane Sandy, and for other purposes.

H.R. 219. An act to improve and streamline disaster assistance for Hurricane Sandy, and for other purposes.

The message also announced that pursuant to Senate Concurrent Resolution 2, 113th Congress, and the order of the House of January 3, 2013, the Speaker appoints the following Members of the House of Representatives to the Joint Congressional Committee on Inaugural Ceremonies: Mr. BOEHNER of Ohio, Mr. CANTOR of Virginia, and Ms. PELOSI of California.

The message further announced that pursuant to 22 U.S.C. 1928a, and the order of the House of January 3, 2013, the Speaker appoints the following member on the part of the House of Representatives to the United States Group of the NATO Parliamentary Assembly: Mr. TURNER of Ohio, Chairman.

The message also announced that pursuant to 22 U.S.C. 3003, and the order of the House of January 3, 2013, the Speaker appoints the following member on the part of the House of Representatives to the Commission on Security and Cooperation in Europe: Mr. SMITH of New Jersey, Co-Chairman.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 152. An act making supplemental appropriations for the fiscal year ending September 30, 2013, and for other purposes.

S. 47. A bill to reauthorize the Violence Against Women Act of 1994.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–2. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Fluroxypyr; Pesticide Tolerances'' (FRL No. 9371–1) received during recess of the Senate in the Office of the President of the Senate on January 9, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law,the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement; Contracting Activity Updates'' ((RIN0750–AH81) (DFARS Case 2012–D045)) received during recess of the Senate in the Office of the President of the Senate on January 9, 2013; to the Committee on Armed Services.

EC–4. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law,the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement; Definition of Cost or Pricing Data'' ((RIN0750–AH49) (DFARS Case 2011–D040)) received during recess of the Senate in the Office of the President of the Senate on January 9, 2013; to the Committee on Armed Services.

EC–5. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Patrick J. O'Reilly, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–6. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of four (4) officers authorized to wear the insignia of the grade of major general and brigadier general, as indicated, in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–7. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of three (3) officers authorized to wear the insignia of the grade of major general and brigadier general, as indicated, in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–8. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' ((44 CFR part 67) (Docket No. FEMA–2012–0003)) received in the Office of the President of the Senate on January 3, 2013;to the Committee on Banking, Housing, and Urban Affairs.

EC–9. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Changes in Flood Elevation Determinations'' ((44 CFR part 65) (Docket No. FEMA–2012–0003)) received in the Office of the President of the Senate on January 3, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–10. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' ((44 CFR part 67) (Docket No. FEMA–2012–0003)) received during recess of the Senate in the Office of the President of the Senate on January 7, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–11. A communication from the Regulatory Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Rules of Practice and Procedure; Rules of Practice and Procedure in Adjudicatory Proceedings; Civil Money Penalty Inflation Adjustments'' (RIN1557–AD61) received in the Office of the President of the Senate on January 3, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–12. A communication from the Regulatory Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Lending Limits'' (RIN1557–AD59) received in the Office of the President of the Senate on January 3, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–13. A communication from the Regulatory Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Community Reinvestment Act Regulations'' (RIN1557–AD60) received in the Office of the President of the Senate on January 3, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–14. A communication from the Acting Secretary of the Federal Trade Commission, transmitting, pursuant to law, a report relative to the steps that the Federal Trade Commission has taken over the previous years to ensure compliance by payment card network companies with section 1075 of Dodd-Frank regulations promulgated thereunder; to the Committee on Banking, Housing, and Urban Affairs.

EC–15. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the continuation of the national emergency that was declared in Executive Order 13396 on February 7, 2006, with respect to Cote d'Ivoire; to the Committee on Banking, Housing, and Urban Affairs.

EC–16. A communication from the Assistant Secretary of the Department of the Treasury, transmitting, pursuant to law, a report entitled ''2012 Annual Report to Congress on Human Capital Planning''; to the Committee on Banking, Housing, and Urban Affairs.

EC–17. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, a report entitled ''Energy Conservation Program: Certification of Commercial and Industrial HVAC, Refrigeration and Water Heating Equipment'' (RIN1904–AC90) received in the Office of the President of the Senate on January 3, 2013; to the Committee on Energy and Natural Resources.

EC–18. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, a report entitled ''Energy Conservation Program for Consumer Products: Test Procedures for Residential Furnaces and Boilers (Standby Mode and Off Mode)'' (RIN1904–AC44) received in the Office of the President of the Senate on January 3, 2013; to the Committee on Energy and Natural Resources.

EC–19. A communication from the Secretary of Energy, transmitting, pursuant to law, an annual report relative to the Strategic Petroleum Reserve for calendar year 2011; to the Committee on Energy and Natural Resources.

EC–20. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Colorado; Revisions to New Source Review Rules'' (FRL No. 9762–5) received during recess of the Senate in the Office of the President of the Senate on January 9, 2013; to the Committee on Environment and Public Works.

EC–21. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; New Hampshire; Redesignation of the Southern New Hampshire 1997 8-hour Ozone Nonattainment Area'' (FRL No. 9768–7) received during recess of the Senate in the Office of the President of the Senate on January 9, 2013; to the Committee on Environment and Public Works.

EC–22. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of State Implementation Plans; State of Utah; Smoke Management Requirements for Mandatory Class I Areas under 40 CFR 51.309'' (FRL No. 9636–6) received during recess of the Senate in the Office of the President of the Senate on January 9, 2013; to the Committee on Environment and Public Works.

EC–23. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters'' (FRL No. 9676–8) received during recess of the Senate in the Office of the President of the Senate on January 9, 2013; to the Committee on Environment and Public Works.

EC–24. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Ambient Air Quality Standards for Particulate Matter'' (FRL No. 9761–8) received during recess of the Senate in the Office of the President of the Senate on January 9, 2013; to the Committee on Environment and Public Works.

EC–25. A communication from the Director of Congressional Affairs, Office of Nuclear Reactor Regulation, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Regulatory Guide 4.22: 'Decommissioning Planning During Operations' '' (RIN3150–AI55) received during recess of the Senate in the Office of the President of the Senate on January 9, 2013; to the Committee on Environment and Public Works.

EC–26. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Treasury Inflation-Protected Securities Issued at a Premium; Bond Premium Carryforward'' (RIN1545–BK45 and RIN1545–BL29) received in the Office of the President of the Senate on January 4, 2013; to the Committee on Finance.

EC–27. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Disclosure or Use of Information by Preparers of Returns'' (RIN1545–BI85) received in the Office of the President of the Senate on January 4, 2013; to the Committee on Finance.

EC–28. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Employee Plans Compliance Resolution System'' (Revenue Procedure 2013–12) received in the Office of the President of the Senate on January 4, 2013; to the Committee on Finance.

EC–29. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, the semiannual report on the continued compliance of Azerbaijan, Kazakhstan, Moldova, the Russian Federation, Tajikistan, and Uzbekistan with the 1974 Trade Act's freedom of emigration provisions, as required under the Jackson-Vanik Amendment; to the Committee on Finance.

EC–30. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of a manufacturing license agreement pursuant to section 36(d) of the Arms Export Control Act (Transmittal No. DDTC 12–120); to the Committee on Foreign Relations.

EC–31. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12–164); to the Committee on Foreign Relations.

EC–32. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12–155); to the Committee on Foreign Relations.

EC–33. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to sections 36(c) and 36(d) of the Arms Export Control Act (Transmittal No. DDTC 12–153); to the Committee on Foreign Relations.

EC–34. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12–174); to the Committee on Foreign Relations.

EC–35. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12–142); to the Committee on Foreign Relations.

EC–36. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12–159); to the Committee on Foreign Relations.

EC–37. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the International Labor Organization Recommendations concerning National Floors of Social Protection (No. 202), adopted by the 101st session of the International Labor Conference at Geneva; to the Committee on Foreign Relations.

EC–38. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to amendment to parts 120 and 126 of the International Traffic in Arms Regulations (ITAR); to the Committee on Foreign Relations.

EC–39. A communication from the Acting Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of an item not detrimental to the U.S. space launch industry; to the Committee on Foreign Relations.

EC–40. A communication from the Director of the Office of Standards, Regulations, and Variances, Mine Safety and Health Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Criteria and Procedures for Proposed Assessment of Civil Penalties; Inflation Adjustment'' (RIN1219–AB81) received during recess of the Senate in the Office of the President of the Senate on January 7, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–41. A communication from the Secretary of Labor, transmitting, pursuant to law, the 2012 report (covering trade in calendar year 2011) relative to the impact of the Andean Trade Preference Act on U.S. trade and employment; to the Committee on Finance.

EC–42. A communication from the Administrator of the Substance Abuse and Mental Health Services Administration, Department of Health and Human Services, transmitting, pursuant to law, a report relative to the certification that the Department of Homeland Security has developed a plan for achieving a drug-free workplace; to the Committee on Health, Education, Labor, and Pensions.

EC–43. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Under Secretary, Office of Intelligence and Analysis, Department of Homeland Security, received in the Office of the President of the Senate on January 2, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–44. A communication from the Deputy Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report entitled ''Statistical Programs of the United States Government: Fiscal Year 2013''; to the Committee on Homeland Security and Governmental Affairs.

EC–45. A communication from the Acting Chief Privacy and Civil Liberties Officer, Office of Privacy and Civil Liberties, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Exemption of Privacy Act System of Records of the Department of Justice, Federal Bureau of Investigation (FBI) 'FBI Data Warehouse System, (JUSTICE/FBI–022)' '' (CPCLO Order No. 014–2021) received in the Office of the President of the Senate on January 3, 2013; to the Committee on the Judiciary.

EC–46. A communication from the Secretary, Judicial Conference of the United States, transmitting, pursuant to law, a report relative to the continuing need for bankruptcy judgeships; to the Committee on the Judiciary.

EC–47. A communication from the Chairman of the United States Commission on Civil Rights, transmitting, pursuant to law, a report relative to the United States Commission on Civil Rights renewing the charter of its federal advisory committees; to the Committee on the Judiciary.

EC–48. A communication from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the Annual Report of the Office of Juvenile Justice and Delinquency Prevention for 2010; to the Committee on the Judiciary.

EC–49. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the annual report from the Attorney General to Congress relative to the Uniformed and Overseas Citizens Absentee Voting Act; to the Committee on Rules and Administration.

EC–50. A communication from the Deputy General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Copayments for Medications in 2013'' (RIN2900–AO58) received during recess of the Senate in the Office of the President of the Senate on January 8, 2013; to the Committee on Veterans' Affairs.

EC–51. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–486, ''Pedestrian and Bicyclist Protection Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–52. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–487, ''Driver Privacy Protection Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–53. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–489, ''Comprehensive Impaired Driving and Alcohol Testing Program Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–54. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–490, ''District Department of Transportation Accessible Vehicles Fund Temporary Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–55. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–491, ''Classroom Animal for Educational Purposes Clarification Temporary Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–56. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–512, ''District of Columbia Official Code Title 29 Technical and Harmonizing Amendments Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–57. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–513, ''Technology Sector Enhancement Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–58. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–514, ''District Department of Transportation Parking Meter Fund Establishment Temporary Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–59. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–515, ''Reckless Driving Temporary Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–60. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–516, ''Allen Chapel A.M.E. Senior Residential Rental Project Property Tax Exemption Clarification Temporary Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–61. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–517, ''Extension of Time to Dispose of the Eastern Avenue Property Temporary Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–62. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–518, ''Extension of Time to Dispose of the Strand Theater Temporary Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–63. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–519, ''General Obligation Bonds and Bond Anticipation Notes for Fiscal Years 2013–2018 Authorization Temporary Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–64. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–520, ''Processing Sales Tax Clarifying Temporary Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–65. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–521, ''Income Tax Withholding Statements Electronic Submission Temporary Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–66. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–522, ''Clarification of Personal Property Tax Revenue Reporting Temporary Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–67. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–523, ''Temporary Assistance for Needy Families Time Delay Temporary Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–68. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–524, ''Metropolitan Washington Airports Authority Amendment Act

of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–69. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–534, ''Employee Transportation Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. REID (for himself, Mr. LEAHY, Mr. MENENDEZ, Mr. DURBIN, Mr. SCHUMER, Ms. HIRONO, Mr. SCHATZ, Mr. BROWN, Mrs. FEINSTEIN, Mr. COONS, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Mrs. BOXER, Mr. LEVIN, and Mr. HEINRICH):

S. 1. A bill to reform America's broken immigration system; to the Committee on the Judiciary.

By Mr. REID (for himself, Mr. DURBIN, Mr. SCHUMER, Mr. MENENDEZ, Mr. SCHATZ, Mr. BROWN, Mr. COONS, Ms. HIRONO, Mrs. FEINSTEIN, Mr. LAUTENBERG, Mr. BLUMENTHAL, Mrs. BOXER, Mr. MURPHY, Ms. CANTWELL, Mr. LEVIN, and Mr. ROCKEFELLER):

S. 2. A bill to reduce violence and protect the citizens of the United States; to the Committee on the Judiciary.

By Mr. REID (for himself, Mr. HARKIN, Mr. DURBIN, Mrs. MURRAY, Ms. MIKULSKI, 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.

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):

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, Mr. DURBIN, Mr. SCHUMER, Ms. STABENOW, Mrs. GILLIBRAND, Mr. UDALL of New Mexico, Mrs. SHAHEEN, Mr. WARNER, Mr. SCHATZ, Mrs. FEINSTEIN, Mr. BROWN, Mr. TESTER, Mr. COONS, Mr. WHITEHOUSE, Mr. BAUCUS, Ms. HIRONO, Mr. BEGICH, Mr. SANDERS, Mr. CASEY, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Mr. LAUTENBERG, Mrs. BOXER, Mr. LEVIN, Mr. ROCKEFELLER, and Mr. HEINRICH):

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

By Mr. REID (for himself, Mr. SANDERS, Mr. DURBIN, Mr. SCHUMER, Mr. UDALL of New Mexico, Mr. BAUCUS, Mr. BROWN, Mr. SCHATZ, Mr. TESTER, Mr. MENENDEZ, Mr. WARNER, Mr. CARDIN, Ms. HIRONO, Mr. BEGICH, Mr. CASEY, Mrs. BOXER, Mr. NELSON, Mr. BLUMENTHAL, Mr. COONS, Mr. LEVIN, and Mr. HEINRICH):

S. 6. A bill to reauthorize the VOW to Hire Heroes Act of 2011, to provide assistance to small businesses owned by veterans, to improve enforcement of employment and reemployment rights of members of the uniformed services, and for other purposes; to the Committee on Veterans' Affairs.

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

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.

By Mr. REID (for himself, Mr. DURBIN, Mr. SCHUMER, Mrs. GILLIBRAND, Mr. LAUTENBERG, Mr. MENENDEZ, Mr. BROWN, Mr. SCHATZ, Mr. SANDERS, Mrs. BOXER, Mr. BLUMENTHAL, Mr. CARDIN, Mr. COONS, and Mr. LEVIN):

S. 8. A bill expressing the sense of the Senate on the need to enact legislation to eliminate wasteful tax loopholes; to the Committee on Finance.

By Mr. REID (for himself, Mr. LEAHY, Mr. SCHUMER, Mr. DURBIN, Mrs. MURRAY, Mrs. SHAHEEN, Mr. BROWN, Mrs. GILLIBRAND, Mr. COONS, Mrs. FEINSTEIN, Mr. WHITEHOUSE, Mr. LAUTENBERG, Mr. SANDERS, Mrs. BOXER, Mr. SCHATZ, Mr. MENENDEZ, Mr. LEVIN, Mr. ROCKEFELLER, and Mr. HEINRICH):

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

By Mr. REID (for himself, Ms. STABENOW, Mr. DURBIN, Mr. SCHUMER, Mr. JOHNSON of South Dakota, Mr. LEAHY, Mr. BAUCUS, Mr. BENNET, Mr. BROWN, Mr. TESTER, Mr. CASEY, Mr. HARKIN, Mr. SCHATZ, Ms. HEITKAMP, Ms. KLOBUCHAR, 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.

By Mr. ROCKEFELLER (for himself, Mr. CARPER, Mrs. FEINSTEIN, Mr. LEVIN, Ms. MIKULSKI, Mr. WHITEHOUSE, and Mr. COONS):

S. 21. A bill to secure the United States against cyber attack, to improve communication and collaboration between the private sector and the Federal Government, to enhance American competitiveness and create jobs in the information technology industry, and to protect the identities and sensitive information of American citizens and businesses; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LAUTENBERG (for himself, Mr. REED, Mr. SCHUMER, Mr. CARPER, Mrs. FEINSTEIN, Mrs. BOXER, Mr. MENENDEZ, Mr. COONS, Mr. WHITEHOUSE, Mr. LEVIN, Mr. CARDIN, Mr. BLUMENTHAL, Mrs. GILLIBRAND, and Mr. WYDEN):

S. 22. A bill to establish background check procedures for gun shows; to the Committee on the Judiciary.

By Mr. LEVIN (for himself and Ms. STABENOW):

S. 23. A bill to designate as wilderness certain land and inland water within the Sleeping Bear Dunes National Lakeshore in the State of Michigan, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. PORTMAN:

S. 24. A bill to lower health premiums and increase choice for small businesses; to the Committee on Finance.

By Mr. HATCH (for himself and Mr. LEE):

S. 25. A bill to direct the Secretary of the Interior to convey certain Federal features of the electric distribution system to the South Utah Valley Electric Service District, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HATCH (for himself and Mr. LEE):

S. 26. A bill to authorize the Secretary of the Interior to facilitate the development of hydroelectric power on the Diamond Fork System of the Central Utah Project; to the Committee on Energy and Natural Resources.

By Mr. HATCH (for himself and Mr. LEE):

S. 27. A bill to clarify authority granted under the Act entitled ''An Act to define the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah, and for other purposes''; to the Committee on Energy and Natural Resources.

By Mr. HATCH (for himself, Mr. LEE, Mr. CRAPO, and Mr. FLAKE):

S. 28. A bill to provide for the conveyance of a small parcel of National Forest System land in the Uinta-Wasatch-Cache National Forest in Utah to Brigham Young University, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. PORTMAN (for himself, Mr. TESTER, Mr. ENZI, Mr. BURR, Mr. ISAKSON, Mr. MCCONNELL, Mr. BARRASSO, Mr. LEE, Mr. RUBIO, and Mr. GRASSLEY):

S. 29. A bill to amend title 31, United States Code, to provide for automatic continuing resolutions; to the Committee on Appropriations.

By Ms. AYOTTE:

S. 30. A bill to prevent the 2013 pay adjustment of persons holding senior positions in the Federal Government from being made and to prevent pay adjustments for Members of Congress in any year there is a budget deficit; to the Committee on Homeland Security and Governmental Affairs.

By Ms. AYOTTE:

S. 31. A bill to make the moratorium on Internet access taxes and multiple and discriminatory taxes on electronic commerce permanent; to the Committee on Finance.

By Mr. PORTMAN:

S. 32. A bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions; to the Committee on the Judiciary.

By Mr. LAUTENBERG (for himself, Mr. SCHUMER, Mr. DURBIN, Mr. CARPER, Mrs. FEINSTEIN, Mr. REED, Mrs. BOXER, Mr. MENENDEZ, Mr. COONS, Mr. WHITEHOUSE, Mr. CARDIN, Mr. HARKIN, Mr. LEVIN, Mr. BLUMENTHAL, Mr. FRANKEN, Mr. MURPHY, and Mrs. GILLIBRAND):

S. 33. A bill to prohibit the transfer or possession of large capacity ammunition feeding devices, and for other purposes; to the Committee on the Judiciary.

By Mr. LAUTENBERG (for himself, Mr. SCHUMER, Mr. DURBIN, Mrs. FEINSTEIN, Mr. REED, Mrs. BOXER, Mr. MENENDEZ, Mr. WHITEHOUSE, Mr. LEVIN, Mr. BLUMENTHAL, and Mrs. GILLIBRAND):

S. 34. A bill to increase public safety by permitting the Attorney General to deny the transfer of firearms or the issuance of firearms and explosives licenses to known or suspected dangerous terrorists; to the Committee on the Judiciary.

By Mr. LAUTENBERG (for himself, Mrs. FEINSTEIN, Mr. BLUMENTHAL, Mr. SCHUMER, Mr. REED, Mrs. BOXER, and Mrs. GILLIBRAND):

S. 35. A bill to require face to face purchases of ammunition, to require licensing of

ammunition dealers, and to require reporting regarding bulk purchases of ammunition; to the Committee on the Judiciary.

By Mr. SCHUMER:

S. 36. A bill for the relief of Alemseghed Mussie Tesfamical; to the Committee on the Judiciary.

By Mr. TESTER:

S. 37. A bill to sustain the economic development and recreational use of National Forest System land and other public land in the State of Montana, to add certain land to the National Wilderness Preservation System, to release certain wilderness study areas, to designate new areas for recreation, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. SHAHEEN (for herself, Mr. WHITEHOUSE, and Ms. COLLINS):

S. 38. A bill to amend title 28, United States Code, to prohibit the exclusion of individuals from service on a Federal jury on account of sexual orientation or gender identity; to the Committee on the Judiciary.

By Mr. HARKIN:

S. 39. A bill to improve the health of Americans and reduce health care costs by reorienting the Nation's health care system toward prevention, wellness, and health promotion; to the Committee on Finance.

By Mr. HATCH (for himself, Mr. ALEXANDER, Mr. INHOFE, Mr. COBURN, Mr. ISAKSON, Mr. JOHANNS, Mr. PORTMAN, Mr. WICKER, Mr. BURR, Mrs. FISCHER, Mr. BARRASSO, Mr. RUBIO, Mr. CHAMBLISS, Mr. RISCH, Mr. CORNYN, Mr. COATS, Ms. COLLINS, and Mr. ROBERTS):

S. 40. A bill to restore Americans' individual liberty by striking the Federal mandate to purchase insurance; to the Committee on Finance.

By Ms. CANTWELL (for herself, Mr. ENZI, and Mr. NELSON):

S. 41. A bill to provide a permanent deduction for State and local general sales taxes; to the Committee on Finance.

By Mr. LEAHY (for himself and Mr. GRASSLEY):

S. 42. A bill to provide anti-retaliation protections for antitrust whistleblowers; to the Committee on the Judiciary.

By Mr. PORTMAN (for himself, Mr. ENZI, Mr. CHAMBLISS, Ms. AYOTTE, Mr. GRASSLEY, Mr. VITTER, Mr. FLAKE, Mr. JOHANNS, Mr. CORKER, Mr. HOEVEN, Mr. THUNE, Mr. CORNYN, Mr. LEE, and Mr. JOHNSON of Wisconsin):

S. 43. A bill to require that any debt limit increase be balanced by equal spending cuts of the next decade; to the Committee on the Budget.

By Mr. PORTMAN (for himself and Mr. INHOFE):

S. 44. A bill to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. BOXER (for herself, Ms. CANTWELL, Mrs. FEINSTEIN, Mr. MERKLEY, Mrs. MURRAY, and Mr. WYDEN):

S. 45. A bill to amend the Outer Continental Shelf Lands Act to permanently prohibit the conduct of offshore drilling on the outer Continental Shelf off the coast of California, Oregon, and Washington; to the Committee on Energy and Natural Resources.

By Mr. TOOMEY (for himself, Mr. VITTER, Mr. LEE, Mr. RUBIO, Mr. ENZI, Mr. BARRASSO, Mr. CHAMBLISS, Mr. INHOFE, Mr. BLUNT, Mr. JOHNSON of Wisconsin, Mr. HELLER, Mr. FLAKE, Mr. RISCH, Ms. AYOTTE, Mr. ISAKSON, Mr. GRASSLEY, and Mr. CRUZ):

S. 46. A bill to protect Social Security benefits and military pay and require that the United States Government prioritize all obligations on the debt held by the public in the event that the debt limit is reached; to the Committee on Finance.

By Mr. LEAHY (for himself, Mr. CRAPO, Ms. MURKOWSKI, Ms. MIKULSKI, Ms. AYOTTE, Mr. COONS, Ms. COLLINS, Mr. DURBIN, Mr. BENNET, Ms. KLOBUCHAR, Mrs. SHAHEEN, Mrs. MCCASKILL, Mr. UDALL of Colorado, Mr. KIRK, Mrs. MURRAY, Ms. CANTWELL, and Mr. CASEY):

S. 47. A bill to reauthorize the Violence Against Women Act of 1994; read the first time.

By Mr. KERRY:

S. 48. A bill for the relief of Genesio Januario Oliveira; to the Committee on the Judiciary.

By Mrs. SHAHEEN (for herself and Ms. AYOTTE):

S. 49. A bill to amend title 38, United States Code, to ensure that veterans in each of the 48 contiguous States are able to receive services in at least one full-service Department of Veterans Affairs medical center in the State or receive comparable services provided by contract in the State, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. BOXER (for herself and Mr. CRAPO):

S. 50. A bill to direct the Administrator of the Environmental Protection Agency to investigate and address cancer and disease clusters, including in infants and children; to the Committee on Environment and Public Works.

By Mrs. BOXER (for herself, Mr. VITTER, Mr. UDALL of New Mexico, Mr. TESTER, Mr. BAUCUS, Mr. WHITEHOUSE, Mr. CARDIN, and Mr. ROBERTS):

S. 51. A bill to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act; to the Committee on Environment and Public Works.

By Mrs. BOXER:

S. 52. A bill to improve the energy and water efficiency of Federal buildings; to the Committee on Environment and Public Works.

By Mrs. BOXER (for herself and Mr. CRAPO):

S. 53. A bill to authorize the Administrator of the Environmental Protection Agency to award grants to individuals that may be affected by a reported disease cluster; to the Committee on Environment and Public Works.

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.

By Mrs. BOXER (for herself and Mr. CASEY):

S. 55. A bill to prohibit Members of Congress and the President from receiving pay during Government shutdowns; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. BOXER:

S. 56. A bill to amend the Internal Revenue Code of 1986 to increase the credit for employers establishing workplace child care facilities, to increase the child care credit to encourage greater use of quality child care services, to provide incentives for students to earn child care-related degrees and to work in child care facilities, and to increase the exclusion for employer-provided dependent care assistance; to the Committee on Finance.

By Mrs. BOXER:

S. 57. A bill to establish a timely and expeditious process for voting on the statutory debt limit; to the Committee on Finance.

By Mrs. BOXER:

S. 58. A bill to amend the Help America Vote Act of 2002 to ensure that voters in elections for Federal office do not wait in long lines in order to vote; to the Committee on Rules and Administration.

By Mrs. BOXER (for herself, Mr. NELSON, and Mrs. FEINSTEIN):

S. 59. A bill to designate a Distinguished Flying Cross National Memorial at the March Field Air Museum in Riverside, California; to the Committee on Energy and Natural Resources.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 60. A bill to amend the National Trails System Act to provide for the study of the Western States Trail for potential designation as a national historic trail; to the Committee on Energy and Natural Resources.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 61. A bill to include the Point Arena-Stornetta Public Lands in the California Coastal National Monument as a part of the National Landscape Conservation System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. BOXER (for herself, Mr. BEGICH, Mrs. FEINSTEIN, Mr. COONS, Ms. LANDRIEU, Ms. MIKULSKI, and Mr. MERKLEY):

S. 62. A bill to amend the Internal Revenue Code of 1986 to allow taxpayers to designate overpayments of tax as contributions and to make additional contributions to the Homeless Veterans Assistance Fund, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. GILLIBRAND (for herself, Mr. LAUTENBERG, Mr. MERKLEY, Mr. BLUMENTHAL, and Mr. COONS):

S. 63. A bill to require the Secretary of Commerce and the Secretary of Labor to establish the Made In America Incentive Grant Program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. LEE:

S.J. Res. 1. A joint resolution proposing an amendment to the Constitution of the United States requiring that the Federal budget be balanced; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. RES. 4

At the request of Mr. UDALL of New Mexico, the names of the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Vermont (Mr. SANDERS), the Senator from Maryland (Ms. MIKULSKI), the Senator from New York (Mrs. GILLIBRAND), the Senator from New Mexico (Mr. HEINRICH), the Senator from Alaska (Mr. BEGICH), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Virginia (Mr. WARNER), the Senator from Connecticut (Mr. MURPHY), the Senator from Maine (Mr. KING), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Montana (Mr. TESTER), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. Res. 4, a resolution to limit certain uses of the filibuster in the Senate to improve the legislative process.

S. RES. 7

At the request of Mr. LAUTENBERG, the name of the Senator from Alaska

(Mr. BEGICH) was added as a cosponsor of S. Res. 7, a resolution to permit the Senate to avoid unnecessary delay and vote on matters for which floor debate has ceased.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REID (for himself, Mr. LEAHY, Mr. MENENDEZ, Mr. DURBIN, Mr. SCHUMER, Ms. HIRONO, Mr. SCHATZ, Mr. BROWN, Mrs. FEINSTEIN, Mr. COONS, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Mrs. BOXER, Mr. LEVIN, and Mr. HEINRICH):

S. 1. A bill to reform America's broken immigration system; 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:

S. 1

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 ''Immigration Reform that Works for America's Future Act''.

SEC. 2. SENSE OF THE SENATE.

It is the sense of the Senate that Congress should—

(1) create a roadmap for immigrants who are here without legal status to earn citizenship, provided they pay taxes, complete a background check, learn English, and show a commitment to America;

(2) allow students who came to America as children to earn citizenship by attending college or joining the Armed Forces;

(3) protect the sustainability of the American agricultural industry, including the dairy industry, with a stable and legal agricultural workforce;

(4) encourage those who seek to invest in the United States and create American jobs;

(5) permit and encourage individuals who earn an advanced degree from one of our world-class universities to remain in the United States, rather than using that education to work for our international competitors;

(6) fulfill and strengthen our Nation's commitments regarding security along our borders and at our ports of entry;

(7) strengthen our Nation's historic humanitarian tradition of welcoming asylum seekers and refugees and improve existing policies that support immigrant victims of crime and domestic violence;

(8) create an effective electronic verification system and strengthen enforcement to prevent employers from hiring people here illegally;

(9) implement a rational legal immigration system that promotes job creation by converting the current flow of illegal immigrants into the United States into a more manageable, controlled, and legal process for admitting immigrants while, at the same time, safeguarding the jobs, rights, and wages of American workers; and

(10) adopt practical and fair immigration reforms to help ensure that all families are able to be together.

By Mr. REID (for himself, Mr. DURBIN, Mr. SCHUMER, Mr. MENENDEZ, Mr. SCHATZ, Mr. BROWN, Mr. COONS, Ms. HIRONO, Mrs. FEINSTEIN, Mr. LAUTENBERG, Mr. BLUMENTHAL, Mrs. BOXER, Mr. MURPHY, Ms. CANTWELL, Mr. LEVIN, and Mr. ROCKEFELLER):

S. 2. A bill to reduce violence and protect the citizens of the United States; 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:

S. 2

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 professionals, health providers, 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.

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. 3

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) support States and local educational agencies to ensure schools have the safe and successful learning conditions in which all students can excel.

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):

S. 4. A bill to create jobs and stengthen our economy by rebuilding our Nation's infrastructure; 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. 4

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 ''Rebuild America Act''.

SEC. 2. SENSE OF THE SENATE.

It is the sense of the Senate that Congress should—

(1) create jobs and support businesses while improving our Nation's global competitiveness by modernizing and strengthening our national infrastructure;

(2) invest resources in transportation corridors of national and regional significance that promote commerce and reduce congestion;

(3) update and enhance our national network of rail, dams, and ports of the United States;

(4) develop innovative financing mechanisms for infrastructure, such as an infrastructure bank, to leverage Federal funds with private sector partners;

(5) invest in critical infrastructure, such as a smarter national energy grid, to reduce energy waste and bolster investment in clean energy jobs and industries;

(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. SCHATZ, Mrs. FEINSTEIN, Mr. BROWN, Mr. TESTER, Mr. COONS, Mr. WHITEHOUSE, Mr. BAUCUS, Ms. HIRONO, Mr. BEGICH, Mr. SANDERS, Mr. CASEY, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Mr. LAUTENBERG, Mrs. BOXER, Mr. LEVIN, Mr. ROCKEFELLER, and Mr. HEINRICH):

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:

S. 5

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

SECTION 1. SENSE OF THE SENATE.

It is the sense of the Senate that Congress should—

(1) reauthorize the Violence Against Women Act of 1994 (42 U.S.C. 13925 et seq.) (referred to in this section as ''VAWA''), a landmark bipartisan bill that has dramatically improved the national response to domestic and sexual violence;

(2) renew the commitment of the United States to providing the resources necessary to combat all forms of domestic violence, sexual assault, dating violence, and stalking, including important new initiatives to reduce homicides, increase the focus on preventing and responding to sexual assault, and make women on college campuses safer from domestic and sexual violence;

(3) build upon the success of VAWA in transforming the criminal justice and community-based response to abuse by bolstering and streamlining the programs, grants, and coalitions created by VAWA and expanding the reach of VAWA to meet the remaining unmet needs of victims;

(4) continue to provide the training, tools, and resources necessary for law enforcement officers and victim service providers to hold the perpetrators of domestic and sexual violence accountable and to keep victims safe; and

(5) ensure that all victims of domestic and sexual violence, including Native American women, gay and lesbian victims, and battered immigrant women, receive the support and protections provided by VAWA.

By Mr. REID (for himself, Mr. SANDERS, Mr. DURBIN, Mr. SCHUMER, Mr. UDALL of New Mexico, Mr. BAUCUS, Mr. BROWN, Mr. SCHATZ, Mr. TESTER, Mr. MENENDEZ, Mr. WARNER, Mr. CARDIN, Ms. HIRONO, Mr. BEGICH, Mr. CASEY, Mrs. BOXER, Mr. NELSON, Mr. BLUMENTHAL, Mr. COONS, Mr. LEVIN, and Mr. HEINRICH):

S. 6. A bill to reauthorize the VOW to Hire Heroes Act of 2011, to provide assistance to small businesses owned by veterans, to improve enforcement of employment and reemployment rights of members of the uniformed services, and for other purposes; to the Committee on Veterans' Affairs.

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. 6

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:

Sec. 1. Short title; table of contents.

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.

Sec. 202. SBA Surety Bond 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.

TITLE I—RENEWING OUR VOW TO HIRE HEROES

SEC. 101. REAUTHORIZATION OF VETERANS RETRAINING ASSISTANCE PROGRAM.

(a) EXTENSION.—Subsection (k) of section 211 of the VOW to Hire Heroes Act of 2011 (Public Law 112–56; 38 U.S.C. 4100 note) is amended by striking ''March 31, 2014'' and inserting ''March 31, 2016''.

(b) NUMBER OF ELIGIBLE VETERANS.—Subsection (a)(2) of such section is amended—

(1) in subparagraph (A), by striking ''and'' at the end;

(2) in subparagraph (B), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following new subparagraphs:

''(C) 50,000 during the period beginning April 1, 2014, and ending March 31, 2015; and

''(D) 50,000 during the period beginning April 1, 2015, and ending March 31, 2016.''.

(c) CLARIFICATION OF LIMITATION ON AGGREGATE AMOUNT OF ASSISTANCE.—Subsection (b) of such section is amended by striking ''up to 12 months of retraining assistance provided by the Secretary of Veterans Affairs'' and inserting ''an aggregate of not more than 12 months of retraining assistance provided by the Secretary of Veterans Affairs under this section''.

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.

(a) IN GENERAL.—Section 1631(b)(2) of the Wounded Warrior Act (title XVI of Public Law 110–181; 10 U.S.C. 1071 note) is amended by striking ''December 31, 2014'' and inserting ''December 31, 2016''.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the appropriate committees of Congress a report on the benefits provided by the Secretary under section 1631(b) of such Act.

(2) APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate; and

(B) the Committee on Armed Services and the Committee on Veterans' Affairs of the House of Representatives.

SEC. 103. EXTENSION OF ADDITIONAL REHABILITATION PROGRAMS FOR PERSONS WHO HAVE EXHAUSTED RIGHTS TO UNEMPLOYMENT BENEFITS UNDER STATE LAW.

Section 3102(b)(4) of title 38, United States Code, is amended by striking ''March 31, 2014'' and inserting ''March 31, 2016''.

SEC. 104. REAUTHORIZATION OF COLLABORATIVE VETERANS' TRAINING, MENTORING, AND PLACEMENT PROGRAM.

Subsection (e) of section 4104A of title 38, United States Code, is amended to read as follows:

''(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section amounts as follows:

''(1) $4,500,000 for the period consisting of fiscal years 2012 and 2013.

''(2) $4,500,000 for the period consisting of fiscal years 2014 and 2015.''.

TITLE II—BUILDING ON OUR VOW TO HIRE HEROES

SEC. 201. UNIFIED EMPLOYMENT PORTAL FOR VETERANS.

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

''(c)(1) The Secretary shall develop a single, unified Federal web-based employment portal, for use by veterans, containing information regarding all 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.''.

SEC. 202. GRANTS TO HIRE VETERANS AS FIRST RESPONDERS.

(a) GRANTS FOR FIREFIGHTERS.—The Secretary of Homeland Security shall award grants under section 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229a) to hire veterans as firefighters.

(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. 3796dd 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, 2011.

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

SEC. 203. EMPLOYMENT OF VETERANS AS EVALUATION FACTOR IN THE AWARDING OF FEDERAL CONTRACTS.

(a) CIVILIAN CONTRACTS.—

(1) IN GENERAL.—Chapter 33 of title 41, United States Code, is amended by adding at the end the following new section:

''§ 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 by 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 3311 the following new item:

''3312. Employment of veterans as evaluation factor.''.

(b) DEFENSE CONTRACTS.—

(1) IN GENERAL.—Chapter 137 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2336. Employment of veterans as evaluation factor

''The head of each 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 by 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.''.

(c) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulatory Council shall amend the Federal Acquisition Regulation to carry out the provisions of section 3313 of title 41, United States Code, and section 2336 of title 10, United States Code, as added by subsections (a) and (b), respectively.

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

SEC. 301. ENFORCEMENT OF RIGHTS OF MEMBERS OF UNIFORMED SERVICES WITH RESPECT TO STATES AND PRIVATE EMPLOYERS.

(a) ACTION FOR RELIEF.—Subsection (a) of section 4323 of title 38, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking ''appear on behalf of, and act as attorney for, the person on whose behalf the complaint is submitted and'';

(B) by striking ''for such person'';

(C) by striking the fourth sentence; and

(D) by adding at the end the following: ''The person on whose behalf the complaint is referred may, upon timely application, intervene in such action, and may obtain such appropriate relief as is provided in subsections (d) and (e).'';

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

''(2)(A) Not later than 60 days after the date the Attorney General receives a referral under paragraph (1), the Attorney General shall transmit, in writing, to the person on whose behalf the complaint is submitted—

''(i) if the Attorney General has made a decision to commence an action for relief under paragraph (1) relating to the complaint of the person, notice of the decision; and

''(ii) if the Attorney General has not made such a decision, notice of when the Attorney General expects to make such a decision.

''(B) If the Attorney General notifies a person that the Attorney General expects to make a decision under subparagraph (A)(ii), the Attorney General shall, not later than 30 days after the date on which the Attorney General makes such decision, notify, in writing, the person of such decision.'';

(3) by redesignating paragraph (3) as paragraph (4);

(4) by inserting after paragraph (2) the following new paragraph (3):

''(3) Whenever the Attorney General has reasonable cause to believe that a State (as an employer) or a private employer is engaged in a pattern or practice of resistance to the full enjoyment of any of the rights and benefits provided for under this chapter, and that the pattern or practice is of such a nature and is intended to deny the full exercise of such rights and benefits, the Attorney General may commence an action for relief under this chapter.''; and

(5) in paragraph (4), as redesignated by paragraph (3), by striking subparagraph (C) and inserting the following new subparagraph (C):

''(C) has been notified by the Attorney General that the Attorney General does not intend to commence an action for relief under paragraph (1) with respect to the complaint under such paragraph.''.

(b) STANDING.—Subsection (f) of such section is amended to read as follows:

''(f) STANDING.—An action under this chapter may be initiated only by the Attorney General or by a person claiming rights or benefits under this chapter under subsection (a).''.

(c) CONFORMING AMENDMENT.—Subsection (h)(2) of such section is amended by striking ''under subsection (a)(2)'' and inserting ''under paragraph (1) or (4) of subsection (a)''.

SEC. 302. SUSPENSION, TERMINATION, OR DEBARMENT OF CONTRACTORS FOR REPEATED VIOLATIONS OF EMPLOYMENT OR REEMPLOYMENT RIGHTS OF MEMBERS OF UNIFORMED SERVICES.

(a) IN GENERAL.—Subchapter III of chapter 43 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 4328. Suspension, termination, or debarment of contractors

''(a) GROUNDS FOR SUSPENSION, TERMINATION, OR DEBARMENT.—Payment under a contract awarded by a Federal executive agency may be suspended and the contract may be terminated, and the contractor who made the contract with the agency may be suspended or debarred in accordance with the requirements of this section, if the head of the agency determines that the contractor as an employer has repeatedly been convicted of failing or refusing to comply with one or more provisions of this chapter.

''(b) EFFECT OF DEBARMENT.—A contractor debarred by a final decision under this section is ineligible for award of a contract by a Federal executive agency, and for participation in a future procurement by a Federal executive agency, for a period specified in the decision, not to exceed 5 years.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 43 of such title is amended by inserting after the item relating to section 4327 the following new item:

''4328. Suspension, termination, or debarment of contractor.''.

(c) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulatory Council shall amend the Federal Acquisition Regulation to carry out section 4328 of title 38, United States Code, as added by subsection (a).

(d) EFFECTIVE DATE.—Section 4328 of title 38, United States Code, as added by subsection (a), shall apply with respect to failures and refusals to comply with provisions of chapter 43 of such title occurring on or after the date of the enactment of this Act.

(e) ANNUAL REPORT.—Section 4332(a) of such title is amended—

(1) by redesignating paragraph (10) as paragraph (11); and

(2) by inserting after paragraph (9) the following new paragraph (10):

''(10) The number of suspensions, terminations, and debarments under section 4328 of this title, disaggregated by the agency or department imposing the suspension or debarment.''.

SEC. 303. SUBPOENA POWER FOR SPECIAL COUNSEL IN ENFORCEMENT OF EMPLOYMENT AND REEMPLOYMENT RIGHTS OF MEMBERS OF UNIFORMED SERVICES WITH RESPECT TO FEDERAL EXECUTIVE AGENCIES.

Section 4324 of title 38, United States Code, is amended by adding at the end the following new subsection:

''(e)(1) In order to carry out the Special Counsel's responsibilities under this section, the Special Counsel may require by subpoena the attendance and testimony of Federal employees and the production of documents from Federal employees and Federal executive agencies.

''(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 requiring a Federal employee or Federal executive agency to comply with a subpoena of the Special Counsel.

''(3) An order issued under paragraph (2) may be enforced by the Merit Systems Protection Board in the same manner as any order issued under section 1204 of title 5.''.

SEC. 304. ISSUANCE AND SERVICE OF CIVIL INVESTIGATIVE DEMANDS BY ATTORNEY GENERAL.

(a) IN GENERAL.—Section 4323 of title 38, United States Code, is amended—

(1) by redesignating subsection (i) as subsection (j); and

(2) by inserting after subsection (h) the following new subsection (i):

''(i) 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 a civil action 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 written 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 the authority to issue, use, and enforce civil investigative demands under this section, except that, for purposes of applying such section 3733—

''(A) references to false claims law investigators or investigations shall be considered references to investigators or investigations under this subchapter;

''(B) references to interrogatories shall be considered references to written questions, and answers to such need not be under oath;

''(C) the definitions relating to 'false claims law' shall not apply; and

''(D) provisions relating 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 4332(b)(2) of such title is amended—

(1) by striking ''Not later than'' and inserting the following:

''(A) IN GENERAL.—Not later than''; and

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

''(B) ANNUAL 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(i) 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(i) 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.''.

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

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 close 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 new 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. DURBIN, Mr. SCHUMER, Mrs. GILLIBRAND, Mr. LAUTENBERG, Mr. MENENDEZ, Mr. BROWN, Mr. SCHATZ, Mr. SANDERS, Mrs. BOXER, Mr. BLUMENTHAL, Mr. CARDIN, Mr. COONS, and Mr. LEVIN):

S. 8. A bill expressing the sense of the Senate on the need to enact legislation to eliminate wasteful tax loopholes; to the Committee on Finance.

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. 8

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 ''End Wasteful Tax Loopholes Act''.

SEC. 2. SENSE OF THE SENATE ON THE ELIMINATION OF TAX LOOPHOLES.

It is the sense of the Senate that Congress should enact legislation to—

(1) eliminate wasteful tax loopholes that create incentives for taxpayers to engage in transactions that have no economic substance solely to lower their tax bills;

(2) eliminate corporate tax loopholes and wasteful tax breaks for special interests;

(3) enhance tax fairness by reforming or eliminating tax breaks that provide excessive benefits to millionaires and billionaires;

(4) crack down on tax cheaters and close the tax gap;

(5) use the revenue saved by curtailing tax loopholes to reduce the Federal deficit and reform the Federal tax code;

(6) address provisions in the Federal tax code that make it more profitable for companies to create jobs overseas than in the United States; and

(7) reform the Federal tax code in a manner that promotes job creation, competitiveness, and economic growth in the United States.

By Mr. REID (for himself, Mr. LEAHY, Mr. SCHUMER, Mr. DURBIN, Mrs. MURRAY, Mrs. SHAHEEN, Mr. BROWN, Mrs. GILLIBRAND, Mr. COONS, Mrs. FEINSTEIN, Mr. WHITEHOUSE, Mr. LAUTENBERG, Mr. SANDERS, Mrs. BOXER, Mr. SCHATZ, Mr. MENENDEZ, Mr. LEVIN, Mr. ROCKEFELLER, and Mr. HEINRICH):

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 anonymous 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;

(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. BAUCUS, Mr. BENNET, Mr. BROWN, Mr. TESTER, Mr. CASEY, Mr. HARKIN, Mr. SCHATZ, Ms. HEITKAMP, Ms. KLOBUCHAR, 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 Representatives 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 counter-cyclical payments.
Sec. 1103. Repeal of average crop revenue election program.
Sec. 1104. Definitions.
Sec. 1105. Agriculture risk coverage.
Sec. 1106. Producer agreement required as condition of provision of payments.
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. Repayment of loans.
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.

SUBPART A—DAIRY PRODUCTION MARGIN PROTECTION PROGRAM

Sec. 1411. Establishment of dairy production margin protection program.
Sec. 1412. Participation of dairy operations in production margin protection program.
Sec. 1413. Production history of participating dairy operations.
Sec. 1414. Basic production margin protection.
Sec. 1415. Supplemental production margin protection.
Sec. 1416. Effect of failure to pay administration fees or premiums.

SUBPART B—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 marketings 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.

SUBPART C—ADMINISTRATION

Sec. 1451. Duration.
Sec. 1452. Administration and enforcement.

PART II—DAIRY MARKET TRANSPARENCY

Sec. 1461. Dairy product mandatory reporting.
Sec. 1462. Federal milk marketing order information.

PART III—REPEAL OR REAUTHORIZATION 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.
Sec. 1476. Extension of Federal Milk Marketing Order Review Commission.

PART IV—FEDERAL MILK MARKETING ORDER REFORM

Sec. 1481. Federal milk marketing orders.

PART V—EFFECTIVE DATE

Sec. 1491. Effective date.

Subtitle E—Supplemental Agricultural Disaster Assistance Programs

Sec. 1501. Supplemental agricultural disaster assistance programs.

Subtitle F—Administration

Sec. 1601. Administration generally.
Sec. 1602. Suspension of permanent price support authority.
Sec. 1603. Payment limitations.
Sec. 1604. Payments limited to active farmers.
Sec. 1605. Adjusted gross income limitation.
Sec. 1606. Geographically disadvantaged farmers and ranchers.
Sec. 1607. Personal liability of producers for deficiencies.
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. 2005. Payments.
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.

Subtitle C—Environmental Quality Incentives Program

Sec. 2201. Purposes.
Sec. 2202. Definitions.
Sec. 2203. Establishment and administration.
Sec. 2204. Evaluation of applications.
Sec. 2205. Duties of producers.
Sec. 2206. Limitation on payments.
Sec. 2207. Conservation innovation grants and payments.
Sec. 2208. 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.

Subtitle F—Other Conservation Programs

Sec. 2501. Conservation of private grazing land.
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. Reservation of funds to provide assistance to certain farmers or ranchers for conservation access.
Sec. 2605. Annual report on program enrollments and assistance.
Sec. 2606. Administrative requirements for conservation programs.
Sec. 2607. Rulemaking authority.
Sec. 2608. Standards for State technical committees.
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 farm viability 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 nonemergency 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 programs.
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 program.
Sec. 3103. Foreign market development cooperator program.

Subtitle C—Other Agricultural Trade Laws

Sec. 3201. Food for Progress Act of 1985.
Sec. 3202. Bill Emerson Humanitarian Trust.
Sec. 3203. Promotion of agricultural exports to emerging markets.
Sec. 3204. McGovern-Dole International Food for Education and Child Nutrition Program.
Sec. 3205. Technical assistance for specialty crops.
Sec. 3206. Global Crop Diversity 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 stores.
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. Restaurant 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 projects.
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 program.
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 fractionated land.
Sec. 5103. Removal of duplicative appraisals.

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.
Sec. 6002. Conforming amendments.

Subtitle B—Rural Electrification

Sec. 6101. Definition of rural area.
Sec. 6102. Guarantees for bonds and notes issued for electrification or telephone purposes.
Sec. 6103. Expansion of 911 access.
Sec. 6104. Access to broadband telecommunications services in rural areas.

Subtitle C—Miscellaneous

Sec. 6201. Distance learning and telemedicine.
Sec. 6202. Rural energy savings program.
Sec. 6203. Funding of pending rural development loan and grant applications.
Sec. 6204. Study of rural transportation issues.
Sec. 6205. Agricultural transportation policy.

TITLE VII—RESEARCH, EXTENSION, AND RELATED MATTERS

Subtitle A—National Agricultural Research, Extension, and Teaching Policy Act of 1977

Sec. 7101. National Agricultural Research, Extension, Education, and Economics 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 upgrade 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 NLGCA 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 resident instruction grants program for insular area institutions of higher education.

Subtitle B—Food, Agriculture, Conservation, and Trade Act of 1990

Sec. 7201. Best utilization of biological applications.
Sec. 7202. Integrated management systems.
Sec. 7203. Sustainable agriculture technology development and transfer program.
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. Assistive technology program for farmers with disabilities.
Sec. 7212. National rural information center clearinghouse.

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

Sec. 7301. Relevance and merit of agricultural research, extension, and education funded by the Department.
Sec. 7302. Integrated research, education, and extension competitive grants program.

Sec. 7303. Support for research regarding diseases of wheat, triticale, and barley caused by Fusarium graminearum or by Tilletia indica.
Sec. 7304. Grants for youth organizations.
Sec. 7305. Specialty crop research initiative.
Sec. 7306. Food animal residue avoidance database program.
Sec. 7307. Office of pest management policy.
Sec. 7308. Authorization of regional integrated pest management centers.

Subtitle D—Other Laws

Sec. 7401. Critical Agricultural Materials Act.
Sec. 7402. Equity in Educational Land-Grant Status Act of 1994.
Sec. 7403. Research Facilities Act.
Sec. 7404. Competitive, Special, and Facilities Research Grant Act.
Sec. 7405. Enhanced use lease authority pilot program under Department of Agriculture Reorganization Act of 1994.
Sec. 7406. Renewable Resources Extension Act of 1978.
Sec. 7407. National Aquaculture Act of 1980.
Sec. 7408. Beginning farmer and rancher development program under Farm Security and Rural Investment Act of 2002.

Subtitle E—Food, Conservation, and Energy Act of 2008

PART I—AGRICULTURAL SECURITY

Sec. 7501. Agricultural biosecurity communication center.
Sec. 7502. Assistance to build local capacity in agricultural biosecurity planning, preparation, and response.
Sec. 7503. Research and development of agricultural countermeasures.
Sec. 7504. Agricultural biosecurity grant program.

PART II—MISCELLANEOUS

Sec. 7511. Grazinglands research laboratory.
Sec. 7512. Budget submission and funding.
Sec. 7513. Natural products research program.
Sec. 7514. Sun grant program.

Subtitle F—Miscellaneous

Sec. 7601. Foundation for Food and Agriculture Research.
Sec. 7602. Objective and scholarly agricultural and food law research and information.

TITLE VIII—FORESTRY

Subtitle A—Repeal of Certain Forestry Programs

Sec. 8001. Forest land enhancement program.
Sec. 8002. Watershed forestry assistance program.
Sec. 8003. Expired cooperative national forest products marketing program.
Sec. 8004. Hispanic-serving institution agricultural land national resources leadership program.
Sec. 8005. Tribal watershed forestry assistance program.

Subtitle B—Reauthorization of Cooperative Forestry Assistance Act of 1978 Programs

Sec. 8101. State-wide assessment and strategies for forest resources.
Sec. 8102. Forest stewardship program.
Sec. 8103. Forest Legacy Program.
Sec. 8104. Community forest and open space conservation program.
Sec. 8105. Urban and community forestry assistance.

Subtitle C—Reauthorization of Other Forestry-related Laws

Sec. 8201. Rural revitalization technologies.
Sec. 8202. Office of International Forestry.
Sec. 8203. Insect infestations and related diseases.
Sec. 8204. Stewardship end result contracting projects.
Sec. 8205. Healthy forests reserve program.

Subtitle D—Miscellaneous Provisions

Sec. 8301. McIntire-Stennis Cooperative Forestry Act.
Sec. 8302. Revision of strategic plan for forest inventory and analysis.

TITLE IX—ENERGY

Sec. 9001. Definition of renewable chemical.
Sec. 9002. Biobased markets program.
Sec. 9003. Biorefinery, renewable chemical, and biobased product manufacturing assistance.
Sec. 9004. Repeal of repowering assistance program and transfer of remaining funds.
Sec. 9005. Bioenergy program for advanced biofuels.
Sec. 9006. Biodiesel fuel education program.
Sec. 9007. Rural Energy for America Program.
Sec. 9008. Biomass research and development.
Sec. 9009. Feedstock flexibility program for bioenergy producers.
Sec. 9010. Biomass Crop Assistance Program.
Sec. 9011. Repeal of forest biomass for energy.
Sec. 9012. Community wood energy program.
Sec. 9013. Repeal of renewable fertilizer study.

TITLE X—HORTICULTURE

Sec. 10001. Specialty crops market news allocation.
Sec. 10002. Repeal of grant program to improve movement of specialty crops.
Sec. 10003. Farmers market and local food promotion program.
Sec. 10004. Study on local food production and program evaluation.
Sec. 10005. Organic agriculture.
Sec. 10006. Food safety education initiatives.
Sec. 10007. Coordinated plant management program.
Sec. 10008. Specialty crop block grants.
Sec. 10009. Recordkeeping, investigations, and enforcement.
Sec. 10010. Report on honey.
Sec. 10011. Effective date.

TITLE XI—CROP INSURANCE

Sec. 11001. Supplemental coverage option.
Sec. 11002. Premium amounts for catastrophic risk protection.
Sec. 11003. Permanent enterprise unit.
Sec. 11004. Enterprise units for irrigated and nonirrigated crops.
Sec. 11005. Data collection.
Sec. 11006. Adjustment in actual production history to establish insurable yields.
Sec. 11007. Submission and review of policies.
Sec. 11008. Board review and approval.
Sec. 11009. Consultation.
Sec. 11010. Budget limitations on renegotiation of the standard reinsurance agreement.
Sec. 11011. Stacked income protection plan for producers of upland cotton.
Sec. 11012. Peanut revenue crop insurance.
Sec. 11013. Authority to correct errors.
Sec. 11014. Implementation.
Sec. 11015. Approval of costs for research and development.
Sec. 11016. Whole farm risk management insurance.
Sec. 11017. Study of food safety insurance.
Sec. 11018. Crop insurance for livestock.
Sec. 11019. Margin coverage for catfish.
Sec. 11020. Poultry business disruption insurance policy.
Sec. 11021. Crop insurance for organic crops.
Sec. 11022. Research and development.
Sec. 11023. Pilot programs.
Sec. 11024. Index-based weather insurance pilot program.
Sec. 11025. Enhancing producer self-help through farm financial benchmarking.
Sec. 11026. Beginning farmer and rancher provisions.
Sec. 11027. Agricultural management assistance, risk management education, and organic certification cost share assistance.
Sec. 11028. Crop production on native sod.
Sec. 11029. Technical amendments.
Sec. 11030. Greater accessibility for crop insurance.
Sec. 11031. GAO crop insurance fraud report.
Sec. 11032. Limitation on premium subsidy based on average adjusted gross income.

TITLE 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.
Sec. 12002. Office of Advocacy and Outreach.

Subtitle B—Livestock

Sec. 12101. Wildlife reservoir zoonotic disease initiative.
Sec. 12102. Trichinae certification program.
Sec. 12103. National Aquatic Animal Health Plan.
Sec. 12104. Sheep production and marketing grant program.
Sec. 12105. Feral swine eradication pilot program.

Subtitle C—Other Miscellaneous Provisions

Sec. 12201. Military veterans agricultural liaison.
Sec. 12202. Information gathering.
Sec. 12203. Grants to improve supply, stability, safety, and training of agricultural labor force.
Sec. 12204. Noninsured crop assistance program.
Sec. 12205. Regional economic and infrastructure development.
Sec. 12206. Canada geese removal.
Sec. 12207. Office of Tribal Relations.
Sec. 12208. Repeal of duplicative program.
Sec. 12209. Sense of the Senate.
Sec. 12210. Acer Access and Development Program.
Sec. 12211. Definition of rural area for purposes of the Housing Act of 1949.
Sec. 12212. Prohibition on attending an animal fight or causing a minor to attend an animal fight; enforcement of animal fighting provisions.

SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term ''Secretary'' means the Secretary of Agriculture.

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 1001 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 1001 of that Act (7 U.S.C. 8702)) and peanuts on a farm.

SEC. 1103. REPEAL OF AVERAGE CROP REVENUE ELECTION 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 1001 of that Act (7 U.S.C. 8702)) and peanuts on a farm for which the irrevocable election under section 1105 of that Act 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 determined by the Secretary under section 1105(c)(3).

(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 a 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 yield determined by the average 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 Secretary—

(i) shall study the feasibility of including popcorn as a covered commodity by 2014; and

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

(7) ELIGIBLE ACRES.—

(A) IN GENERAL.—Except as provided in subparagraphs (B) through (D), the term ''eligible acres'' means all acres planted or prevented from being planted to all covered commodities on a farm in any crop year.

(B) MAXIMUM.—Except as provided in (C), the total quantity of eligible acres on a farm determined under subparagraph (A) shall not exceed the average total 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.

(C) ADJUSTMENT.—The Secretary shall provide for an adjustment, as appropriate, in the eligible acres for covered commodities for a farm if any of the following circumstances occurs:

(i) If a conservation reserve contract for a farm in a county entered into under section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831) expires or is voluntarily terminated or cropland is released from coverage under a conservation reserve contract, the Secretary shall provide for an adjustment, as appropriate, in the eligible acres for the farm to a total quantity that is the higher of—

(I) the total base acreage for the farm, less any upland cotton base acreage, that was suspended during the conservation reserve contract; or

(II) the product obtained by multiplying—

(aa) the average proportion that—

(AA) the total number of acres planted to covered commodities and upland cotton in the county for crop years 2009 through 2012; bears to

(BB) the total number of all acres of covered commodities, grassland, and upland cotton acres in the county for the same crop years; by

(bb) the total acres for which coverage has expired, voluntarily terminated, or been released under the conservation reserve contract.

(ii) The producer has eligible oilseed acreage as the result of the Secretary designating additional oilseeds, which shall be determined in the same manner as eligible oilseed acreage under section 1101(a)(1)(D) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8711(a)(1)(D)).

(iii) The producer has any acreage not cropped during the 2009 through 2012 crop years, but placed into an established rotation practice for the purposes of enriching land or conserving moisture for subsequent crop years, including summer fallow, as determined by the Secretary.

(D) EXCLUSION.—The term ''eligible acres'' does not include any crop subsequently planted during the same crop year on the same land for which the first crop is eligible for payments under this subtitle, unless the crop was planted in an area approved for double cropping, as determined by the Secretary.

(8) EXTRA LONG STAPLE COTTON.—The term ''extra long staple cotton'' means cotton that—

(A) is produced from pure strain varieties of the Barbadense species or any hybrid of the species, or other similar types of extra long staple cotton, designated by the Secretary, having characteristics needed for various end uses for which United States upland cotton is not suitable and grown in irrigated cotton-growing regions of the United States designated by the Secretary or other areas designated by the Secretary as suitable for the production of the varieties or types; and

(B) is ginned on a roller-type gin or, if authorized by the Secretary, ginned on another type gin for experimental purposes.

(9) INDIVIDUAL COVERAGE.—For purposes of agriculture risk coverage under section 1105, the term ''individual 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 yield determined by the average individual yield of the producer described in subsection (c) of that section.

(10) MEDIUM GRAIN RICE.—The term ''medium grain rice'' includes short grain 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, rapeseed, canola, safflower, flaxseed, mustard seed, crambe, sesame seed, or any oilseed designated by the Secretary.

(13) PRODUCER.—

(A) IN GENERAL.—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.

(B) 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.

(14) PULSE CROP.—The term ''pulse crop'' means dry peas, lentils, small chickpeas, and large chickpeas.

(15) 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.

(16) TRANSITIONAL YIELD.—The term ''transitional yield'' has the meaning given the term in section 502(b) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)).

(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) 1⅛-inch upland cotton and for Middling (M) 1 3/32-inch upland cotton exceeds the difference in the applicable premiums for comparable international qualities.

SEC. 1105. AGRICULTURE RISK COVERAGE.

(a) PAYMENTS REQUIRED.—If the Secretary determines that payments are required under subsection (c), the Secretary shall make payments for each covered commodity available to producers in accordance with this section.

(b) COVERAGE ELECTION.—

(1) IN GENERAL.—For the period of crop years 2014 through 2018, the producers shall make a 1-time, irrevocable election to receive—

(A) individual coverage under this section, as determined by the Secretary; or

(B) in the case of a county with sufficient data (as determined by the Secretary), county coverage under this section.

(2) EFFECT OF ELECTION.—The election made under paragraph (1) shall be binding on the producers making the election, regardless of covered commodities planted, and applicable to all acres under the operational control of the producers, in a manner that—

(A) acres brought under the operational control of the producers after the election are included; and

(B) acres no longer under the operational control of the producers after the election are no longer subject to the election of the producers but become subject to the election of the subsequent producers.

(3) DUTIES OF THE SECRETARY.—The Secretary shall ensure that producers are precluded from taking any action, including reconstitution, transfer, or other similar action, that would have the effect of altering

or reversing the election made under paragraph (1).

(c) AGRICULTURE RISK COVERAGE.—

(1) PAYMENTS.—The Secretary shall make agriculture risk coverage payments available under this subsection for each of the 2014 through 2018 crop years if the Secretary determines that—

(A) the actual crop revenue for the crop year for the covered commodity; is less than

(B) the agriculture risk coverage guarantee for the crop year for the covered commodity.

(2) TIME FOR PAYMENTS.—If the Secretary determines under this subsection that agriculture risk coverage payments are required to be made for the covered commodity, the agriculture risk coverage payments shall be made as soon as practicable thereafter.

(3) ACTUAL CROP REVENUE.—The amount of the actual crop revenue for a crop year of a covered commodity shall be equal to the product obtained by multiplying—

(A)(i) in the case of individual coverage, the actual average individual yield for the covered commodity, as determined by the Secretary; or

(ii) in the case of county coverage, the actual average yield for the county for the covered commodity, as determined by the Secretary; and

(B) the higher of—

(i) the midseason price; or

(ii) if applicable, the national marketing assistance loan rate for the covered commodity under subtitle B.

(4) AGRICULTURE RISK COVERAGE GUARANTEE.—

(A) IN GENERAL.—The agriculture risk coverage guarantee for a crop year for a covered commodity shall equal 89 percent of the benchmark revenue.

(B) BENCHMARK REVENUE.—

(i) IN GENERAL.—The benchmark revenue shall be the product obtained by multiplying—

(I)(aa) in the case of individual coverage, subject to clause (ii), the average individual yield, as determined by the Secretary, for the most recent 5 crop years, excluding each of the crop years with the highest and lowest yields; or

(bb) in the case of county coverage, the average county yield, as determined by the Secretary, for the most recent 5 crop years, excluding each of the crop years with the highest and lowest yields; and

(II) subject to clause (iii), the average national marketing year average price for the most recent 5 crop years, excluding each of the crop years with the highest and lowest prices.

(ii) USE OF TRANSITIONAL YIELDS.—If the yield determined under clause (i)(I)(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 70 percent of the applicable transitional yield, the Secretary shall use 70 percent of the applicable transitional yield for that crop year.

(iii) SPECIAL RULE FOR RICE AND PEANUTS.—If the national marketing year average price under clause (i)(II) for any of the applicable 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.

(III) For peanuts, $530.00 per ton.

(5) PAYMENT RATE.—The payment rate for each covered commodity shall be equal to the lesser of—

(A) the amount that—

(i) the agriculture risk coverage guarantee for the covered commodity; exceeds

(ii) the actual crop revenue for the crop year of 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 under this subsection 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)(i) 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 check for anomalies in the determination of payments under the program;

(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, if the Secretary cannot establish the yield as determined under paragraph (3)(A)(ii) or (4)(B)(i) or if the yield determined under paragraph (3)(A)(ii) or (4) is an unrepresentative average yield for the covered commodity as determined by the Secretary.

SEC. 1106. PRODUCER AGREEMENT REQUIRED AS CONDITION OF PROVISION OF PAYMENTS.

(a) COMPLIANCE WITH CERTAIN REQUIREMENTS.—

(1) REQUIREMENTS.—Before the producers on a farm may receive agriculture risk coverage payments, the producers shall agree, during 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) COMPLIANCE.—The Secretary may issue such rules as the Secretary considers necessary to ensure producer compliance with the requirements of paragraph (1).

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

(b) TRANSFER OR CHANGE OF INTEREST IN FARM.—

(1) TERMINATION.—

(A) IN GENERAL.—Except as provided in paragraph (2), a transfer of (or change in) the interest of the producers on a farm for which agriculture risk coverage payments are made shall result in the termination of the agriculture risk coverage payments, unless the transferee or owner of the acreage agrees to assume all obligations under subsection (a).

(B) EFFECTIVE DATE.—The termination shall take effect on the date determined by the Secretary.

(2) EXCEPTION.—If a producer entitled to an agriculture risk coverage payment dies, becomes incompetent, or is otherwise unable to receive the payment, the Secretary shall make the payment, in accordance with rules issued by the Secretary.

(c) REPORTS.—

(1) ACREAGE REPORTS.—As a condition on the receipt of any benefits under this subtitle or subtitle B, the Secretary shall require producers on a farm to submit to the Secretary annual acreage reports with respect to all cropland on the farm.

(2) PRODUCTION REPORTS.—As a condition on the receipt of any benefits under section 1105, the Secretary shall require producers on a farm to submit to the Secretary annual production reports with respect to all covered commodities produced on the farm.

(3) PENALTIES.—No penalty with respect to benefits under this subtitle or subtitle B shall be assessed against the producers on a farm for an inaccurate acreage or production report unless the producers on the farm knowingly and willfully falsified the acreage or production report.

(4) DATA REPORTING.—To the maximum extent practicable, the Secretary shall use data reported by the producer pursuant to requirements under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) to meet the obligations described in paragraphs (1) and (2), without additional submissions to the Department.

(d) TENANTS AND SHARECROPPERS.—In carrying out this subtitle, the Secretary shall provide adequate safeguards to protect the interests of tenants and sharecroppers.

SEC. 1107. PERIOD OF EFFECTIVENESS.

Sections 1104 through 1106 shall be effective beginning with the 2014 crop year of each covered commodity through the 2018 crop year.

SEC. 1108. ADJUSTED GROSS INCOME LIMITATION FOR CONSERVATION PROGRAMS.

Section 1001D(b)(2)(A) 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).

Subtitle B—Marketing Assistance Loans and Loan Deficiency Payments

SEC. 1201. AVAILABILITY OF NONRECOURSE MARKETING ASSISTANCE LOANS FOR LOAN COMMODITIES.

(a) DEFINITION OF LOAN COMMODITY.—In this subtitle, the term ''loan commodity''

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, nongraded wool, mohair, honey, dry peas, lentils, small chickpeas, and large chickpeas.

(b) NONRECOURSE LOANS AVAILABLE.—

(1) IN GENERAL.—For each of the 2014 through 2018 crops of each loan commodity, the Secretary shall make available to producers on a farm nonrecourse marketing assistance loans for loan commodities produced on the farm.

(2) 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 subtitle, 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) COMPLIANCE.—The Secretary may issue such rules as the Secretary considers necessary to ensure producer compliance with paragraph (1).

(3) 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.—

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

(2) OPTIONS FOR OBTAINING LOAN.—A marketing assistance loan under this section, and loan deficiency payments under section 1205, may be obtained at the option of the producers on a farm through—

(A) a designated marketing association or marketing cooperative of producers that is approved by the Secretary; or

(B) the Farm Service Agency.

(3) STORAGE OF LOAN PEANUTS.—As a condition on the approval by the Secretary of an individual or entity to provide storage for peanuts for which a marketing assistance loan is made under this section, the individual or entity shall agree—

(A) to provide the storage on a nondiscriminatory basis; and

(B) to comply with such additional requirements as the Secretary considers appropriate to accomplish the purposes of this section and promote fairness in the administration of the benefits of this section.

(4) STORAGE, HANDLING, AND ASSOCIATED COSTS.—

(A) 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.

(5) 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.

(6) REIMBURSABLE AGREEMENTS AND PAYMENT OF ADMINISTRATIVE EXPENSES.—The Secretary may implement any reimbursable 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) In the case of wheat, $2.94 per bushel.

(2) In the case of corn, $1.95 per bushel.

(3) In the case of grain sorghum, $1.95 per bushel.

(4) In the case of barley, $1.95 per bushel.

(5) In the case of oats, $1.39 per bushel.

(6) In the case of base quality of upland cotton, for the 2013 and each subsequent crop year, 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.

(7) In the case of extra long staple cotton, $0.7977 per pound.

(8) In the case of long grain rice, $6.50 per hundredweight.

(9) In the case of medium grain rice, $6.50 per hundredweight.

(10) In the case of soybeans, $5.00 per bushel.

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

(A) Sunflower seed.

(B) Rapeseed.

(C) Canola.

(D) Safflower.

(E) Flaxseed.

(F) Mustard seed.

(G) Crambe.

(H) Sesame seed.

(I) Other oilseeds designated by the Secretary.

(12) In the case of dry peas, $5.40 per hundredweight.

(13) In the case of lentils, $11.28 per hundredweight.

(14) In the case of small chickpeas, $7.43 per hundredweight.

(15) In the case of large chickpeas, $11.28 per hundredweight.

(16) In the case of graded wool, $1.15 per pound.

(17) In the case of nongraded wool, $0.40 per pound.

(18) In the case of mohair, $4.20 per pound.

(19) In the case of honey, $0.69 per pound.

(20) In the case of peanuts, $355 per ton.

(b) SINGLE COUNTY LOAN RATE FOR OTHER OILSEEDS.—The Secretary shall establish a single loan rate in each county for each kind of other oilseeds described in subsection (a)(11).

SEC. 1203. TERM OF LOANS.

(a) TERM OF LOAN.—In the case of each loan commodity, a marketing assistance loan under section 1201 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.

(b) 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));

(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; or

(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 RATES 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 MARKET 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) 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 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)—

(A) shall be adjusted to United States quality and location, with the adjustment to include—

(i) a reduction equal to any United States Premium Factor for upland cotton of a quality higher than Middling (M) 1 3/32-inch; and

(ii) the average costs to market the commodity, including average transportation costs, as determined by the Secretary; and

(B) may be further adjusted, during the period beginning on the date of enactment of this Act and ending on July 31, 2018, if the Secretary determines the adjustment is necessary—

(i) to minimize potential loan forfeitures;

(ii) to minimize the accumulation of stocks of upland cotton by the Federal Government;

(iii) to ensure that upland cotton produced in the United States can be marketed freely and competitively, both domestically and internationally; and

(iv) to ensure an appropriate transition between current-crop and forward-crop price quotations, except that the Secretary may use forward-crop price quotations prior to July 31 of a marketing year only if—

(I) there are insufficient current-crop price quotations; and

(II) the forward-crop price quotation is the lowest such quotation available.

(3) GUIDELINES FOR ADDITIONAL ADJUSTMENTS.—In making adjustments under this subsection, the Secretary shall establish a mechanism for determining and announcing the adjustments in order to avoid undue disruption in the United States market.

(f) REPAYMENT RATES FOR CONFECTIONERY AND OTHER KINDS OF SUNFLOWER SEEDS.—The Secretary shall permit the producers on a farm to repay a marketing assistance loan under section 1201 for 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) the repayment rate established for oil sunflower seed.

(g) PAYMENT OF COTTON STORAGE COSTS.—Effective for each of the 2014 through 2018 crop years, the Secretary shall make cotton storage payments available in the same manner, and at the same rates as the Secretary provided storage payments for the 2006 crop of cotton, except that the rates shall be reduced by 20 percent.

(h) REPAYMENT RATE FOR PEANUTS.—The Secretary shall permit producers on a farm to repay a marketing assistance loan for peanuts under subsection (a) at a rate that is the lesser of—

(1) the loan rate established for peanuts under subsection (b), 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 that the Secretary determines will—

(A) minimize potential loan forfeitures;

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

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

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

(i) AUTHORITY TO TEMPORARILY ADJUST REPAYMENT RATES.—

(1) ADJUSTMENT AUTHORITY.—In the event of a severe disruption to marketing, transportation, or related infrastructure, the Secretary may modify 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 marketing assistance loan under section 1201 with respect to a loan commodity, agree to forgo obtaining the loan for the commodity in return for loan deficiency payments under this section.

(2) UNSHORN PELTS, HAY, AND SILAGE.—

(A) MARKETING ASSISTANCE LOANS.—Subject to subparagraph (B), nongraded wool in the form of unshorn pelts and 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.

(b) COMPUTATION.—A loan deficiency payment for a loan commodity or commodity referred to in subsection (a)(2) shall be equal to the product obtained by multiplying—

(1) the payment rate determined under subsection (c) for the commodity; by

(2) 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.—In the case of unshorn pelts, the payment rate shall be the amount by which—

(A) the loan rate established under section 1202 for ungraded wool; exceeds

(B) the rate at which a marketing assistance loan for ungraded wool may be repaid under section 1204.

(3) HAY AND SILAGE.—In the case of hay or silage derived from a loan commodity, the payment rate shall be the amount by which—

(A) the loan rate established under section 1202 for the loan commodity from which the hay or silage is derived; exceeds

(B) the rate at which a marketing assistance loan for the loan commodity may be repaid under section 1204.

(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 with respect to 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 producers request the payment.

SEC. 1206. PAYMENTS IN LIEU OF LOAN DEFICIENCY PAYMENTS FOR GRAZED ACREAGE.

(a) ELIGIBLE PRODUCERS.—

(1) IN GENERAL.—Effective for the 2014 through 2018 crop years, in the case of a producer that would be eligible for a loan deficiency payment under section 1205 for wheat, barley, or oats, but that elects to use acreage planted to the wheat, barley, or oats for the grazing of livestock, the Secretary shall make a payment to the producer under this section if the producer enters into an agreement with the Secretary to forgo any other harvesting of the wheat, barley, or oats on that acreage.

(2) GRAZING OF TRITICALE ACREAGE.—Effective for the 2014 through 2018 crop years, with respect to a producer on a farm that uses acreage planted to triticale for the grazing of livestock, the Secretary shall make a payment to the producer under this section if the producer enters into an agreement with the Secretary to forgo any other harvesting of triticale on that acreage.

(b) PAYMENT AMOUNT.—

(1) IN GENERAL.—The amount of a payment made under this section to a producer on a farm described in subsection (a)(1) shall be equal to the amount determined by multiplying—

(A) the loan deficiency payment rate determined under section 1205(c) in effect, as of the date of the agreement, for the county in which the farm is located; by

(B) the payment quantity determined by multiplying—

(i) the quantity of the grazed acreage on the farm with respect to which the producer elects to forgo harvesting of wheat, barley, or oats; and

(ii)(I) the yield in effect for the calculation of agriculture risk coverage payments under subtitle A with respect to that loan commodity on the farm; or

(II) in the case of a farm without a payment yield for that loan commodity, an appropriate yield established by the Secretary.

(2) GRAZING OF TRITICALE ACREAGE.—The amount of a payment made under this section to a producer on a farm described in subsection (a)(2) shall be equal to the amount determined by multiplying—

(A) the loan deficiency payment rate determined under section 1205(c) in effect for wheat, as of the date of the agreement, for the county in which the farm is located; by

(B) the payment quantity determined by multiplying—

(i) the quantity of the grazed acreage on the farm with respect to which the producer elects to forgo harvesting of triticale; and

(ii)(I) the yield in effect for the calculation of agriculture risk coverage payments under subtitle A with respect to wheat on the farm; or

(II) in the case of a farm without a payment yield for wheat, an appropriate yield established by the Secretary in a manner consistent with section 1102 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8712).

(c) TIME, MANNER, AND AVAILABILITY OF PAYMENT.—

(1) TIME AND MANNER.—A payment under this section shall be made at the same time

and in the same manner as loan deficiency payments are made under section 1205.

(2) AVAILABILITY.—

(A) IN GENERAL.—The Secretary shall establish an availability period for the payments authorized by 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.

(d) PROHIBITION ON CROP INSURANCE INDEMNITY OR NONINSURED CROP ASSISTANCE.—A 2014 through 2018 crop of wheat, barley, oats, or triticale planted on acreage that a producer elects, in the agreement required by subsection (a), to use for the grazing of livestock in lieu of any other harvesting of the crop shall not be eligible for an indemnity under a policy or plan of insurance authorized under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) or noninsured crop assistance under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).

SEC. 1207. SPECIAL COMPETITIVE PROVISIONS FOR EXTRA LONG STAPLE COTTON.

(a) COMPETITIVENESS PROGRAM.—Notwithstanding any other provision of law, during the period beginning on the date of enactment of this Act through July 31, 2018, the Secretary shall carry out a program—

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

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

(3) 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 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 less than 134 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 section 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 4-week period multiplied by the amount of documented purchases by domestic users and sales for export by exporters made in the week following such a consecutive 4-week period.

SEC. 1208. AVAILABILITY OF RECOURSE LOANS FOR HIGH MOISTURE FEED GRAINS AND SEED COTTON.

(a) HIGH MOISTURE FEED GRAINS.—

(1) DEFINITION OF HIGH MOISTURE STATE.—In this subsection, the term ''high moisture state'' means corn or grain sorghum having a moisture content in excess of Commodity Credit Corporation standards for marketing assistance loans made by the Secretary under section 1201.

(2) RECOURSE LOANS AVAILABLE.—For each of the 2014 through 2018 crops of corn and grain sorghum, the Secretary shall make available recourse 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;

(B) present—

(i) certified scale tickets from an inspected, certified commercial scale, 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) 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 scales 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 harvested on the farm and 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 in a high moisture state; and

(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 quantity of corn or grain sorghum 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) RECOURSE LOANS AVAILABLE FOR SEED COTTON.—For each of the 2014 through 2018 crops of upland cotton and extra long staple cotton, the Secretary shall make available recourse seed cotton loans, as determined by the Secretary, on any production.

(c) REPAYMENT RATES.—Repayment of a recourse loan made under this section shall be at the loan rate established for the commodity by the Secretary, plus interest (determined in accordance with section 163 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7283)).

SEC. 1209. ADJUSTMENTS OF LOANS.

(a) ADJUSTMENT AUTHORITY.—Subject to subsection (e), 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 loan rates for a crop for producers in 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) REVISIONS TO QUALITY ADJUSTMENTS FOR UPLAND COTTON.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall implement revisions in the administration of the marketing assistance loan program for upland cotton to more accurately and efficiently reflect market values for upland cotton.

(B) MANDATORY REVISIONS.—Revisions under subparagraph (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 regional production;

(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 leaf grade that is 1 better than the applicable color grade.

(C) DISCRETIONARY REVISIONS.—Revisions under subparagraph (A) may include—

(i) the use of non-spot market 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.—

(A) PRIOR TO REVISION.—In making adjustments to the loan rate for cotton (including any review of the adjustments) as provided in this subsection, the Secretary shall consult with representatives of the United States cotton industry.

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

(4) REVIEW OF ADJUSTMENTS.—The Secretary may review the operation of the upland cotton quality adjustments implemented pursuant to this subsection and may make further revisions to the administration of the loan program for upland cotton, by—

(A) revoking or revising any actions taken under paragraph (2)(B); or

(B) revoking or revising any actions taken or authorized to be taken under paragraph (2)(C).

(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.—

(1) SUGARCANE.—Section 156(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 BEETS.—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(i) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(i)) is amended by striking ''2012'' and inserting ''2018''.

(b) FLEXIBLE MARKETING ALLOTMENTS FOR SUGAR.—

(1) SUGAR ESTIMATES.—Section 359b(a)(1) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359bb(a)(1)) is amended by striking ''2012'' and inserting ''2018''.

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

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

(B) by striking ''April 1'' each place it appears and inserting ''February 1''.

(3) EFFECTIVE PERIOD.—Section 359l(a) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359ll(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) ALL-MILK PRICE.—The term ''all-milk price'' means the average price received, per hundredweight of milk, by dairy operations for all milk sold to plants and dealers in the United States, as determined by the Secretary.

(3) ANNUAL PRODUCTION HISTORY.—The term ''annual production history'' means the production history determined for a participating dairy operation under section 1413(b) whenever the participating dairy operation purchases supplemental production margin protection.

(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, 1 or more dairy producers 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 land, labor, management, equipment, or capital to the dairy operation.

(B) ADDITIONAL OWNERSHIP STRUCTURES.—The Secretary shall determine additional ownership structures to be covered by the definition of dairy operation.

(8) HANDLER.—

(A) IN GENERAL.—The term ''handler'' means the initial individual or entity making payment to a dairy operation for milk produced in the United States and marketed for commercial use.

(B) PRODUCER-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 for all participating dairy operations.

(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 1431(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 MARGINS.

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

(1) The price of corn for a month shall be the price received during that month by farmers in the United States for corn, as reported in the monthly Agricultural Prices report by the Secretary.

(2) The price of soybean meal for a month shall be the central Illinois price for soybean meal, as reported in the Market News–Monthly Soybean Meal Price Report by the Secretary.

(3) The price of alfalfa hay for a month shall be the price received during that month by farmers in the United States for alfalfa hay, as reported in the monthly Agricultural Prices report by the Secretary.

(b) CALCULATION OF ACTUAL DAIRY PRODUCTION MARGINS.—

(1) PRODUCTION MARGIN PROTECTION PROGRAM.—For use in the production margin protection program under subpart A, 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 each month 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.

(3) 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 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 1415 if purchased by a participating dairy operation.

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

(a) ELIGIBILITY.—All dairy 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 MULTIPRODUCER 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;

(B) payment of the participation fee under subsection (d) and producer premiums under section 1415; and

(C) participation in the stabilization program under subtitle B.

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

(c) TIME FOR REGISTRATION.—

(1) EXISTING DAIRY OPERATIONS.—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 (4), 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 duration of the transition period.

(4) TRANSFER TO PRODUCTION MARGIN PROTECTION.—A dairy operation that elects to participate in the milk income loss program established under section 1506 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8773) during the transition period may, at any time, make a permanent transfer to the production margin protection program.

(e) ADMINISTRATION FEE.—

(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:

Pounds Marketed (in millions)	Administration Fee
less than 1	$100
1to 5	$250
more than 5 to 10	$350
more than 10 to 40	$1,000
more than 40	$2,500

(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 and 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 market news, 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 marketings 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.

(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.—

(1) 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 basic production margin protection coverage held by the seller or lessor 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 lessor 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 participating dairy operations 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; by

(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);

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

(C) the premium per hundredweight of milk, as specified in the applicable table under paragraph (2) or (3).

(2) PREMIUM PER HUNDREDWEIGHT FOR FIRST 4 MILLION POUNDS OF PRODUCTION.—For the first 4,000,000 pounds of milk marketings included in the annual production history of a participating dairy operation, the premium per hundredweight corresponding to each coverage level specified in the following table is as follows:

Coverage Level	Premium per Cwt.
$4.50	$0.01
$5.00	$0.02
$5.50	$0.035
$6.00	$0.045
$6.50	$0.09
$7.00	$0.40
$7.50	$0.60
$8.00	$0.95

(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:

Coverage Level	Premium per Cwt.
$4.50	$0.02
$5.00	$0.04
$5.50	$0.10
$6.00	$0.15
$6.50	$0.29
$7.00	$0.62
$7.50	$0.83
$8.00	$1.06

(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 maximizes 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

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).

(g) SUPPLEMENTAL PRODUCTION MARGIN PROTECTION PAYMENTS.—

(1) IN GENERAL.—The supplemental production margin protection payment for a participating dairy operation is in addition to the basic production margin protection payment.

(2) AMOUNT OF PAYMENT.—The supplemental production margin protection payment for the participating dairy operation shall be determined as follows:

(A) The Secretary shall calculate the difference between the coverage level threshold selected by the participating dairy operation under subsection (b) and the greater of—

(i) the average actual dairy production margin for the consecutive 2-month period; or

(ii) $4.00.

(B) The amount determined under subparagraph (A) shall be multiplied by the percentage selected by the participating dairy operation under subsection (c) and by the lesser of the following:

(i) The annual production history 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) may 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 REQUIRED; 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) ELECTION.—When 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 of the change not later than a date determined by the Secretary.

(3) CALCULATION METHODS.—A participating dairy operation may elect either of the following methods for calculation of the 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 same month in the preceding year as the month for which the Secretary has announced the stabilization program will become effective.

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

(a) WHEN STABILIZATION PROGRAM REQUIRED.—Except as provided in subsection (b), 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 dairy 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 section 1436(b) have 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) to implement order the stabilization payment; or

(3) order reduced payments.

(c) EFFECTIVE DATE FOR IMPLEMENTATION OF PAYMENT REDUCTIONS.—Reductions in dairy 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 process to collect from participating dairy operations and handlers such information that the Secretary considers 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 DAIRY OPERATION PAYMENTS.

(a) REDUCED PARTICIPATING DAIRY OPERATION PAYMENTS REQUIRED.—During any month in which payment reductions are in effect under the stabilization program, 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) 94 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 any 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 for each month until the Secretary suspends the stabilization program and terminates payment reductions in accordance with section 1436.

(d) PAYMENT REDUCTION EXCEPTION.—Notwithstanding any preceding subsection of this section, a handler shall 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 as provided in subsection (c).

(c) USE OF FUNDS.—

(1) AVAILABILITY FOR CERTAIN COMMODITY DONATIONS.—Not later than 90 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 donation 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 supported 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).

(d) ANNUAL REPORT.—Not later than December 31 of each year that the stabilization program is in effect, 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 provides an accurate accounting of—

(1) the 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 be liable to the Secretary for the amount that should have been remitted or collected, plus interest. In addition to the enforcement authorities available under section 1437, 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 nonfat dry milk shall be determined by the Secretary.

(2) The world price of cheddar cheese and skim milk powder shall be determined by the Secretary.

(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 $6.00 (but greater than $5.00) for 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 5 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 7 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) IMPLEMENTATION BY HANDLERS.—Effective on the day after the date of the announcement by the Secretary under subsection (b) of the suspension of the stabilization program, the handler shall cease reducing 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 this subpart.

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

(c) APPEAL.—An order of the Secretary under subsection (b) shall be final and conclusive unless an affected person files an appeal of the order of the Secretary in United States district court not later than 30 days after the date of the issuance of the order. 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 violated the order, the court shall enforce the order.

SEC. 1438. AUDIT REQUIREMENTS.

(a) AUDITS OF DAIRY OPERATION AND HANDLER COMPLIANCE.—

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

(2) SAMPLE OF DAIRY OPERATIONS.—Any audit conducted under this subsection 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 Secretary considers appropriate regarding the stabilization program.

SEC. 1439. STUDY; REPORT.

(a) IN GENERAL.—The Secretary shall direct the Office of the Chief Economist to conduct a study of the impacts of the program established under section 1431(a).

(b) CONSIDERATIONS.—The study conducted under subsection (a) shall consider—

(1) the economic impact of the program throughout the dairy product value chain, including the impact on producers, processors, domestic customers, export customers, actual market growth and potential market growth, farms of different sizes, and different regions and States; and

(2) the impact of the program on the competitiveness of the United States dairy industry in international markets.

(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).

Subpart C—Administration

SEC. 1451. DURATION.

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

SEC. 1452. ADMINISTRATION AND ENFORCEMENT.

(a) IN GENERAL.—The Secretary shall promulgate regulations to address administrative and enforcement issues involved in carrying out the production margin protection, supplemental production margin protection, and market stabilization programs.

(b) RECONSTITUTION AND ELIGIBILITY ISSUES.—

(1) RECONSTITUTION.—Using authorities under section 1001(f) and 1001B of the Food Security Act of 1985 (7 U.S.C. 1308(f), 1308–2), the Secretary shall promulgate regulations to prohibit a dairy producer from reconstituting a dairy operation for the sole purpose of the dairy producer—

(A) receiving basic margin protection;

(B) purchasing supplemental margin protection; or

(C) avoiding participation in the market stabilization program.

(2) ELIGIBILITY ISSUES.—Using authorities under section 1001(f) and 1001B of the Food Security Act of 1985 (7 U.S.C. 1308(f), 1308–2), the Secretary shall promulgate regulations—

(A) to prohibit a scheme or device;

(B) to provide for equitable relief; and

(C) to provide for other issues affecting eligibility and liability issues.

(3) ADMINISTRATIVE APPEALS.—Using authorities under section 1001(h) of the Food Security Act of 1985 (7 U.S.C. 1308(h)) and subtitle H of the Department of Agriculture Reorganization Act (7 U.S.C. 6991 et seq.), the Secretary shall promulgate regulations to provide for administrative appeals of decisions of the Secretary that are adverse to participants of the programs 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. 1637a(1)(A)) is amended by inserting ‘‘, or any other 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 273(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1637b(b)) is amended—

(1) by striking paragraph (1) and inserting the following new paragraph:

‘‘(1) IN GENERAL.—In establishing the program, the Secretary shall only—

‘‘(A)(i) subject to the conditions described in paragraph (2), require each manufacturer 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 aid price discovery in the dairy markets, as determined by the Secretary; and

‘‘(ii) modify the format used to provide the information on the day before the date of enactment of this subtitle to ensure that the information can be readily understood by market participants; and

‘‘(B) require each manufacturer and other person storing 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.’’; and

(2) in paragraph (2), by inserting ‘‘or those that may significantly aid price discovery in the dairy markets’’ after ‘‘Federal milk marketing order’’ each place it appears in subparagraphs (A), (B), and (C).

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.), reenacted with amendments 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 proposal information and timelines that shall be kept current and updated as information becomes available.

(2) REQUIREMENTS.—Information under paragraph (1) shall include—

(A) information 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) 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 1509(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 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 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 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(c)(3)) is amended—

(A) in subparagraph (A), by inserting ''and'' after the semicolon;

(B) in subparagraph (B), by striking ''August 31, 2013, 45 percent; and'' and inserting ''June 30, 2014, 45 percent.''; and

(C) by striking subparagraph (C).

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

(3) REPEAL.—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 (15 U.S.C. 713a–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) in paragraph (1), by striking ''2012'' and inserting ''2018''; and

(2) in paragraph (2), by striking ''2015'' and inserting ''2021''.

SEC. 1474. EXTENSION OF DAIRY INDEMNITY PROGRAM.

Section 3 of Public Law 90–484 (7 U.S.C. 4501) is amended by striking ''2012'' and inserting ''2018''.

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. 4504(e)(2)) is amended by striking ''2012'' and inserting ''2018''.

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

Section 1509(a) 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 appropriations''.

PART IV—FEDERAL MILK MARKETING ORDER REFORM

SEC. 1481. FEDERAL MILK MARKETING ORDERS.

(a) AMENDMENTS.—The Secretary shall provide 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. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937 (in this part referred to as a ''milk marketing order''), as required by this section.

(b) USE OF END-PRODUCT PRICE FORMULAS.—In carrying out subsection (a), the Secretary shall—

(1) consider replacing the use of end-product price formulas with other pricing alternatives; and

(2) 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 findings of the Secretary on the impact of the action considered under paragraph (1).

PART V—EFFECTIVE DATE

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, as determined by the Secretary, assumes the production and market risks associated with the agricultural production of crops or livestock.

(B) DESCRIPTION.—An individual or entity referred to in subparagraph (A) is—

(i) a citizen of the United States;

(ii) a resident alien;

(iii) a partnership of citizens of the United States; or

(iv) a corporation, limited liability corporation, or other farm organizational structure organized under State law.

(2) FARM.—

(A) IN GENERAL.—The term ''farm'' means, in relation to an eligible producer on a farm, the total of all crop acreage in all counties that is planted or intended to be planted for harvest, for sale, or on-farm livestock feeding (including native grassland intended for haying) by the eligible producer.

(B) AQUACULTURE.—In the case of aquaculture, 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 beehives 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.

(4) LIVESTOCK.—The term ''livestock'' includes—

(A) cattle (including dairy cattle);

(B) bison;

(C) poultry;

(D) sheep;

(E) swine;

(F) horses; and

(G) other livestock, as determined by the Secretary.

(b) LIVESTOCK INDEMNITY 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.

(3) 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 losses for which compensation is provided pursuant to section 10407(d) of the Animal Health Protection Act (7 U.S.C. 8306(d)).

(c) 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 combining—

(A) the livestock forage assistance functions of—

(i) the noninsured crop disaster assistance program established by section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333); and

(ii) 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

(B) the livestock 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 due to 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 have been in a feedlot, 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 of an eligible livestock producer.

(D) ELIGIBLE LIVESTOCK PRODUCER.—

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

(I) is an owner, cash or share lessee, or contract grower of covered livestock that provides the 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 physically located in a county affected by an eligible forage loss;

(III) certifies the eligible forage loss; and

(IV) 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.

(E) NORMAL CARRYING CAPACITY.—The term ''normal carrying capacity'', with respect to each type of grazing land or pastureland in a county, means the normal carrying capacity, as determined under paragraph (4)(D)(i), that would be expected from the grazing land or pastureland for livestock during the normal grazing period, in the absence of an eligible forage loss that diminishes the production of the grazing land or pastureland.

(F) NORMAL GRAZING 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 under paragraph (4)(D)(i).

(3) PROGRAM.—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 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 used for haying or grazing 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.), unless the land is grassland eligible for the conservation reserve program under section 1231(d)(2) of the Food Security Act of 1985 (16 U.S.C. 3831(d)(2)) (as amended by section 2001).

(B) MONTHLY PAYMENT RATE.—

(i) IN GENERAL.—Except as provided in clause (ii), the payment rate for assistance for 1 month under this paragraph shall, in the case of drought, be equal to 60 percent of the lesser of—

(I) the monthly feed cost for all covered livestock owned or leased by the eligible livestock producer, as determined under subparagraph (C); or

(II) the monthly feed cost calculated by using the normal carrying capacity of the eligible grazing land of the eligible livestock producer.

(ii) PARTIAL COMPENSATION.—In the case of an eligible livestock producer that sold or otherwise disposed of covered livestock due to drought conditions in 1 or both of the 2 production years immediately preceding the current production year, 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 equal—

(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 of livestock, an amount 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—

(I) 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 that March 1; by

(II) 56.

(D) NORMAL GRAZING PERIOD AND DROUGHT MONITOR INTENSITY.—

(i) FSA COUNTY COMMITTEE DETERMINATIONS.—

(I) IN GENERAL.—The Secretary shall determine the normal carrying capacity and normal grazing period for each type of grazing land or pastureland in the county served by the applicable Farm Service Agency committee.

(II) CHANGES.—No change to the normal carrying capacity or normal grazing period established for a county under subclause (I) shall be made unless the change is requested by the appropriate State and county Farm Service Agency committees.

(ii) DROUGHT INTENSITY.—

(I) D2.—An eligible livestock producer that owns or leases grazing land or pastureland that is physically located in a county that is rated by the U.S. Drought Monitor as having a D2 (severe drought) intensity in any area of the county for at least 8 consecutive weeks 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 using the monthly payment rate determined under subparagraph (B).

(II) D3.—An eligible livestock producer that owns or leases grazing land or pastureland that is physically located in a county that is rated by the U.S. Drought Monitor as having at least a D3 (extreme 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—

(aa) in an amount equal to 3 monthly payments using the monthly payment rate determined under subparagraph (B);

(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, or is rated as having a D4 (exceptional drought) intensity in any area of the county at any time during the normal grazing period, in an amount equal to 4 monthly payments using the monthly payment rate determined under subparagraph (B); or

(cc) if the county is rated as having a D4 (exceptional drought) intensity in any area of the county for at least 4 weeks during the normal grazing period, in an amount equal to 5 monthly payments using the monthly rate determined under subparagraph (B).

(iii) ANNUAL PAYMENT BASED ON DROUGHT CONDITIONS DETERMINED BY MEANS OTHER THAN THE U.S. DROUGHT MONITOR.—

(I) IN GENERAL.—An eligible livestock producer that owns grazing land or pastureland that is physically located in a county that has experienced on average, over the preceding calendar year, precipitation levels that are 50 percent or more below normal levels, according to sufficient documentation as determined by the Secretary, may be eligible, subject to a determination by the Secretary, to receive assistance under this paragraph in an amount equal to not more than 1 monthly payment using the monthly payment rate under subparagraph (B).

(II) NO DUPLICATE PAYMENT.—A producer may not receive a payment under both clause (ii) and this clause.

(5) ASSISTANCE FOR LOSSES DUE TO FIRE ON PUBLIC MANAGED LAND.—

(A) IN GENERAL.—An eligible livestock producer may receive assistance under this paragraph only if—

(i) the eligible forage losses occur on rangeland that is managed by a Federal agency; and

(ii) the eligible livestock producer is prohibited by the Federal agency from grazing the normal permitted livestock on the managed rangeland due to a fire.

(B) PAYMENT RATE.—The payment rate for assistance under this paragraph shall be equal to 50 percent of the monthly feed cost for the total number of livestock covered by the Federal lease of the eligible livestock producer, as determined under paragraph (4)(C).

(C) PAYMENT DURATION.—

(i) IN GENERAL.—Subject to clause (ii), an eligible livestock producer shall be eligible to receive assistance under this paragraph for the period—

(I) beginning on the date on which the Federal agency excludes the eligible livestock producer from using the managed rangeland for grazing; and

(II) ending on the last day of the Federal lease of the eligible livestock producer.

(ii) LIMITATION.—An eligible livestock producer may only receive assistance under this paragraph for losses that occur on not more than 180 days per year.

(6) ASSISTANCE FOR ELIGIBLE FORAGE LOSSES DUE TO OTHER THAN DROUGHT OR FIRE.—

(A) ELIGIBLE FORAGE LOSSES.—

(i) IN GENERAL.—Subject to subparagraph (B), an eligible livestock producer of covered livestock may receive assistance under this paragraph for eligible forage losses that occur due to weather-related conditions other than drought or fire 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 used for haying or grazing 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.), unless the land is grassland eligible for the conservation reserve program under section 1231(d)(2) of the Food Security Act of 1985 (16 U.S.C. 3831(d)(2)) (as amended by section 2001).

(B) PAYMENTS FOR ELIGIBLE FORAGE LOSSES.—

(i) IN GENERAL.—The Secretary shall provide assistance under this paragraph to an eligible livestock producer for eligible forage losses that occur due to weather-related conditions other than—

(I) drought under paragraph (4); and

(II) fire on public managed land under paragraph (5).

(ii) TERMS AND CONDITIONS.—The Secretary shall establish terms and conditions for assistance under this paragraph that are consistent with the terms and conditions for assistance under this subsection.

(7) NO DUPLICATIVE PAYMENTS.—An eligible livestock producer may elect to receive assistance for eligible forage losses under either paragraph (4), (5), or (6), if applicable, but may not receive assistance under more than 1 of those paragraphs for the same loss, as determined by the Secretary.

(8) DETERMINATIONS BY SECRETARY.—A determination made by the Secretary under this subsection shall be final and conclusive.

(d) EMERGENCY ASSISTANCE FOR LIVESTOCK, HONEY BEES, AND FARM-RAISED FISH.—

(1) IN GENERAL.—For each of fiscal years 2012 through 2018, the Secretary shall use not more than $5,000,000 of the funds of the Commodity Credit Corporation to provide emergency relief to eligible producers of livestock, honey bees, and farm-raised fish to aid in the reduction of losses due to disease, adverse weather, or other conditions, such as blizzards and wildfires, as determined by the Secretary, that are not covered under subsection (b) or (c).

(2) USE OF FUNDS.—Funds made available under this subsection shall be used to reduce losses caused by feed or water shortages, disease, or other factors as determined by the Secretary.

(3) AVAILABILITY OF FUNDS.—Any funds made available under this subsection shall remain available until expended.

(e) TREE ASSISTANCE PROGRAM.—

(1) DEFINITIONS.—In this subsection:

(A) ELIGIBLE ORCHARDIST.—The term ''eligible orchardist'' means a person that produces annual crops from trees for commercial purposes.

(B) NATURAL DISASTER.—The term ''natural disaster'' means plant disease, insect infestation, drought, fire, freeze, flood, earthquake, lightning, or other occurrence, as determined by the Secretary.

(C) NURSERY TREE GROWER.—The term ''nursery tree grower'' means a person who produces nursery, ornamental, fruit, nut, or Christmas trees for commercial sale, as determined by the Secretary.

(D) TREE.—The term ''tree'' includes a tree, bush, and vine.

(2) ELIGIBILITY.—

(A) LOSS.—Subject to subparagraph (B), 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 provide assistance—

(i) under paragraph (3) to eligible orchardists and nursery tree growers that planted trees for commercial purposes but lost the trees as a result of a natural disaster, as determined by the Secretary; and

(ii) under paragraph (3)(B) to eligible orchardists and nursery tree growers that have a production history for commercial purposes on planted or existing trees but lost the trees as a result of a natural disaster, as determined by the Secretary.

(B) LIMITATION.—An eligible orchardist or nursery tree grower shall qualify for assistance under subparagraph (A) only if the tree mortality of the eligible orchardist or nursery tree grower, as a result of damaging weather or related condition, exceeds 15 percent (adjusted for normal mortality).

(3) ASSISTANCE.—Subject to paragraph (4), the assistance provided by the Secretary to eligible orchardists and nursery tree growers for losses described in paragraph (2) shall consist of—

(A)(i) reimbursement of 65 percent of the cost of replanting trees lost due to a natural disaster, as determined by the Secretary, in excess of 15 percent mortality (adjusted for normal mortality); or

(ii) at the option of the Secretary, sufficient seedlings to reestablish a stand; and

(B) reimbursement of 50 percent of the cost of pruning, removal, and other costs incurred by an eligible orchardist or nursery tree grower to salvage existing trees or, in the case of tree mortality, to prepare the land to replant trees as a result of damage or tree mortality due to a natural disaster, as determined by the Secretary, in excess of 15 percent damage or mortality (adjusted for normal tree damage and mortality).

(4) LIMITATIONS ON ASSISTANCE.—

(A) DEFINITIONS OF LEGAL ENTITY AND PERSON.—In this paragraph, the terms ''legal entity'' and ''person'' have the meaning given those terms in section 1001(a) of the Food Security Act of 1985 (7 U.S.C. 1308(a)).

(B) AMOUNT.—The total amount of payments received, directly or indirectly, by a person or legal entity (excluding a joint venture or general partnership) under this subsection may not exceed $100,000 for any crop year, or an equivalent value in tree seedlings.

(C) ACRES.—The total quantity of acres planted to trees or tree seedlings for which a person or legal entity shall be entitled to receive payments under this subsection may not exceed 500 acres.

(f) PAYMENTS.—

(1) PAYMENT LIMITATIONS.—

(A) DEFINITIONS OF LEGAL ENTITY AND PERSON.—In this subsection, the terms ''legal entity'' and ''person'' have the meanings given those terms in section 1001(a) of the Food Security Act of 1985 (7 U.S.C. 1308(a)).

(B) AMOUNT.—The total amount of disaster assistance payments received, directly or indirectly, by a person or legal entity (excluding a joint venture or general partnership) under this section (excluding payments received under subsection (e)) may not exceed $100,000 for any crop year.

(C) DIRECT ATTRIBUTION.—Subsections (d) and (e) of section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) or any successor provisions relating to direct attribution shall apply with respect to assistance provided under this section.

(2) PAYMENT DELIVERY.—The Secretary shall make payments under this section after October 1, 2013, for losses incurred in the 2012 and 2013 fiscal years, and as soon as practicable for losses incurred in any year thereafter.

Subtitle F—Administration

SEC. 1601. ADMINISTRATION GENERALLY.

(a) USE OF COMMODITY CREDIT CORPORATION.—The Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out this title.

(b) DETERMINATIONS BY SECRETARY.—A determination made by the Secretary under this title shall be final and conclusive.

(c) REGULATIONS.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, not later than 90 days after the date of enactment of this Act, the Secretary and the Commodity Credit Corporation, as appropriate, shall promulgate such regulations as are necessary to implement this title and the amendments made by this title.

(2) PROCEDURE.—The promulgation of the regulations and administration of this title and the amendments made by this title and sections 11001 and 11011 shall be made without regard to—

(A) the notice and comment provisions of section 553 of title 5, United States Code;

(B) chapter 35 of title 44, United States Code (commonly known as the ''Paperwork Reduction Act''); and

(C) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking.

(3) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this subsection, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

(d) ADJUSTMENT AUTHORITY RELATED TO TRADE AGREEMENTS COMPLIANCE.—

(1) REQUIRED DETERMINATION; ADJUSTMENT.—If the Secretary determines that expenditures under this title that are subject to the total allowable domestic support levels under the Uruguay Round Agreements (as defined in section 2 of the Uruguay Round Agreements Act (19 U.S.C. 3501)) will exceed the allowable levels for any applicable reporting period, the Secretary shall, to the maximum extent practicable, make adjustments in the amount of the expenditures

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 2014 through 2018 crops 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) Parts II through V of 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.).

(4) Title IV (7 U.S.C. 1401 et seq.).

(b) AGRICULTURAL ACT OF 1949.—The following provisions of the Agricultural Act of 1949 shall not be applicable to the 2014 through 2018 crops 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 and through December 31, 2018:

(1) Section 101 (7 U.S.C. 1441).

(2) Section 103(a) (7 U.S.C. 1444(a)).

(3) Section 105 (7 U.S.C. 1444b).

(4) Section 107 (7 U.S.C. 1445a).

(5) Section 110 (7 U.S.C. 1445e).

(6) Section 112 (7 U.S.C. 1445g).

(7) Section 115 (7 U.S.C. 1445k).

(8) Section 201 (7 U.S.C. 1446).

(9) Title III (7 U.S.C. 1447 et seq.).

(10) Title IV (7 U.S.C. 1421 et seq.), other than sections 404, 412, and 416 (7 U.S.C. 1424, 1429, and 1431).

(11) Title V (7 U.S.C. 1461 et seq.).

(12) Title VI (7 U.S.C. 1471 et seq.).

(c) SUSPENSION OF CERTAIN QUOTA PROVISIONS.—The joint resolution entitled ''A joint resolution relating to corn and wheat marketing quotas under the Agricultural Adjustment Act of 1938, as amended'', approved May 26, 1941 (7 U.S.C. 1330 and 1340), shall not be applicable to the crops of wheat planted for harvest in the calendar years 2014 through 2018.

SEC. 1603. PAYMENT LIMITATIONS.

(a) IN GENERAL.—Section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) is amended by striking subsections (b) and (c) and inserting the following:

''(b) LIMITATION ON PAYMENTS FOR PEANUTS AND OTHER COVERED COMMODITIES.—The total amount of payments received, directly or indirectly, by a person or legal entity (except a joint venture or general partnership) for any crop year under subtitle A of title I of the Agriculture Reform, Food, and Jobs Act of 2013 for—

''(1) peanuts may not exceed $50,000; and

''(2) 1 or more other covered commodities may not exceed $50,000.''.

(b) LIMITATION ON MARKETING LOAN GAINS AND LOAN DEFICIENCY PAYMENTS FOR PEANUTS AND OTHER COVERED COMMODITIES.—Section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) is amended by striking subsection (d) and inserting the following:

''(d) LIMITATION ON MARKETING LOAN GAINS AND LOAN DEFICIENCY PAYMENTS FOR PEANUTS AND OTHER COVERED COMMODITIES.—The total amount of marketing loan gains and loan deficiency payments received, directly or indirectly, by a person or legal entity (except a joint venture or general partnership) for any crop year under subtitle B of the Agriculture Reform, Food, and Jobs Act of 2013 (or a successor provision) for—

''(1) peanuts may not exceed $75,000; and

''(2) 1 or more other covered commodities may not exceed $75,000.''.

(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 a program described in paragraphs (1)(C)'' and inserting ''subsection (b) and a program described in paragraph (1)(B)''; and

(ii) in paragraph (3)(B), by striking ''subsections (b) and (c)'' each place it appears and inserting ''subsection (b)'';

(C) in subsection (f)—

(i) by striking ''or title XII'' each place it appears in paragraphs (5)(A) and (6)(A) and inserting '', title I of the Agriculture Reform, Food, and Jobs Act of 2013, or title XII'';

(ii) in paragraph (2), by striking ''Subsections (b) and (c)'' and inserting ''Subsection (b)'';

(iii) in paragraph (4)(B), by striking ''subsection (b) or (c)'' and inserting ''subsection (b)'';

(iv) in paragraph (5)—

(I) in subparagraph (A), by striking ''subsection (d)'' and inserting ''subsection (c)''; and

(II) in subparagraph (B), by striking ''subsection (b), (c), or (d)'' and inserting ''subsection (b) or (c)''; and

(v) in paragraph (6)—

(I) in subparagraph (A), by striking ''subsection (d), except as provided in subsection (g)'' and inserting ''subsection (c), except as provided in subsection (f)''; and

(II) in subparagraph (B), by striking ''subsections (b), (c), and (d)'' and inserting ''subsections (b) and (c)'';

(D) in subsection (g)—

(i) in paragraph (1)—

(I) bv striking ''subsection (f)(6)(A)'' and inserting ''subsection (e)(6)(A)'' and

(II) by striking ''subsection (b) or (c)'' and inserting ''subsection (b)''; and

(ii) in paragraph (2)(A), by striking ''subsections (b) and (c)'' and inserting ''subsection (b)''; and

(E) by redesignating subsections (d) through (h) as subsections (c) through (g), respectively.

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

(A) in subsection (a), by striking ''subsections (b) and (c)'' and inserting ''subsection (b)''; and

(B) in subsection (b)(1), by striking ''subsection (b) or (c)'' and inserting ''subsection (b)''.

(3) Section 1001B(a) 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)''.

(4) Section 1001C(a) of the Food Security Act of 1985 (7 U.S.C. 1308–3(a)) is amended by inserting ''title I of the Agriculture Reform, Food, and Jobs Act of 2013,'' after ''2008,''.

(d) 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 subsection (b)(2)—

(A) by striking ''or active personal management'' each place it appears in subparagraphs (A)(i)(II) and (B)(ii); and

(B) in subparagraph (C), by striking '', as applied to the legal entity, are met by the legal entity, the partners or members making a significant contribution of personal labor or active personal management'' and inserting ''are met by partners or members making a significant contribution of personal labor, those partners or members''; and

(2) in subsection (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''; 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 (5)—

(i) by striking ''(5)'' and all that follows through ''(A) IN GENERAL.—A person'' and inserting the following:

''(5) CUSTOM FARMING SERVICES.—A person'';

(ii) by inserting ''under usual and customary terms'' after ''services''; and

(iii) 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 subsection other than (b)(2)(A)(i)(II) 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 of management to the farming operation necessary for the 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 farm 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).''.

SEC. 1605. ADJUSTED GROSS INCOME LIMITATION.

(a) IN GENERAL.—Section 1001D(b)) of the Food Security Act of 1985 (7 U.S.C. 1308–3a(b)) is amended by striking paragraph (1) and inserting the following:

''(1) COMMODITY PROGRAMS.—

''(A) LIMITATION.—Notwithstanding any other provision of law, a person or legal entity shall not be eligible to receive any benefit described in subparagraph (B) during a crop, fiscal or program year, as appropriate, if the

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 $750,000.

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

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

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

''(iii) A payment under subtitle E of the Agriculture Reform, Food, and Jobs Act of 2013.''.

''(iv) A payment under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).''.

(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 ''2018''.

SEC. 1607. PERSONAL LIABILITY OF PRODUCERS FOR DEFICIENCIES.

Section 164 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7284) is amended by striking ''and title I of the Food, Conservation, and Energy Act of 2008'' each place it appears and inserting ''title I of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8702 et seq.), and title I of the Agriculture Reform, Food, and Jobs Act of 2013''.

SEC. 1608. PREVENTION OF DECEASED INDIVIDUALS 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 eligible for payments.

SEC. 1609. APPEALS.

(a) DIRECTION, CONTROL, AND SUPPORT.—Section 272 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6992) is amended by striking subsection (c) and inserting the following:

''(c) DIRECTION, CONTROL, AND SUPPORT.—

''(1) DIRECTION AND CONTROL.—

''(A) IN GENERAL.—Except as provided in paragraph (2), the Director shall be free from the direction and control of any person other than the Secretary or the Deputy Secretary of Agriculture.

''(B) ADMINISTRATIVE SUPPORT.—The Division shall not receive administrative support (except on a reimbursable basis) from any agency other than the Office of the Secretary.

''(C) PROHIBITION ON DELEGATION.—The Secretary may not delegate to any other officer or employee of the Department, other than the Deputy Secretary of Agriculture or the Director, the authority of the Secretary with respect to the Division.

''(2) EXCEPTION.—The Assistant Secretary for Administration is authorized to investigate, enforce, and implement the provisions in law, Executive order, or regulations that relate in general to competitive and excepted service positions and employment within the Division, including the position of Director, and such authority may be further delegated to subordinate officials.''.

(b) DETERMINATION OF APPEALABILITY OF AGENCY DECISIONS.—Section 272 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6992) is amended by striking subsection (d) and inserting the following:

''(d) DETERMINATION OF APPEALABILITY OF AGENCY DECISIONS.—

''(1) DEFINITION OF A MATTER OF GENERAL APPLICABILITY.—In this subsection, the term 'a matter of general applicability' means a matter that challenges the merits or authority of a rule, procedure, local or national program practice, or determination of an agency that applies, or can apply, to more than 1 interested party as opposed to the particular application of the rule, procedure, or practice to a specific set of facts or the facts themselves as the facts apply to 1 particular interested party.

''(2) MATTERS NOT SUBJECT TO APPEAL.—The Division may not hear appeals—

''(A) unless the determination of the agency is adverse to the appellant;

''(B) that involve matters of general applicability; and

''(C) that involve requests for equitable relief unless the equitable relief has been denied by the agency.

''(3) EQUITABLE RELIEF.—

''(A) IN GENERAL.—An appeal requesting equitable relief may not be granted by the Director to an appellant unless, using the rules and practices that the agency applies to itself, the agency could in fact have granted the relief because the appellant acted in good faith, but failed to fully comply with the requirement of the rule or practice of the agency.

''(B) REMAND.—If it cannot be determined whether the agency would have granted equitable relief because the appellant acted in good faith, but failed to comply with the rule or practice of the agency, the matter shall be remanded to the agency for further consideration.

''(4) DETERMINATION OF APPEALABILITY.—If an officer, employee, or committee of an agency determines that a decision is not appealable and a participant appeals the decision to the Director, the Director shall determine whether the decision is adverse to the individual participant and appealable or is a matter of general applicability and not subject to appeal.

''(5) APPEALABILITY OF DETERMINATION.—The determination of the Director as to whether a decision is appealable is final.''.

(c) EQUITABLE RELIEF.—Section 278 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6998) is amended by striking subsection (d).

(d) CONFORMING AMENDMENT.—Section 296(b) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 7014(b)) is amended—

(1) in paragraph (6)(C), by striking ''or'' at the end;

(2) in paragraph (7), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(8) the authority of the Secretary to carry out amendments to sections 272 and 278 made by the Agriculture Reform, Food, and Jobs Act of 2013.''.

SEC. 1610. TECHNICAL CORRECTIONS.

(a) Section 359f(c)(1)(B) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359ff(c)(1)(B)) is amended by adding a period at the end.

(b)(1) Section 1603(g) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 1739) is amended in paragraphs (2) through (6) and the amendments made by those paragraphs by striking ''1703(a)'' each place it appears and inserting ''1603(a)''.

(2) This subsection and the amendments made by this subsection take effect as if included in the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 1651).

SEC. 1611. ASSIGNMENT OF PAYMENTS.

(a) IN GENERAL.—The provisions of section 8(g) 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. 1612. TRACKING OF BENEFITS.

As soon as practicable after the date of enactment of this Act, the Secretary may 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. 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 individual, entity, general partnership, or joint venture, or the documents relied upon were determined inadequate or invalid, unless the person signing the program document knowingly and willfully falsified the evidence of signature authority or a signature.

(b) AFFIRMATION.—

(1) IN GENERAL.—Nothing in this section prohibits the Secretary from asking a proper party to affirm any document that otherwise would be considered approved under subsection (a).

(2) NO RETROACTIVE EFFECT.—A denial of benefits based on a lack of affirmation under paragraph (1) shall not be retroactive with respect to third-party producers who were not the subject of the erroneous representation of authority, if the third-party producers—

(A) relied on the prior approval by the Secretary of the documents in good faith; and

(B) substantively complied with all program requirements.

SEC. 1614. IMPLEMENTATION.

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

(1) seek to reduce administrative burdens and costs to producers by streamlining and reducing paperwork, forms, and other administrative requirements;

(2) improve coordination, information sharing, and administrative work with the Risk Management Agency and the Natural Resources Conservation Service; and

(3) 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 OF CONSERVATION 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 forbs or shrubland (including improved rangeland and pastureland) 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 restored to a natural condition;'';

(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 more than 75 percent 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) infeasible to farm; 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. 3831(c)) 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 (d) and inserting the following:

''(d) 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. 3831(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 under a contract entered 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. 3831(f)) is amended—

(1) in paragraph (1), by striking ''watershed areas of the Chesapeake Bay Region, the Great Lakes Region, the Long Island Sound Region, and other'';

(2) in paragraph (2), by striking ''WATERSHEDS.—Watersheds'' and inserting ''AREAS.—Areas''; and

(3) in paragraph (3), 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 no longer 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 program'' and inserting ''a farmable wetland program''.

(b) ELIGIBLE 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 agriculture drainage system'' and inserting ''surface and subsurface flow from row crop agricultural production''.

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

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

''SEC. 1231B. FARMABLE WETLAND PROGRAM.''; and

(2) in subsection (f)(2), by striking ''section 1234(c)(2)(B)'' and inserting ''section 1234(c)(2)(A)(ii)''.

SEC. 2003. DUTIES OF OWNERS AND OPERATORS.

(a) LIMITATION ON HARVESTING, GRAZING OR COMMERCIAL USE OF FORAGE.—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 semicolon at the end of the paragraph and inserting ''except as provided in section 1233(b);''.

(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 PLANS.—The plan referred to in subsection (a)(1) shall set forth—

''(1) the conservation measures and practices to be carried out by the owner or operator during the term of the contract; and

''(2) the commercial use, if any, to be permitted on the land during the term.''.

(c) RENTAL PAYMENT REDUCTION.—Section 1232 of the Food Security Act of 1985 (16 U.S.C. 3832) is amended by striking subsection (d).

SEC. 2004. DUTIES OF THE SECRETARY.

Section 1233 of the Food Security Act of 1985 (16 U.S.C. 3833) is amended to read as follows:

''SEC. 1233. DUTIES OF THE SECRETARY.

''(a) COST-SHARE AND RENTAL PAYMENTS.—In return for a contract entered into by an owner or operator, the Secretary shall—

''(1) share the cost of carrying out the conservation measures and practices set forth in the contract for which the Secretary determines that cost sharing is appropriate and in the public interest; and

''(2) for a period of years not in excess of the term of the contract, pay an annual rental payment in an amount necessary to compensate for—

''(A) the conversion of highly erodible cropland or other eligible land normally devoted to the production of an agricultural commodity on a farm or ranch to a less intensive use;

''(B) the retirement of any cropland base and allotment history that the owner or operator agrees to retire permanently; and

''(C) the development and management of grassland for multiple natural resource conservation benefits, including soil, water, air, and wildlife.

''(b) SPECIFIED ACTIVITIES PERMITTED.—The Secretary shall permit certain activities or commercial uses of land that is subject to the contract if those activities or uses are consistent with a plan approved by the Secretary and include—

''(1) harvesting, grazing, or other commercial use of the forage in response to drought, flooding, or other emergency without any reduction in the rental rate;

''(2) 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);

''(3) 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 in exchange for a reduction of not less than 25 percent in the annual rental rate for the acres covered by the authorized activity—

''(A) managed harvesting and other commercial use (including the managed harvesting of biomass), except that in permitting those activities the Secretary, in coordination with the State technical committee—

''(i) shall develop appropriate vegetation management requirements; and

''(ii) shall identify periods during which the activities may be conducted, such that the frequency is at least once every 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 committee—

''(i) shall develop appropriate vegetation management requirements and stocking rates for the land that are suitable for continued routine grazing; and

''(ii) shall identify the periods during which routine grazing may be conducted, such that the frequency is not more than once every 2 years, taking into consideration regional differences such as—

''(I) climate, soil type, and natural resources;

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

''(III) 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) the location, size, and other physical characteristics of the land;

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

''(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 1231(b)(3), the Secretary shall permit the following activities:

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

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

''(3) Fire presuppression, rehabilitation, and construction of fire breaks.

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

''(d) RESOURCE CONSERVING USE.—

''(1) IN GENERAL.—Beginning on the date that is 1 year before the date of termination of a contract under the program, the Secretary shall allow an owner or operator to make conservation and land improvements that facilitate maintaining protection of highly erodible land after expiration of the contract.

''(2) CONSERVATION PLAN.—The Secretary shall require an owner or operator carrying out the activities described in paragraph (1) to develop and implement a conservation plan.

''(3) REENROLLMENT PROHIBITED.—Land altered under paragraph (1) may not be reenrolled in the conservation reserve program for 5 years.

''(4) PAYMENT.—The Secretary shall provide an annual payment that is reduced in an amount commensurate with any income or other compensation received as a result of the activities carried out under paragraph (1).''.

SEC. 2005. PAYMENTS.

(a) TREES, WINDBREAKS, SHELTERBELTS, AND WILDLIFE CORRIDORS.—Section 1234(b)(3)(A) of the Food Security Act of 1985 (16 U.S.C. 3834(b)(3)(A)) is amended—

(1) in clause (i), by inserting ''and'' after the semicolon;

(2) by striking clause (ii); and

(3) by redesignating clause (iii) as clause (ii).

(b) INCENTIVES.—Section 1234(b)(3)(B) of the Food Security Act of 1985 (16 U.S.C. 3834(b)(3)(B)) is amended—

(1) in clause (i), by inserting '', practices to improve the condition of resources on the land,'' after ''operator)''; and

(2) by adding at the end the following:

''(iii) INCENTIVES.—In making rental payments to an owner or operator of land described in subparagraph (A), the Secretary may provide incentive payments sufficient to encourage proper thinning and practices to improve the condition of resources on the land.''.

(c) ANNUAL RENTAL PAYMENTS.—Section 1234(c) of the Food Security Act of 1985 (16 U.S.C. 3834(c)) is amended—

(1) in paragraph (1), by inserting ''and other eligible land'' after ''highly erodible cropland'' both places it appears;

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

''(2) METHODS OF DETERMINATION.—

''(A) IN GENERAL.—The amounts payable to owners or operators in the form of rental payments under contracts entered into under this subchapter may be determined through—

''(i) the submission of bids for such contracts by owners and operators in such manner as the Secretary may prescribe; or

''(ii) such other means as the Secretary determines are appropriate.

''(B) GRASSLAND.—In the case of eligible land described in section 1231(b)(3), the Secretary shall make annual payments in an amount that is not more than 75 percent of the grazing value of the land covered by the contract.''; and

(3) in paragraph (5)(A)—

(A) by striking ''The Secretary'' and inserting the following:

''(i) SURVEY.—The Secretary''; and

(B) by adding at the end the following:

''(ii) USE.—The Secretary may use the survey of dryland cash rental rates described in clause (i) as a factor in determining rental rates under this section as the Secretary determines appropriate.''.

(d) PAYMENT SCHEDULE.—Section 1234 of the Food Security Act of 1985 (16 U.S.C. 3834) is amended by striking subsection (d) and inserting the following:

''(d) PAYMENT SCHEDULE.—

''(1) IN GENERAL.—Except as otherwise provided in this section, payments under this subchapter shall be made in cash in such amount and on such time schedule as is agreed on and specified in the contract.

''(2) SOURCE.—Payments under this subchapter shall be made using the funds of the Commodity Credit Corporation.

''(3) ADVANCE PAYMENT.—Payments under this subchapter may be made in advance of determination of performance.''.

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

(1) in paragraph (1), by striking '', including rental payments made in the form of in-kind commodities,'';

(2) by striking paragraph (3); and

(3) by redesignating paragraph (4) as paragraph (2).

SEC. 2006. CONTRACT REQUIREMENTS.

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

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking ''DUTIES'' and all that follows through ''a beginning farmer'' and inserting ''TRANSITION TO COVERED FARMER OR RANCHER.—In the case of a contract modification approved in order to facilitate the transfer of land subject to a contract from a retired farmer or rancher to a beginning farmer'';

(B) in subparagraph (D), by striking ''the farmer or rancher'' and inserting ''the covered farmer or rancher''; and

(C) in subparagraph (E), by striking ''section 1001A(b)(3)(B)'' and inserting ''section 1001''; and

(2) in paragraph (2), by striking ''requirement of section 1231(h)(4)(B)'' and inserting ''option provided under section 1234(c)(2)(A)(ii)''.

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 shall 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 entered into by the Secretary of Agriculture 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.) 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. 3831 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).

Subtitle B—Conservation Stewardship Program

SEC. 2101. CONSERVATION STEWARDSHIP PROGRAM.

(a) REVISION OF CURRENT PROGRAM.—Subchapter B of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838d et seq.) is amended to read as follows:

''Subchapter B—Conservation Stewardship Program

''SEC. 1238D. DEFINITIONS.

''In this subchapter:

''(1) AGRICULTURAL OPERATION.—The term 'agricultural operation' means all eligible land, whether or not contiguous, that is—

''(A) under the effective control of a producer at the time the producer enters into a contract under the program; 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.

''(2) CONSERVATION ACTIVITIES.—

''(A) IN GENERAL.—The term 'conservation activities' means conservation systems, practices, or management measures.

''(B) INCLUSIONS.—The term 'conservation activities' includes—

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

''(ii) planning needed to address a priority resource concern.

''(3) CONSERVATION STEWARDSHIP PLAN.—The term 'conservation stewardship plan' means a plan that—

''(A) identifies and inventories priority resource concerns;

''(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 (i) 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 cropped woodland, marshes, and agricultural land used for the production of livestock), as determined by the Secretary.

''(5) PRIORITY RESOURCE CONCERN.—The term 'priority resource concern' means a natural resource concern or problem, as determined by the Secretary, that—

''(A) is identified at 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 PROGRAM.

''(a) 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—

''(1) by undertaking additional conservation activities; and

''(2) 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) Land enrolled in the conservation reserve program.

''(B) Land enrolled in the Agricultural Conservation Easement Program in a wetland easement.

''(C) Land 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 years preceding that date shall not be the basis for any payment under the program, unless the land does not meet the requirement because—

''(A) the land had previously been enrolled in the conservation reserve program;

''(B) the land has been maintained using long-term crop rotation practices, as determined by the Secretary; or

''(C) the land is incidental land needed for efficient operation of the farm or ranch, as determined by the Secretary.

''SEC. 1238F. STEWARDSHIP CONTRACTS.

''(a) SUBMISSION OF CONTRACT OFFERS.—To be eligible to participate in the conservation stewardship program, a producer shall submit a contract offer for the agricultural operation that—

''(1) demonstrates to the satisfaction of the Secretary that the producer, at the time of the contract offer, is meeting the stewardship threshold for at least 2 priority resource concerns; and

''(2) would, at a minimum, meet or exceed the stewardship threshold for at least 1 additional priority resource concern by the end of the stewardship contract by—

''(A) installing and adopting additional conservation activities; and

''(B) improving, maintaining, and managing existing conservation activities on the agricultural operation in a manner that increases or extends the conservation benefits in place at the time the contract offer is accepted by the Secretary.

''(b) EVALUATION OF CONTRACT OFFERS.—

''(1) RANKING OF APPLICATIONS.—In evaluating contract offers the Secretary shall rank applications based on—

''(A) the level of conservation treatment on all applicable priority resource concerns at the time of application;

''(B) the degree to which the proposed conservation activities effectively increase conservation performance;

''(C) the number of applicable priority resource concerns proposed to be treated to meet or exceed the stewardship threshold by the end of the contract;

''(D) the extent to which other priority resource concerns will be addressed to meet or exceed the stewardship threshold by the end of the contract period;

''(E) the extent to which the actual and anticipated conservation benefits from the contract are provided at the least cost relative to other similarly beneficial contract offers; and

''(F) the extent to which priority resource concerns will be addressed when transitioning from the conservation reserve program to agricultural production.

''(2) PROHIBITION.—The Secretary may not assign a higher priority to any application because the applicant is willing to accept a lower payment than the applicant would otherwise be eligible to receive.

''(3) ADDITIONAL CRITERIA.—The Secretary may develop and use such additional criteria that the Secretary determines are necessary to ensure that national, State, and local priority resource concerns are effectively addressed.

''(c) ENTERING INTO CONTRACTS.—After a determination that a producer is eligible for the program under subsection (a), and a determination that the contract offer ranks sufficiently high under the evaluation criteria under subsection (b), the Secretary shall enter into a conservation stewardship contract with the producer to enroll the eligible land to be covered by the contract.

''(d) CONTRACT PROVISIONS.—

''(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 1238G(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 of a term or condition of the contract at any time the producer has control of the land—

''(i) if the Secretary determines that the violation warrants termination of the contract—

''(I) to forfeit all rights to receive payments under the contract; and

''(II) to refund all or a portion of the payments received by the producer under the contract, including any interest on the payments, as determined by the Secretary; or

''(ii) if the Secretary determines that 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) after the date of the change in the interest in all or a portion of the land covered by a contract under the program, the transferee of the land provides written notice to the Secretary that duties and rights under the contract have been transferred to, 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.

''(5) REPAYMENT.—If a contract is terminated, the Secretary may, consistent with the purposes of the program—

''(A) allow the producer to retain payments already received under the contract; or

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

''(e) 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 additional priority resource concerns on the agricultural operation by the end of the contract period.

"SEC. 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 10,348,000 acres for 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) installing and adopting additional conservation activities; and

''(B) improving, maintaining, and managing conservation activities in place at the operation of the producer at the time the contract offer is accepted by the Secretary.

''(2) PAYMENT AMOUNT.—The amount of the conservation stewardship annual payment shall be determined by the Secretary and based, to the maximum extent practicable, on the following factors:

''(A) Costs incurred by the producer associated with planning, design, materials, installation, labor, management, maintenance, or training.

''(B) Income forgone by the producer.

''(C) Expected conservation benefits.

''(D) The extent to which priority resource concerns will be addressed through the installation and adoption of conservation activities on the agricultural operation.

''(E) The level of stewardship in place at the time of application and maintained over the term of the contract.

''(F) The degree to which the conservation activities will be integrated across the entire agricultural operation for all applicable priority resource concerns over the term of the contract.

''(G) Such other factors as determined by the Secretary.

''(3) EXCLUSIONS.—A payment to a producer under this subsection shall not be provided 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; or

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

''(4) DELIVERY OF PAYMENTS.—In making stewardship payments, the Secretary shall, to the extent practicable—

''(A) prorate conservation performance over the term of the contract so as 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 subsection, the 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 not receive, directly or indirectly, payments under the program that, in the aggregate, exceed $200,000 under all contracts entered into during fiscal years 2014 through 2018, excluding funding arrangements 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 a transparent means by which producers may initiate organic certification under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.) while participating in a contract under the program.

''(i) REGULATIONS.—The Secretary shall promulgate regulations that—

''(1) prescribe such other rules as the Secretary determines to be necessary to ensure a fair and reasonable application of the limitations established under subsection (f); and

''(2) otherwise enable the Secretary to carry out the program.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

(c) EFFECT ON EXISTING CONTRACTS.—

(1) IN GENERAL.—The amendment made by this section shall not affect the validity or terms of any contract entered into by the Secretary of Agriculture under subchapter B of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838d et seq.) before October 1, 2013, or any payments required to be made in connection with the contract.

(2) CONSERVATION STEWARDSHIP PROGRAM.—Funds made available under section 1241(a)(4) of the Food Security Act of 1985 (16 U.S.C. 3841(a)(4)) (as amended by section 2601(a)) may be used to administer and make payments to program participants enrolled into contracts during any of fiscal years 2009 through 2013.

Subtitle C—Environmental Quality Incentives Program

SEC. 2201. PURPOSES.

Section 1240 of the Food Security Act of 1985 (16 U.S.C. 3839aa) is amended—

(1) in paragraph (3)—

(A) in subparagraph (A), by striking ''and'' at the end;

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

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

''(B) develop and improve wildlife habitat; and'';

(2) in paragraph (4), by striking ''; and'' and inserting a period; and

(3) by striking paragraph (5).

SEC. 2202. DEFINITIONS.

Section 1240A of the Food Security Act of 1985 (16 U.S.C. 3839aa–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. 6501 et seq.)'' after ''national organic program''.

SEC. 2203. ESTABLISHMENT AND ADMINISTRATION.

Section 1240B of the Food Security Act of 1985 (16 U.S.C. 3839aa–2) is amended—

(1) in subsection (a), by striking ''2014'' and inserting ''2018'';

(2) 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; or

''(H) other resource issues of regional or national significance, as determined by the Secretary.''; and

(B) in paragraph (4)—

(i) in subparagraph (A) in the matter preceding clause (i), by inserting '', veteran farmer or rancher (as defined in section 2501(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(e))),'' before ''or a beginning farmer or rancher''; and

(ii) by striking subparagraph (B) and inserting the following:

''(B) ADVANCE PAYMENTS.—

''(i) IN GENERAL.—Not more than 30 percent of the amount determined under subparagraph (A) 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) by striking subsection (f) and inserting the following:

''(f) ALLOCATION OF FUNDING.—

''(1) LIVESTOCK.—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 relating to livestock production.

''(2) WILDLIFE HABITAT.—For each of fiscal years 2014 through 2018, at least 5 percent of the funds made available for payments under the program shall be targeted at practices benefitting wildlife 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 support the restoration, development, and improvement of wildlife habitat on eligible land, including—

''(1) upland wildlife habitat;

''(2) wetland wildlife habitat;

''(3) habitat for threatened and endangered species;

''(4) fish habitat;

''(5) habitat on pivot corners and other irregular areas of a field; and

''(6) other types of wildlife habitat, as determined by the Secretary.''.

SEC. 2204. EVALUATION OF APPLICATIONS.

Section 1240C(b) of the Food Security Act of 1985 (16 U.S.C. 3839aa–3(b)) is amended—

(1) in paragraph (1), by striking ''environmental'' and inserting ''conservation''; and

(2) in paragraph (3), by striking ''purpose of the environmental quality incentives program specified in section 1240(1)'' and inserting ''purposes of the program''.

SEC. 2205. DUTIES OF PRODUCERS.

Section 1240D(2) of the Food Security Act of 1985 (16 U.S.C. 3839aa–4(2)) is amended by striking ''farm, ranch, or forest'' and inserting ''enrolled''.

SEC. 2206. LIMITATION ON PAYMENTS.

Section 1240G 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 any six-year period,'' and inserting ''during fiscal years 2014 through 2018''; and

(B) 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–8) is amended—

(1) in subsection (b)(2), by striking ''2012'' and inserting ''2018''; and

(2) by adding at the end the following:

''(c) REPORTING.—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) funding awarded;

''(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. 2301. 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 to—

''(1) 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 1238I;

''(2) restore, protect, and enhance wetland on eligible land;

''(3) protect the agricultural use, viability, and related conservation values of eligible land by limiting nonagricultural uses of that land; and

''(4) protect grazing uses and related conservation values by restoring and conserving eligible land.

''SEC. 1265A. DEFINITIONS.

''In this subtitle:

''(1) AGRICULTURAL LAND EASEMENT.—The term 'agricultural land easement' means an easement or other interest in eligible land that—

''(A) is conveyed for the purposes of protecting natural resources and the agricultural nature of the land, and of promoting agricultural viability for future generations; and

''(B) permits the landowner the right to continue agricultural production and related uses subject to an agricultural land easement plan.

''(2) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) an agency of State or local government or an Indian tribe (including farmland protection board or land resource council established under State law); or

''(B) an organization that is—

''(i) organized for, and at all times since the formation of the organization has been operated principally for, 1 or more of the conservation purposes specified in clause (i), (ii), (iii), or (iv) of section 170(h)(4)(A) of the Internal Revenue Code of 1986;

''(ii) an organization described in section 501(c)(3) of that Code that is exempt from taxation under section 501(a) of that Code; or

''(iii) described in—

''(I) paragraph (1) or (2) of section 509(a) of that Code; or

''(II) section 509(a)(3) of that Code and is controlled by an organization described in section 509(a)(2) of that Code.

''(3) ELIGIBLE LAND.—The term 'eligible land' means private or tribal land that is—

''(A) in the case of an agricultural land easement, agricultural land, including land on a farm or ranch—

''(i) that is subject to a pending offer for purchase from an eligible entity;

''(ii) that—

''(I) has prime, unique, or other productive soil;

''(II) contains historical or archaeological resources; or

''(III) the protection of which will further a State or local policy consistent with the purposes of the program; and

''(iii) that is—

''(I) cropland;

''(II) rangeland;

''(III) grassland or land that contains forbs, or shrubland for which grazing is the predominant use;

''(IV) pastureland; or

''(V) nonindustrial private forest land that contributes to the economic viability of an offered parcel or serves as a buffer to protect such land from development;

''(B) in the case of a wetland easement, a wetland or related area, including—

''(i) farmed or converted wetland, together with the adjacent land that is functionally dependent on that land if the Secretary determines it—

''(I) is likely to be successfully restored in a cost effective manner; and

''(II) will maximize the wildlife benefits and wetland functions and values as determined by the Secretary in consultation with the Secretary of the Interior at the local level;

''(ii) cropland or grassland that was used for agricultural production prior to flooding from the natural overflow of a closed basin lake or pothole, as determined by the Secretary, together (where practicable) with the adjacent land that is functionally dependent on the cropland or grassland;

''(iii) farmed wetland and adjoining land that—

''(I) is enrolled in the conservation reserve program;

''(II) has the highest wetland functions and values; and

''(III) is likely to return to production after the land leaves the conservation reserve program;

''(iv) riparian areas that link wetland that is protected by easements or some other device that achieves the same purpose as an easement; or

''(v) 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 significantly add to the functional value of the easement; and

''(C) in the case of both an agricultural land easement or wetland easement, other land that is incidental to eligible land if the Secretary determines that it is necessary for the efficient administration of the easements under this program.

''(4) PROGRAM.—The term 'program' means the Agricultural Conservation Easement Program established by this subtitle.

''(5) WETLAND EASEMENT.—The term 'wetland easement' means a reserved interest in eligible land that—

''(A) is defined and delineated in a deed; and

''(B) stipulates—

''(i) the rights, title, and interests in land conveyed to the Secretary; and

''(ii) the rights, title, and interests in land that are reserved to the landowner.

''SEC. 1265B. AGRICULTURAL LAND EASEMENTS.

''(a) AVAILABILITY OF ASSISTANCE.—The Secretary shall facilitate and provide funding for—

''(1) the purchase by eligible entities of agricultural land easements and other interests in eligible land; and

''(2) 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 protect the agricultural use, including grazing, and related conservation values of eligible land.

''(2) SCOPE OF ASSISTANCE AVAILABLE.—

''(A) FEDERAL SHARE.—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 50 percent of the fair market value of the agricultural land easement or other interest in land, as determined by the Secretary using—

''(i) the 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 (as defined by section 170(h) of the Internal Revenue Code of 1986) from the private landowner if the eligible entity contributes its own 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 grassland of special environmental significance, as determined by the Secretary, the Secretary may provide up to 75 percent of the fair market value of the agricultural land easement.

''(3) EVALUATION AND RANKING OF APPLICATIONS.—

''(A) CRITERIA.—The Secretary shall establish evaluation and ranking criteria to maximize the benefit of Federal investment under the program.

''(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) maximizing the protection 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 stipulate the terms and conditions under which the eligible entity is permitted to use cost-share assistance provided under this section.

''(B) LENGTH OF AGREEMENTS.—An agreement shall be for a term that is—

''(i) in the case of an eligible entity certified under the process described in paragraph (5), a minimum of 5 years; and

''(ii) for all other eligible entities, at least 3, but not more than 5 years.

''(C) MINIMUM TERMS AND CONDITIONS.—An eligible entity shall be authorized 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;

''(ii) are permanent or for the maximum duration allowed under applicable State law;

''(iii) permit effective enforcement of the conservation purposes of such easements, including appropriate restrictions depending on the purposes for which the easement is acquired;

''(iv) include a right of enforcement for the Secretary if terms of the easement are not enforced by the holder of the easement;

''(v) subject the land purchased to an agricultural land easement plan that—

''(I) describes the activities which promote the long-term viability of the land to meet the purposes for which the easement was acquired;

''(II) requires the management of grassland according to a grassland management plan; and

''(III) includes a conservation plan, where appropriate, and requires, at the option of the Secretary, the conversion of highly erodible cropland to less intensive uses; and

''(vi) include a limit on the impervious surfaces to be allowed that is consistent with the agricultural activities to be conducted.

''(D) SUBSTITUTION OF QUALIFIED PROJECTS.—An agreement shall allow, upon mutual agreement of the parties, substitution of qualified projects that are identified at the time of the proposed substitution.

''(E) EFFECT OF VIOLATION.—If a violation occurs of a term or condition of an agreement under this subsection—

''(i) the agreement may be terminated; and

''(ii) the Secretary may require the eligible entity to refund all or part of any payments received by the entity under the program, with interest on the payments as determined appropriate by the Secretary.

''(5) CERTIFICATION OF ELIGIBLE ENTITIES.—

''(A) CERTIFICATION PROCESS.—The Secretary shall establish a process under which the Secretary may—

''(i) directly certify eligible entities that meet established criteria;

''(ii) enter into long-term agreements with certified eligible entities; and

''(iii) accept proposals for cost-share assistance for the purchase of agricultural land easements throughout the duration of such agreements.

''(B) CERTIFICATION CRITERIA.—In order to be certified, an eligible entity shall demonstrate to the Secretary that the entity will maintain, at a minimum, for the duration of the agreement—

''(i) a plan for administering easements that is consistent with the purpose of this subtitle;

''(ii) the capacity and resources to monitor and enforce agricultural land easements; and

''(iii) policies and procedures to ensure—

''(I) the long-term integrity of agricultural land easements on eligible land;

''(II) timely completion of acquisitions of easements; and

''(III) timely and complete evaluation and reporting to the Secretary on the use of funds provided under the program.

''(C) REVIEW AND REVISION.—

''(i) REVIEW.—The Secretary shall conduct a review of eligible entities certified under subparagraph (A) every 3 years to ensure that such entities are meeting the criteria established under subparagraph (B).

''(ii) REVOCATION.—If the Secretary finds that the certified entity no longer meets the criteria established under subparagraph (B), the Secretary may—

''(I) allow the certified entity a specified period of time, at a minimum 180 days, in which to take such actions as may be necessary to meet the criteria; and

''(II) 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 assist in—

''(1) compliance with the terms and conditions of easements; and

''(2) 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 created on land that has changed ownership during the preceding 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)(I) the ownership change occurred because of foreclosure on the land; and

''(II) immediately before the foreclosure, the owner of the land exercises a right of redemption from the mortgage holder in accordance with State law; or

''(iii) the Secretary determines that the land was acquired under circumstances that give adequate assurances that such land was not acquired for the purposes of placing it in the program.

''(3) EVALUATION AND RANKING OF OFFERS.—

''(A) CRITERIA.—The Secretary shall establish evaluation and ranking criteria to maximize the benefit of Federal investment under the program.

''(B) CONSIDERATIONS.—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 program.

''(C) PRIORITY.—The Secretary shall place priority on acquiring easements based on the value of the easement for protecting and enhancing habitat 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;

''(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 such 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 cropland base and allotment history for the land on which the easement has been obtained.

''(5) TERMS AND CONDITIONS OF EASEMENT.—

''(A) IN GENERAL.—A wetland easement shall include terms and conditions that—

''(i) permit—

''(I) repairs, improvements, and inspections on the land that are necessary to maintain existing public drainage systems; and

''(II) owners to control public access on the easement areas while identifying access routes to be used for restoration activities and management and easement monitoring;

''(ii) 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—

''(aa) 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 efficient and effective 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) VIOLATION.—On the violation of the terms or conditions of the easement, the easement shall remain in force and the Secretary may require the owner to refund all or part of any payments received by the owner under the program, together with interest thereon as determined appropriate by the Secretary.

''(C) COMPATIBLE USES.—Land subject to a wetland easement may be used for compatible economic uses, including such activities as hunting and fishing, managed timber harvest, or periodic haying or grazing, if such use is specifically permitted by the wetland easement plan and is consistent with the long-term protection and enhancement of the wetland resources for which the easement was established.

''(D) RESERVATION OF GRAZING RIGHTS.—The Secretary may include in the terms and conditions of an easement a provision under which the owner reserves grazing rights if—

''(i) the Secretary determines that the reservation and use of the grazing rights—

''(I) is compatible with the land subject to the easement;

''(II) is consistent with the historical natural uses of the land and long-term protection and enhancement goals for which the easement was established; and

''(III) complies with the wetland easement plan; and

''(ii) the agreement provides for a commensurate reduction in the easement payment to account for the grazing value, as determined by the Secretary.

''(E) APPLICATION.—The relevant provisions of this paragraph shall also apply to a 30-year contract.

''(6) COMPENSATION.—

''(A) DETERMINATION.—

''(i) IN GENERAL.—The Secretary shall pay as compensation for a permanent easement acquired an amount necessary to encourage enrollment in the program based on the lowest of—

''(I) the fair market value of the land, as determined by the Secretary, using the Uniform Standards of Professional Appraisal Practices or an area-wide market analysis or survey;

''(II) the amount corresponding to a geographical cap, as determined by the Secretary in regulations; or

''(III) the offer made by the landowner.

''(ii) OTHER.—Compensation for a 30-year contract or 30-year easement shall be not less than 50 percent, but not more than 75 percent, of the compensation that would be paid for a permanent easement.

''(B) FORM OF PAYMENT.—Compensation shall be provided by the Secretary in the form of a cash payment, in an amount determined under subparagraph (A).

''(C) PAYMENT SCHEDULE.—

''(i) EASEMENTS VALUED AT LESS THAN $500,000.—For easements valued at $500,000 or less, the Secretary may provide easement payments in not more than 10 annual payments.

''(ii) EASEMENTS VALUED AT MORE THAN $500,000.—For easements valued at more than $500,000, the Secretary may provide easement payments in at least 5, but not more than 10 annual payments, except that, if the Secretary determines it would further the purposes of the program, the Secretary may make a lump sum payment for such an easement.

''(c) EASEMENT RESTORATION.—

''(1) IN GENERAL.—The Secretary shall provide financial assistance to carry out the establishment of conservation measures and practices and protect wetland functions and values, including necessary maintenance activities, as set forth in a wetland easement plan.

''(2) PAYMENTS.—The Secretary shall—

''(A) in the case of a permanent easement, pay an amount that is not less than 75 percent, but not more than 100 percent, of the eligible costs; and

''(B) in the case of a 30-year contract or 30-year easement, pay an amount that is not less than 50 percent, but not more than 75 percent, of the eligible costs.

''(d) TECHNICAL ASSISTANCE.—

''(1) IN GENERAL.—The Secretary shall assist owners in complying with the terms and conditions of easements and 30-year contracts.

''(2) CONTRACTS OR AGREEMENTS.—The Secretary may enter into 1 or more contracts with private entities or agreements with a State, non-governmental organization, or Indian tribe to carry out necessary restoration, enhancement or maintenance of an easement if the Secretary determines that the contract or agreement will advance the purposes of the program.

''(e) WETLAND ENHANCEMENT OPTION.—The Secretary may enter into 1 or more agreements with a State (including a political subdivision or agency of a State), nongovernmental organization, or Indian tribe to carry out a special wetland enhancement option that the Secretary determines would advance the purposes of the program.

''(f) ADMINISTRATION.—

''(1) WETLAND EASEMENT PLAN.—The Secretary shall develop a wetland easement plan for eligible land subject to a wetland easement, which will include the practices and activities necessary to restore, protect, enhance, and maintain the enrolled land.

''(2) DELEGATION OF EASEMENT ADMINISTRATION.—

''(A) IN GENERAL.—The Secretary may delegate any of the easement management, monitoring, and enforcement responsibilities of the Secretary to other Federal or State agencies that have the appropriate authority, expertise and resources necessary to carry out such delegated responsibilities or to other conservation organizations if the Secretary determines the organization has similar expertise and resources.

''(B) LIMITATION.—The Secretary shall not delegate any of the monitoring or enforcement responsibilities under the program to conservation organizations.

''(3) PAYMENTS.—

''(A) TIMING OF PAYMENTS.—The Secretary shall provide payment for obligations incurred by the Secretary under this section—

''(i) with respect to any easement restoration obligation as soon as possible after the obligation is incurred; and

''(ii) with respect to any annual easement payment obligation incurred by the Secretary as soon as possible after October 1 of each calendar year.

''(B) PAYMENTS TO OTHERS.—If an owner who is entitled to a payment dies, becomes incompetent, 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. 1265D. 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 in a contract that is set to expire within 1 year and—

''(1) in the case of an agricultural land easement, is grassland that would benefit from protection under a long-term easement; and

''(2) in the case of a wetland easement, is a wetland or related area with the highest functions and values and is likely to return to production after the land leaves the conservation reserve program.

''(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 the Commodity Credit Corporation under the program when 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—

''(i) will address a compelling public need for which there is no practicable alternative, or

''(ii) such action will further the practical administration of the program; and

''(C) 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.

''(d) LAND ENROLLED IN OTHER PROGRAMS.—

''(1) CONSERVATION RESERVE PROGRAM.—The Secretary may terminate or modify an existing contract entered into under section 1231(a) if eligible land that is subject to such contract is transferred into the program.

''(2) OTHER.—Land enrolled in the wetlands reserve program, grassland reserve program, or farmland protection program shall be considered enrolled in this program.

''(e) ALLOCATION OF FUNDS FOR AGRICULTURAL LAND EASEMENTS.—Of the funds made available under section 1241 to carry out the program for a fiscal year, the Secretary shall, to the extent practicable, use no less than 40 percent for agricultural land easements.''.

(b) COMPLIANCE WITH CERTAIN REQUIREMENTS.—Before an eligible entity or owner of eligible land may receive assistance under subtitle H of title XII of the Food Security Act of 1985, the eligible entity or person shall agree, during the crop year for which the assistance is provided and in exchange for the assistance—

(1) to comply with applicable conservation requirements under subtitle B of title XII of that Act (16 U.S.C. 3811 et seq.); and

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

(c) CROSS REFERENCE.—Section 1244 of the Food Security Act of 1985 (16 U.S.C. 3844) is amended—

(1) in subsection (c)—

(A) in paragraph (1)—

(i) by inserting ''and'' at the end of subparagraph (A);

(ii) by striking ''and'' at the end of subparagraph (B); and

(iii) by striking subparagraph (C);

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

(C) by inserting after paragraph (1) the following:

''(2) the Agricultural Conservation Easement Program established under subtitle H; and''; and

(2) in subsection (f)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''programs administered under subchapters B and C of chapter 1 of subtitle D'' and inserting ''conservation reserve program established under subchapter B of chapter 1 of subtitle D and the Agricultural Conservation Easement Program under subtitle H using wetland easements under section 1265C''; and

(ii) in subparagraph (B), by striking ''subchapter C of chapter 1 of subtitle D'' and inserting ''the Agricultural Conservation Easement Program under subtitle H using wetland easements under section 1265C''; and

(B) in paragraph (4), by striking ''subchapter C'' and inserting ''subchapter B''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2013.

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 I—Regional Conservation Partnership Program

''SEC. 1271. ESTABLISHMENT AND PURPOSES.

''(a) ESTABLISHMENT.—The Secretary shall establish a Regional Conservation Partnership Program to implement eligible activities through—

''(1) partnership agreements with eligible partners; and

''(2) contracts with producers.

''(b) PURPOSES.—The purposes of the program are—

''(1) to combine the purposes and coordinate the functions of—

''(A) the agricultural water enhancement program established under section 1240I;

''(B) the Chesapeake Bay watershed program established under section 1240Q;

''(C) the cooperative conservation partnership initiative established under section 1243; and

''(D) the Great Lakes basin program for soil erosion and sediment control established under section 1240P;.

''(2) to further the conservation, restoration, and sustainable use of soil, water, wildlife, and related natural resources on a regional or watershed scale; and

''(3) to encourage partners to cooperate with producers in—

''(A) meeting or avoiding the need for national, State, and local natural resource regulatory requirements related to production; and

''(B) implementing projects that will result in the installation and maintenance of eligible activities that affect multiple agricultural or nonindustrial private forest operations on a local, regional, State, or multi-State basis.

''SEC. 1271A. DEFINITIONS.

''In this subtitle:

''(1) COVERED PROGRAMS.—The term 'covered programs' means—

''(A) the agricultural conservation easement program;

''(B) the environmental quality incentives program; and

''(C) the conservation stewardship program.

''(2) ELIGIBLE ACTIVITY.—The term 'eligible activity' means any of the following conservation activities when delivered through a covered program:

''(A) Water quality restoration or enhancement projects, including nutrient management and sediment reduction.

''(B) Water quantity conservation, restoration, or enhancement projects relating to surface water and groundwater resources, including—

''(i) the conversion of irrigated cropland to the production of less water-intensive agricultural commodities or dryland farming; and

''(ii) irrigation system improvement and irrigation efficiency enhancement.

''(C) Drought mitigation.

''(D) Flood prevention.

''(E) Water retention.

''(F) Habitat conservation, restoration, and enhancement.

''(G) Erosion control.

''(H) Other related activities that the Secretary determines will help achieve conservation benefits.

''(3) ELIGIBLE PARTNER.—The term 'eligible partner' means any of the following:

''(A) An agricultural or silvicultural producer association or other group of producers.

''(B) A State or unit of local government.

''(C) An Indian tribe.

''(D) A farmer cooperative.

''(E) An institution of higher education.

''(F) An organization with an established history of working cooperatively with producers on agricultural land, as determined by the Secretary, to address—

''(i) local conservation priorities related to agricultural production, wildlife habitat development, and nonindustrial private forest land management; or

''(ii) critical watershed-scale soil erosion, water quality, sediment reduction, or other natural resource concerns.

''(4) PARTNERSHIP AGREEMENT.—The term 'partnership agreement' means an agreement between the Secretary and an eligible partner.

''(5) PROGRAM.—The term 'program' means the Regional Conservation Partnership Program established by this subtitle.

''SEC. 1271B. REGIONAL CONSERVATION PARTNERSHIPS.

''(a) PARTNERSHIP AGREEMENTS AUTHORIZED.—The Secretary may enter into a partnership agreement with an eligible partner to implement a project that will assist producers with installing and maintaining an eligible activity.

''(b) LENGTH.—A partnership agreement shall be for a period not to exceed 5 years, except that the Secretary may extend the agreement 1 time for up to 12 months when an extension is necessary to meet the objectives of the program.

''(c) DUTIES OF PARTNERS.—

''(1) IN GENERAL.—Under a partnership agreement, the eligible partner shall—

''(A) define the scope of a project, including—

''(i) the eligible activities to be implemented;

''(ii) the potential agricultural or nonindustrial private forest operations affected;

''(iii) the local, State, multi-State or other geographic area covered; and

''(iv) the planning, outreach, implementation and assessment to be conducted;

''(B) conduct outreach and education to producers for potential participation in the project;

''(C) at the request of a producer, act on behalf of a producer participating in the project in applying for assistance under section 1271C;

''(D) leverage financial or technical assistance provided by the Secretary with additional funds to help achieve the project objectives;

''(E) conduct an assessment of the project's effects; and

''(F) at the conclusion of the project, report to the Secretary on its results and funds leveraged.

''(2) CONTRIBUTION.—A partner shall provide a significant portion of the overall costs of the scope of the project as determined by the Secretary.

''(d) APPLICATIONS.—

''(1) COMPETITIVE PROCESS.—The Secretary shall conduct a competitive process to select applications for partnership agreements and may assess and rank applications with similar conservation purposes as a group.

''(2) CRITERIA USED.—In carrying out the process described in paragraph (1), the Secretary shall make public the criteria used in evaluating applications.

''(3) CONTENT.—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 performance measures and methods.

''(B) OTHER APPLICATIONS.—The Secretary may give priority to applications that—

''(i) have a high percentage of producers in the area to be covered by 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 1271B or a 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 as part of 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 discretionary 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 such 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 payment eligibility provisions.

''(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.

''(c) PAYMENTS.—

''(1) IN GENERAL.—In accordance with statutory requirements of the covered programs involved, 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 quantity 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 quality concerns and in an amount sufficient to encourage adoption of conservation practices and systems that improve nutrient management.

''(3) 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 subtitle.

''(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 carry out 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 under this program by April 1 of that fiscal year shall be returned for use under the covered program.

''(d) ALLOCATION OF FUNDING.—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 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 1271F.

''(e) LIMITATION ON ADMINISTRATIVE EXPENSES.—None of the funds made available under the program may be used to pay for the administrative expenses of partners.

''SEC. 1271E. ADMINISTRATION.

''(a) DISCLOSURE.—In addition to the criteria used in evaluating applications as described in section 1271B(d)(2), the Secretary shall make publicly available information on projects selected through the competitive process described in section 1271B(d)(1).

''(b) REPORTING.—Not later than December 31, 2014, and for every 2 years 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 on the status of projects funded under the program, including—

''(1) the number and types of partners and producers participating in the partnership agreements selected;

''(2) the number of producers receiving assistance;

''(3) total funding committed to projects, including Federal and non-Federal resources; and

''(4) a description of how the funds under section 1271C(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 1271D(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) a need 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, except that 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 and State 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(e)) is amended 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 1240O(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 1240R(f)(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 YEARS 2009 THROUGH 2012'' 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 of the House of Representatives and 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 1240R 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 State;

(3) evaluating the extent of improved access on eligible land, improved wildlife habitat, and related economic benefits; and

(4) any other relevant information and data relating to 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 1252 of the Food Security Act of 1985 (16 U.S.C. 3851) 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.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

SEC. 2505. SMALL WATERSHED REHABILITATION PROGRAM.

Section 14(h)(2)(E) of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012(h)(2)(E)) is amended by striking ''2012'' and inserting ''2018''.

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 to read as follows:

''SEC. 2507. TERMINAL LAKES ASSISTANCE.

''(a) DEFINITIONS.—In this section:

''(1) ELIGIBLE LAND.—The term 'eligible land' means privately owned agricultural land (including land in which a State has a property interest as a result of state water law)—

''(A) that a landowner voluntarily agrees to sell to a State; and

''(B) which—

''(i)(I) is ineligible for enrollment as a wetland easement established under the Agricultural Conservation Easement Program under subtitle H of the Food Security Act of 1985;

''(II) is flooded to—

''(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; or

''(III) is inaccessible for agricultural use due to the flooding of adjoining property (such as islands of agricultural land created by flooding);

''(ii) is located within a watershed with water rights available for lease or purchase; and

''(iii) has been used during at least 5 of the immediately preceding 30 years—

''(I) to produce crops or hay; or

''(II) as livestock pasture or grazing.

''(2) PROGRAM.—The term 'program' means the voluntary land purchase program established under this section.

''(3) TERMINAL LAKE.—The term 'terminal lake' means a lake and its associated riparian and watershed resources that is—

''(A) considered flooded because there is no natural outlet for water accumulating in the lake or the associated riparian area such that the watershed and surrounding land is consistently flooded; or

''(B) considered terminal because it has no natural outlet and is at risk due to a history of consistent Federal assistance to address critical resource conditions, including insufficient water available to meet the needs of the lake, general uses, and water rights.

''(b) ASSISTANCE.—The Secretary shall—

''(1) provide grants under subsection (c) for the purchase of eligible land impacted by a terminal lake described in subsection (a)(3)(A); and

''(2) provide funds to the Secretary of the Interior pursuant to subsection (e)(2) with assistance in accordance with subsection (d) for terminal lakes described in subsection (a)(3)(B).

''(c) LAND PURCHASE GRANTS.—

''(1) IN GENERAL.—Using funds provided under subsection (e)(1), the Secretary shall make available land purchase grants to States for the purchase of eligible land in accordance with this subsection.

''(2) IMPLEMENTATION.—

''(A) AMOUNT.—A land purchase grant shall be in an amount not to exceed the lesser of—

''(i) 50 percent of the total purchase price per acre of the eligible land; or

''(ii)(I) in the case of eligible land that was used to produce crops or hay, $400 per acre; and

''(II) in the case of eligible land that was pasture or grazing land, $200 per acre.

''(B) DETERMINATION OF PURCHASE PRICE.—A State purchasing eligible land with a land purchase grant shall ensure, to the maximum extent practicable, that the purchase price of such land reflects the value, if any, of other encumbrances on the eligible land to be purchased, including easements and mineral rights.

''(C) COST-SHARE REQUIRED.—To be eligible to receive a land purchase grant, a State shall provide matching non-Federal funds in an amount equal to 50 percent of the amount described in subparagraph (A), including additional non-Federal funds.

''(D) CONDITIONS.—To receive a land purchase grant, a State shall agree—

''(i) to ensure that any eligible land purchased is—

''(I) conveyed in fee simple to the State; and

''(II) free from mortgages or other liens at the time title is transferred;

''(ii) to maintain ownership of the eligible land in perpetuity;

''(iii) to pay (from funds other than grant dollars awarded) any costs associated 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.

''(E) LOSS OF FEDERAL BENEFITS.—Eligible land purchased with a grant under this section shall lose eligibility for any benefits under other Federal programs, including—

''(i) benefits under title XII of the Food Security Act of 1985 (16 U.S.C. 3801 et seq.);

''(ii) benefits under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.); and

''(iii) covered benefits described in section 1001D(b) of the Food Security Act of 1985 (7 U.S.C. 1308–3a).

''(F) 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.

''(d) 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 resources.''

''(2) EXCLUSIONS.—The Secretary of the Interior may not use this subsection to deliver assistance to the Great Salt Lake in Utah, lakes that are considered dry lakes, or 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 207 of the Energy and Water Development Appropriations Act, 2003 (Public Law 108–7; 117 Stat. 146);

''(iii) section 208 of the Energy and Water Development Appropriations Act, 2006 (Public Law 109–103; 119 Stat. 2268, 123 Stat. 2856); and

''(iv) section 208 of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85; 123 Stat. 2858, 123 Stat. 2967, 125 Stat. 867).

''(e) FUNDING.—

''(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out subsection (c) $25,000,000, 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 following programs under this title (including the provision of technical assistance):

''(1) The conservation reserve program under subchapter B of chapter 1 of subtitle D, including, to the maximum extent practicable—

''(A) $10,000,000 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 paragraph; and

''(B) $50,000,000 for the period of fiscal years 2014 through 2018 to carry out section 1235(f) to facilitate the transfer of land subject to 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 to the maximum extent practicable—

''(A) $223,000,000 for fiscal year 2014;

''(B) $702,000,000 for fiscal year 2015;

''(C) $500,000,000 for fiscal year 2016;

''(D) $525,000,000 for fiscal year 2017; and

''(E) $250,000,000 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) $1,455,000,000 for fiscal year 2014;

''(B) $1,645,000,000 for fiscal year 2015; and

''(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 (h) as subsections (c) through (i), respectively; and

(2) 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 obligation during subsequent 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.''.

(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)—

''(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 funding and program demand in each State, provide a distribution of funds for conservation programs under subtitle D (excluding the conservation reserve program under subchapter B of chapter 1), subtitle H (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 during 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 funds made 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 funds made available for those conservation programs.''.

SEC. 2604. RESERVATION OF FUNDS TO PROVIDE ASSISTANCE TO CERTAIN FARMERS OR RANCHERS FOR CONSERVATION ACCESS.

Subsection (h) 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 ''2018''; and

(2) by adding at the end 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. 2279(e))) that qualifies under subparagraph (A) or (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) (as redesignated by section 2601(b)(1)) 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;

(3) in paragraph (3) (as so redesignated)—

(A) by striking ''agricultural water enhancement program'' and inserting ''regional conservation partnership program''; and

(B) by striking ''section 1240I(g)'' and inserting ''section 1271C(c)(3)''; 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 1244 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. 2279(e))).'';

(2) in subsection (d), by inserting '', H, and I'' before the period at the end;

(3) in subsection (f)—

(A) in paragraph (1)(B), by striking ''country'' and inserting ''county''; and

(B) in paragraph (3), by striking ''subsection (c)(2)(B) or (f)(4)'' and inserting ''subsection (c)(2)(A)(ii) or (f)(2)'';

(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—

''(i) 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 redundancy.

''(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 assistance requests from eligible program participants.

''(B) REQUIREMENTS.—In carrying out the review, the Secretary shall determine what information the participant is required to submit 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 Secretary to enable 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 1242, 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 Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate written notification that the Secretary has fulfilled the requirements of this subsection.''; and

(5) by adding at the end the following:

''(j) IMPROVED ADMINISTRATIVE EFFICIENCY AND EFFECTIVENESS.—In administrating a conservation program under this title, the Secretary shall, to the maximum extent practicable—

''(1) seek to reduce administrative burdens and costs to producers by streamlining conservation planning and program resources; and

''(2) take advantage of new technologies to enhance efficiency and effectiveness.

''(k) RELATION TO OTHER PAYMENTS.—Any payment received by an owner or operator under this title, including an easement payment or rental payment, shall be in addition to, and not affect, the total amount of payments that the owner or operator is otherwise eligible to receive under any of the following:

''(1) This Act.

''(2) The Agricultural Act of 1949 (7 U.S.C. 1421 et seq.).

''(3) The Agriculture Reform, Food, and Jobs Act of 2013.

''(4) Any law that succeeds a law specified in paragraph (1), (2), or (3).

''(l) FUNDING FOR INDIAN TRIBES.—In carrying out the conservation stewardship program under subchapter B of chapter 2 of subtitle D and the environmental quality incentives program under chapter 4 of subtitle D, the Secretary may enter into alternative funding arrangements with Indian tribes if the Secretary determines that the goals and objectives of the programs will be met by such arrangements, and that statutory limitations regarding contracts with individual producers will not be exceeded by any Tribal member.''.

SEC. 2607. RULEMAKING AUTHORITY.

Subtitle E of title XII of the Food Security Act of 1985 (16 U.S.C. 3841 et seq.) is amended by adding at the end the following:

''SEC. 1246. REGULATIONS.

''(a) IN GENERAL.—The Secretary shall promulgate 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 section 1244(f).

''(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. 13804), 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 OF AGENCY RULEMAKING.—In promulgating regulations under this section, the Secretary shall use the authority provided 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. 3861(b)) is amended by striking ''Not later than 180 days after the date of enactment of the Food, Conservation, and Energy Act of 2008, the Secretary shall develop'' 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 1211(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 Act (7 U.S.C. 1501 et seq.);''.

(2) EXEMPTIONS.—Section 1212(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 1211 for the first time due to the amendment made by section 2609(a) of the Agriculture Reform, Food, and Jobs Act of 2013, any person who produces an agricultural commodity on the land that is the basis of the payments shall have until January 1 of the fifth year after the date on which the payments became subject to section 1211 to develop and comply with an approved conservation 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.).''.

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 FORESTRY 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 section 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 conservation reserve program 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.) to continue to carry out contracts referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts as in existence on September 30, 2013.

(c) 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 title XII 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 title XII 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 title XII of the Food Security Act of 1985 (16 U.S.C. 3837 et seq.), any funds made available from the Commodity 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), provided that no such contract or easement is modified so as to increase the amount of the payment received.

(B) OTHER.—The Secretary may use funds made available to carry out the agricultural conservation easement program under subtitle H of title XII of the Food Security Act of 1985, as added by section 2301, to continue to carry out contracts and easements 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 D of title XII 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 agreement 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. 3838h et seq.) before October 1, 2013, or any payments required to be made in connection with the agreement or easement.

(2) FUNDING.—

(A) USE OF PRIOR YEAR FUNDS.—Notwithstanding the repeal of subchapter C of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838h et seq.), any funds made available from the Commodity Credit Corporation to carry out the farmland protection program under that subchapter for fiscal years 2009 through 2013 shall be made available to carry out 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 subtitle H of title XII of the Food Security Act of 1985, as added by section 2301, to continue to carry out agreements and easements referred to in paragraph (1) using the provisions of law and regulation applicable to such agreements and easement as in existence on September 30, 2013.

(c) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

SEC. 2705. GRASSLAND RESERVE PROGRAM.

(a) REPEAL.—Subchapter D of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838n et seq.) is repealed.

(b) TRANSITIONAL PROVISIONS.—

(1) EFFECT ON EXISTING CONTRACTS, AGREEMENTS, AND EASEMENTS.—The amendment made by this section shall not affect the validity or terms of any contract, agreement, or easement entered into by the Secretary of Agriculture under subchapter D of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838n et seq.) before October 1, 2013, or any payments required to be made in connection with the contract, agreement, or easement.

(2) FUNDING.—

(A) USE OF PRIOR YEAR FUNDS.—Notwithstanding the repeal of subchapter D of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838n et seq.), any funds made available from the Commodity Credit Corporation to carry out the grassland reserve program under that subchapter for fiscal years 2009 through 2013 shall be made available to carry out contracts, agreements, or easements referred to in paragraph (1) that were entered into prior to October 1, 2013 (including the provision of technical assistance), provided that no such contract, agreement, or easement is modified so as to increase the amount of the payment received.

(B) OTHER.—The Secretary may use funds made available to carry out the agricultural conservation easement program under subtitle H of title XII of the Food Security Act of 1985, as added by section 2301, to continue to carry out contracts, 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.

(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).

(B) OTHER.—On exhaustion of funds made available under subparagraph (A), the Secretary may use funds made available to carry out the regional conservation partnerships program under subtitle I 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) 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. 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 (16 U.S.C. 3839bb–1) before October 1, 2013, or any payments required to be made in connection with the contract.

(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 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 environmental quality incentives program under chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.) to continue to carry out contracts referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts as in existence on September 30, 2013.

(c) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

SEC. 2708. GREAT LAKES BASIN PROGRAM.

(a) REPEAL.—Section 1240P of the Food Security Act of 1985 (16 U.S.C. 3839bb–3) is repealed.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

SEC. 2709. CHESAPEAKE BAY WATERSHED PROGRAM.

(a) REPEAL.—Section 1240Q of the Food Security Act of 1985 (16 U.S.C. 3839bb–4) is repealed.

(b) TRANSITIONAL PROVISIONS.—

(1) EFFECT ON EXISTING CONTRACTS, AGREEMENTS, AND EASEMENTS.—The amendment made by this section shall not affect the validity or terms of any contract, agreement, or easement entered into by the Secretary of Agriculture under section 1240Q of the Food Security Act of 1985 (16 U.S.C. 3839bb–4) before October 1, 2013, or any payments required to be made in connection with the contract, agreement, or easement.

(2) FUNDING.—

(A) USE OF PRIOR YEAR FUNDS.—Notwithstanding the repeal of section 1240Q 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 Chesapeake Bay watershed program under that section for fiscal years 2009 through 2013 shall be made available to carry out contracts, 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.—The Secretary may use funds made available to carry out the regional conservation partnerships program under subtitle I of title XII of the Food Security Act of 1985, as added by section 2401, to continue to carry out contracts, 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.

(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 or agreement 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) 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 regional conservation partnerships program under subtitle I 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) 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. 2711. ENVIRONMENTAL EASEMENT PROGRAM.

Chapter 3 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839 et seq.) is repealed.

SEC. 2712. TECHNICAL AMENDMENTS.

(a) Section 1201(a) of the Food Security Act of 1985 (16 U.S.C. 3801(a)) is amended in the matter preceding paragraph (1) by striking ''E'' and inserting ''I''.

(b) Section 1211(a) of the Food Security Act of 1985 (16 U.S.C. 3811(a)) is amended by striking ''predominate'' each place it appears and inserting ''predominant''.

(c) Section 1242(i) of the Food Security Act of 1985(16 U.S.C. 3842(i)) is amended in the subsection heading by striking ''SPECIALITY'' and inserting ''SPECIALTY''.

TITLE III—TRADE

Subtitle A—Food for Peace Act

SEC. 3001. SET-ASIDE FOR SUPPORT FOR ORGANIZATIONS THROUGH WHICH NONEMERGENCY ASSISTANCE IS PROVIDED.

Effective October 1, 2013, section 202(e)(1) of the Food for Peace Act (7 U.S.C. 1722(e)(1)) is amended—

(1) in the matter preceding subparagraph (A), 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(h) of the Food for Peace Act (7 U.S.C. 1722(h)) 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 fortificants and products, as necessary to cost-effectively meet nutrient needs of target populations;

''(C) to test prototypes;

''(D) to adopt new specifications or improve existing specifications for micronutrient fortified food aid products, based on the latest developments in food and nutrition science, and in coordination with other international partners;

''(E) to develop new program guidance to facilitate improved matching of products to purposes having nutritional intent, 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 diet in emergency 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)—

(A) by striking ''2012'' and inserting ''2018''; and

(B) 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 208(f) of the Food for Peace Act (7 U.S.C. 1726b(f)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 3007. LIMITATION ON TOTAL VOLUME OF COMMODITIES MONETIZED.

Section 403 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 bagging or further 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. 1736) is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following:

''(c) FLEXIBILITY.—Notwithstanding any other provision of law and as necessary to achieve the purposes of this Act, funds available under this Act may be used to pay the costs of up to 20 percent of activities conducted in recipient countries by nonprofit voluntary organizations, cooperatives, or intergovernmental agencies or organizations.''.

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

(B) 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 $10,000,000 of such funds and for each of fiscal years 2014 through 2018 not more than $15,000,000 of such funds''; and

(2) 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 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1) may be used to pay 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. 1736f) 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. 1736g) 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 BEREUTER 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 FOR 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. 1721 et seq.) to the Democratic People's Republic of Korea.

(b) NATIONAL INTEREST WAIVER.—The President may waive subsection (a) if the President determines and certifies to the Committees on Agriculture, Nutrition, and Forestry and Foreign Relations of the Senate and the Committees on Agriculture and Foreign Affairs of the House of Representatives that the waiver is in the national interest of the United States.

Subtitle B—Agricultural Trade Act of 1978

SEC. 3101. EXPORT CREDIT GUARANTEE PROGRAMS.

Section 211 of the Agricultural Trade Act of 1978 (7 U.S.C. 5641) is amended by striking subsection (b) and inserting the following:

''(b) EXPORT CREDIT GUARANTEE PROGRAMS.—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. 5641(c)(1)(A)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 3103. FOREIGN MARKET DEVELOPMENT COOPERATOR PROGRAM.

Section 703(a) of the Agricultural Trade Act of 1978 (7 U.S.C. 5723(a)) is amended by striking ''2012'' and inserting ''2018''.

Subtitle C—Other Agricultural Trade Laws

SEC. 3201. FOOD FOR PROGRESS ACT OF 1985.

(a) EXTENSION.—The Food for Progress Act of 1985 (7 U.S.C. 1736o) is amended—

(1) in subsection (f)(3), by striking ''2012'' and inserting ''2018'';

(2) in subsection (g), by striking ''2012'' and inserting ''2018'';

(3) in subsection (k), by striking ''2012'' and inserting ''2018''; and

(4) in subsection (l)(1), by striking ''2012'' and inserting ''2018''.

(b) REPEAL OF COMPLETED PROJECT.—Subsection (f) of the Food for Progress Act of 1985 (7 U.S.C. 1736o) is amended by striking paragraph (6).

(c) FLEXIBILITY.—The Food for Progress Act of 1985 (7 U.S.C. 1736o) is amended in subsection (*l*) by adding at the end the following:

''(5) FLEXIBILITY.—Notwithstanding any other provision of law and as necessary to achieve the purposes of this Act, funds available under this Act may be used to pay the costs of up to 20 percent of activities conducted in recipient countries by nonprofit voluntary organizations, cooperatives, or intergovernmental agencies or organizations.''.

(d) LIMITATION ON TOTAL VOLUME OF COMMODITIES MONETIZED.—The Food for Progress Act of 1985 (7 U.S.C. 1736o) is amended by adding at the end the following:

''(p) LIMITATION ON MONETIZATION OF COMMODITIES.—

''(1) LIMITATION.—

''(A) IN GENERAL.—Unless the Secretary grants a waiver under paragraph (2), no eligible commodity may be made available under this section unless the rate of return for the eligible 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 eligible commodities to a recipient country for monetization.

''(2) WAIVER AUTHORITY.—The Secretary may waive the application of the limitation in paragraph (1) with regard to an eligible commodity for a recipient country if the Secretary 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 Secretary 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 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. 3202. BILL EMERSON HUMANITARIAN TRUST.

Section 302 of the Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f–1) is amended—

(1) in subsection (b)(2)(B)(i), by striking ''2012'' both places it appears and inserting ''2018''; and

(2) in subsection (h), by striking ''2012'' both places it appears and inserting ''2018''.

SEC. 3203. PROMOTION OF AGRICULTURAL EXPORTS TO EMERGING MARKETS.

(a) DIRECT CREDITS OR EXPORT CREDIT GUARANTEES.—Section 1542(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (Public Law 101–624; 7 U.S.C. 5622 note) is amended by striking ''2012'' and inserting ''2018''.

(b) DEVELOPMENT OF AGRICULTURAL SYSTEMS.—Section 1542(d)(1)(A)(i) of the Food, Agriculture, Conservation, and Trade Act of 1990 (Public Law 101–624; 7 U.S.C. 5622 note) is amended by striking ''2012'' and inserting ''2018''.

SEC. 3204. MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM.

(a) REAUTHORIZATION.—Section 3107(l)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1(l)(2)) is amended by striking ''2012'' and inserting ''2018''.

(b) TECHNICAL CORRECTION.—Section 3107(d) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1(d)) is amended by striking ''to'' in the matter preceding paragraph (1).

SEC. 3205. TECHNICAL ASSISTANCE FOR SPECIALTY CROPS.

(a) PURPOSE.—Section 3205(b) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 5680(b)) is amended by striking ''related barriers to trade'' and inserting ''technical barriers to trade''.

(b) FUNDING.—Section 3205(e)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 5680(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 2018.''.

SEC. 3206. GLOBAL CROP DIVERSITY TRUST.

Section 3202(c) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 22 U.S.C. 2220a note) is amended by striking ''2008 through 2012'' and inserting ''2014 through 2018''.

SEC. 3207. LOCAL AND REGIONAL FOOD AID PROCUREMENT PROJECTS.

Section 3206 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 1726c) is amended—

(1) in subsection (b)—

(A) by striking ''(b) STUDY; FIELD-BASED PROJECTS.—'' and all that follows through ''(2) FIELD-BASED PROJECTS.—'' and inserting the following:

''(b) FIELD-BASED PROJECTS.—'';

(B) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively, and indenting appropriately;

(C) in paragraph (1) (as so redesignated), by striking ''subparagraph (B)'' and inserting ''paragraph (2)''; and

(D) in paragraph (2) (as so redesignated), by striking ''subparagraph (A)'' and inserting ''paragraph (1)'';

(2) in subsection (c)(1), by striking ''subsection (b)(2)'' and inserting ''subsection (b)'';

(3) by striking subsections (d), (f), and (g);

(4) by redesignating subsection (e) as subsection (d);

(5) in subsection (d) (as so redesignated)—

(A) in paragraph (2)—

(i) by striking subparagraph (B); and

(ii) in subparagraph (A)—

(I) by striking ''(A) APPLICATION.—'' and all that follows through ''To be eligible'' in clause (i) and inserting the following:

''(A) IN GENERAL.—To be eligible'';

(II) by redesignating clause (ii) as subparagraph (B) and indenting appropriately; and

(III) in subparagraph (B) (as so redesignated), by striking ''clause (i)'' and inserting ''subparagraph (A)''; and

(B) by striking paragraph (4); and

(6) by adding at the end the following:

''(e) FUNDING.—

''(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $40,000,000 for each of fiscal years 2014 through 2018.

''(2) PREFERENCE.—In carrying out this section, the Secretary may give a preference to eligible organizations that have, or are working toward, projects under the McGovern-Dole International Food for Education and Child Nutrition Program established under section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1).

''(3) REPORTING.—Each year, the Secretary shall submit to the appropriate committees of Congress a report that describes the use of funds under this section, including—

''(A) the impact of procurements and projects on—

''(i) local and regional agricultural producers; and

''(ii) markets and consumers, including low-income consumers; and

''(B) implementation time frames and costs.''.

SEC. 3208. DONALD PAYNE HORN OF AFRICA FOOD RESILIENCE PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Agency for International Development.

(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Agriculture, Nutrition, and Forestry of the Senate;

(B) the Committee on Agriculture of the House of Representatives;

(C) the Committee on Foreign Relations of the Senate; and

(D) the Committee on Foreign Affairs of the House of Representatives.

(3) ELIGIBLE ORGANIZATION.—The term ''eligible organization'' means an organization that is—

(A) a private voluntary organization or cooperative that is, to the extent practicable, registered with the Administrator; or

(B) an intergovernmental organization, such as the World Food Program.

(4) HORN OF AFRICA.—The term ''Horn of Africa'' means the countries of—

(A) Ethiopia;

(B) Somalia;

(C) Kenya;

(D) Djibouti;

(E) Eritrea;

(F) South Sudan;

(G) Uganda; and

(H) such other countries as the Administrator determines to be appropriate after providing notification to the appropriate committees of Congress.

(5) RESILIENCE.—The term ''resilience'' means—

(A) the capacity to mitigate the negative impacts of crises (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 aim to improve food security in the Horn of Africa, building resilience so as—

(1) to reduce the impacts of future crises;

(2) to enhance local capacity for emergency response;

(3) to enhance sustainability of long-term development programs targeting poor and vulnerable households; and

(4) to reduce the need for repeated costly emergency operations.

(c) STUDY.—

(1) IN GENERAL.—Not later than 30 days after the date of 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 the Agency 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 complement each other and leverage impacts across programs;

(C) include recommendations for how full integration of efforts can be achieved; and

(D) evaluate the degree to which country-led development plans support programs that increase resilience, including review of the investments by each country in nutrition and safety nets.

(3) REPORT.—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report containing the results of the study.

(d) FIELD-BASED PROJECT GRANTS OR COOPERATIVE AGREEMENTS.—

(1) IN GENERAL.—The Administrator shall—

(A) provide grants to, or enter into cooperative agreements with, eligible organizations to carry out field-based projects that build resilience in the Horn of Africa in accordance with this section; and

(B) develop a project approval process to ensure full integration of efforts.

(2) REQUIREMENTS OF ELIGIBLE ORGANIZATIONS.—

(A) APPLICATION.—To be eligible to receive a grant from, or enter into a cooperative agreement with, the Administrator under this subsection, an eligible organization shall submit to the Administrator an application by such date, in such manner, and containing such information as the Administrator may require.

(B) COMPLETION REQUIREMENT.—To be eligible to receive a grant from, or enter into a cooperative agreement with, the Administrator under this subsection, an eligible organization shall agree—

(i) to collect, not later than September 30, 2016, data containing the information required under subsection (f)(2) relating to the field-based project funded through the grant or cooperative agreement; and

(ii) to provide to the Administrator the data collected under clause (i).

(3) REQUIREMENTS OF ADMINISTRATOR.—

(A) PROJECT DIVERSITY.—

(i) IN GENERAL.—Subject to clause (ii) and subparagraph (B), in selecting proposals for field-based projects to fund under this section, the Administrator shall select a diversity 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.

(ii) 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 completion of the study under subsection (c), 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.

(f) REPORT.—

(1) IN GENERAL.—Not later than November 1, 2016, the Administrator 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 prior to data collection;

(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.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2014 through 2018.

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 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 as a whole, 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 nontariff 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 agriculture committees and subcommittees 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.

Section 4(b)(6)(F) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b)(6)(F)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 4002. STANDARD UTILITY ALLOWANCES BASED ON THE RECEIPT OF ENERGY ASSISTANCE PAYMENTS.

(a) STANDARD UTILITY ALLOWANCES IN THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.—Section 5(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)(I), by striking ''the household still incurs'' and all that follows through the end of the subclause and inserting ''the payment received by, or made on

behalf of, the household exceeds $10 or a higher amount annually, as determined by the Secretary.''.

(b) CONFORMING AMENDMENT.—Section 2605(f)(2)(A) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8624(f)(2)(A)) is amended by inserting before the semicolon at the end '', except that, for purposes of 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 5(e)(6)(C)(iv)(I) of that Act (7 U.S.C. 2014(e)(6)(C)(iv)(I))''.

(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(e)(3)(B) of Food and Nutrition Act of 2008 (7 U.S.C. 2015(e)(3)(B)) is amended by striking ''section'' and inserting the following: ''section, subject to the condition that the course or program of study—

''(i) is part of a program of career and technical education (as defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302)) that may be completed in not more than 4 years at an institution of higher education (as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)); or

''(ii) is limited to remedial courses, basic adult education, literacy, or English as a second language;''.

SEC. 4004. ENDING SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS FOR LOTTERY OR GAMBLING WINNERS.

(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:

''(r) INELIGIBILITY FOR BENEFITS DUE TO RECEIPT OF SUBSTANTIAL LOTTERY OR GAMBLING WINNINGS.—

''(1) IN GENERAL.—Any household in which a member receives 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 meets the allowable financial resources and income eligibility requirements under subsections (c), (d), (e), (f), (g), (i), (k), (l), (m), and (n) of section 5.

''(3) AGREEMENTS.—As determined by the Secretary, each State agency, to the maximum extent practicable, shall establish agreements with entities responsible for the regulation or sponsorship of gaming in the State to determine whether individuals participating in the supplemental nutrition assistance program have received substantial lottery or gambling winnings.''.

(b) CONFORMING AMENDMENTS.—Section 5(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(a)) is amended in the second sentence by striking ''sections 6(b), 6(d)(2), and 6(g)'' and inserting ''subsections (b), (d)(2), (g), and (r) of section 6''.

SEC. 4005. RETAIL FOOD STORES.

(a) DEFINITION OF RETAIL FOOD STORE.—Subsection (o)(1)(A) of section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012) (as redesignated by section 4017(a)(4)) is amended by striking ''at least 2'' and inserting ''at least 3''.

(b) ALTERNATIVE BENEFIT DELIVERY.—Section 7(f) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(f)) is amended—

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

''(2) IMPOSITION OF COSTS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall require participating retail food stores (including restaurants participating in a State option restaurant program intended to serve the elderly, disabled, and homeless) to pay 100 percent of the costs of acquiring, and arrange for the implementation of, electronic benefit transfer point-of-sale equipment and supplies, including related services.

''(B) EXEMPTIONS.—The Secretary may exempt from subparagraph (A)—

''(i) farmers' markets, military commissaries, nonprofit food buying cooperatives, and establishments, organizations, programs, or group living arrangements described in paragraphs (5), (7), and (8) of section 3(k); and

''(ii) establishments described in paragraphs (3), (4), and (9) of section 3(k), other than restaurants participating in a State option restaurant program.''; and

(2) by adding at the end the following:

''(4) TERMINATION OF MANUAL VOUCHERS.—

''(A) IN GENERAL.—Effective beginning on the date of enactment of this paragraph, except as provided in subparagraph (B), no State shall issue manual vouchers to a household that receives supplemental nutrition assistance under this Act or allow retail food stores to accept manual vouchers as payment, unless the Secretary determines that the manual vouchers are necessary, such as in the event of an electronic benefit transfer system failure or a disaster situation.

''(B) EXEMPTIONS.—The Secretary may exempt categories of retail food stores or individual retail food stores from subparagraph (A) based on criteria established by the Secretary.

''(5) UNIQUE IDENTIFICATION NUMBER REQUIRED.—The Secretary shall require all parties providing electronic benefit transfer services to provide for and maintain unique terminal identification number information through the supplemental nutrition assistance program electronic benefit transfer transaction routing system.''.

(c) ELECTRONIC BENEFIT TRANSFERS.—Section 7(h)(3)(B) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)(3)(B)) is amended by striking ''is operational—'' and all that follows through ''(ii) in the case of other participating stores,'' and inserting ''is operational''.

(d) APPROVAL OF RETAIL FOOD STORES AND WHOLESALE FOOD CONCERNS.—Section 9 of the Food and Nutrition Act of 2008 (7 U.S.C. 2018) is amended—

(1) in subsection (a)—

(A) in the second sentence of paragraph (a)(1), by striking ''; and (C)'' and inserting ''; (C) whether the applicant is located in an area with significantly limited access to food; and (D)''; and

(2) by adding at the end the following:

''(4) RETAIL FOOD STORES WITH SIGNIFICANT SALES OF EXCEPTED ITEMS.—

''(A) IN GENERAL.—No retail food store for which at least 45 percent of the total sales of the retail food store is from the sale of excepted items described in section 3(k)(1) may be authorized to accept and redeem benefits unless the Secretary determines that the participation of the retail food store is required for the effective and efficient operation of the supplemental nutrition assistance program.

''(B) APPLICATION.—Subparagraph (A) shall be effective—

''(i) in the case of retail food stores applying to be authorized for the first time, beginning on the date that is 1 year after the date of enactment of this paragraph; and

''(ii) in the case of retail food stores participating in the program on the date of enactment of this paragraph, during periodic reauthorization in accordance with paragraph (2)(A).''; and

(3) by adding at the end the following:

''(g) EBT SERVICE REQUIREMENT.—An approved retail food store shall provide adequate EBT service as described in section 7(h)(3)(B).''.

SEC. 4006. IMPROVING SECURITY OF FOOD ASSISTANCE.

Section 7(h)(8) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)(8)) is amended—

(1) by striking the paragraph heading and inserting ''REPLACEMENT OF CARDS.—'';

(2) by striking ''A State'' and inserting the following:

''(A) FEES.—A State''; and

(3) by adding after subparagraph (A) (as so designated by paragraph (2)) the following:

''(B) PURPOSEFUL LOSS OF CARDS.—

''(i) IN GENERAL.—Subject to terms and conditions established by the Secretary in accordance with clause (ii), if a household makes excessive requests for replacement of the electronic benefit transfer card of the household, the Secretary may require a State agency to decline to issue a replacement card to the household unless the household, upon request of the State agency, provides an explanation for the loss of the card.

''(ii) REQUIREMENTS.—The terms and conditions established by the Secretary shall provide that—

''(I) the household be given the opportunity to provide the requested explanation and meet the requirements under this paragraph promptly;

''(II) after an excessive number of lost cards, the head of the household shall be required to review program rights and responsibilities with State agency personnel authorized to make determinations under section 5(a); and

''(III) any action taken, including actions required under section 6(b)(2), other than the withholding of the electronic benefit transfer card until an explanation described in subclause (I) is provided, shall be consistent with the due process protections under section 6(b) or 11(e)(10), as appropriate.

''(C) PROTECTING VULNERABLE PERSONS.—In implementing this paragraph, a State agency shall act to protect homeless persons, persons with disabilities, victims of crimes, and other vulnerable persons who lose electronic benefit transfer cards but are not intentionally committing fraud.

''(D) EFFECT ON ELIGIBILITY.—While a State may decline to issue an electronic benefits transfer card until a household satisfies the requirements under this paragraph, nothing in this paragraph shall be considered a denial of, or limitation on, the eligibility for benefits under section 5.''.

SEC. 4007. TECHNOLOGY MODERNIZATION FOR RETAIL FOOD STORES.

(a) MOBILE TECHNOLOGIES.—Section 7(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)) (as amended by section 4015(e)) is amended by adding at the end the following:

''(14) MOBILE TECHNOLOGIES.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall approve retail food stores to redeem benefits through electronic means other than wired point of sale devices

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 mechanisms needed to process EBT cards and transaction fees;

''(iii) demonstrate the foods purchased with benefits issued under this section through mobile technologies 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.

''(B) DEMONSTRATION PROJECT ON ACCEPTANCE OF BENEFITS OF MOBILE TRANSACTIONS.—

''(i) IN GENERAL.—Before authorizing implementation of subparagraph (A) in all States, the Secretary shall pilot the use of mobile technologies determined by the Secretary to be appropriate to test the feasibility and implications for program integrity, by allowing retail food stores to accept benefits from recipients of supplemental nutrition assistance through mobile transactions.

''(ii) 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—

''(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.

''(iii) 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. 2016) is amended by adding at the end the following:

''(k) OPTION TO ACCEPT PROGRAM BENEFITS THROUGH ON-LINE TRANSACTIONS.—

''(1) IN GENERAL.—Subject to paragraph (4), the Secretary shall approve retail food stores to accept benefits from recipients of supplemental nutrition assistance through on-line transactions.

''(2) REQUIREMENTS TO ACCEPT BENEFITS.—A retail food store seeking to accept benefits from recipients of supplemental nutrition assistance through on-line transactions shall—

''(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 a food order is placed—

''(i) of any delivery, ordering, convenience, or other fee or charge associated with the food purchase; and

''(ii) that any such fee cannot be paid with benefits provided under this Act;

''(D) ensure the security of on-line transactions by using the most effective technology available that the Secretary considers appropriate and cost-effective and that is comparable to the security of transactions at retail food stores; and

''(E) meet other criteria as established by the Secretary.

''(3) 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.

''(4) DEMONSTRATION PROJECT ON ACCEPTANCE OF BENEFITS THROUGH ON-LINE TRANSACTIONS.—

''(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 subparagraph (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 participant 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.

''(C) 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 (4), that implementation in all States is not in the best interest of the supplemental nutrition assistance program; and

''(B) if the determination made in subparagraph (A) is not to implement 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.''.

(2) CONFORMING AMENDMENTS.—

(A) Section 7(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(b)) is amended by striking ''purchase food in retail food stores'' and inserting ''purchase food from retail food stores''.

(B) Section 10 of the Food and Nutrition Act of 2008 (7 U.S.C. 2019) is amended in the first sentence by inserting ''retail food stores 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 of the purchase, as determined by the Secretary,'' after ''food so purchased,''.

(c) SAVINGS CLAUSE.—Nothing in this section or an amendment made by this section alter any requirements of the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) unless specifically authorized in this section or an amendment made by this section.

SEC. 4008. USE OF BENEFITS FOR PURCHASE OF COMMUNITY-SUPPORTED AGRICULTURE SHARE.

Section 10 of the Food and Nutrition Act of 2008 (7 U.S.C. 2019) (as amended by section 4007(b)(2)(B)) is amended in the first sentence by inserting ''agricultural producers who market agricultural products directly to consumers shall be authorized to redeem benefits for the initial cost of the purchase of a community-supported agriculture share for an appropriate time in advance of food delivery as determined by the Secretary,'' after ''as determined by the Secretary,''.

SEC. 4009. RESTAURANT MEALS PROGRAM.

(a) IN GENERAL.—Section 11(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2020(e)) is amended—

(1) in paragraph (22), by striking ''and'' at the end;

(2) in paragraph (23), by striking the period at the end of subparagraph (C) and inserting ''; and''; and

(3) by adding at the end the following:

''(24) if the State elects to carry out a program to contract with private establishments to offer meals at concessional prices, as described in paragraphs 3, 4, and 9 of section 3(k)—

''(A) the plans of the State agency for operating the program, including—

''(i) documentation of a need that eligible homeless, elderly, and disabled clients are underserved in a particular geographic area;

''(ii) the manner by which the State agency will limit participation to only those private establishments that the State determines necessary to meet the need identified in clause (i); and

''(iii) any other conditions the Secretary may prescribe, such as the level of security necessary to ensure that only eligible recipients participate in the program; and

''(B) a report by the State agency to the Secretary annually, the schedule of which shall be established by the Secretary, that includes—

''(i) the number of households and individual recipients authorized to participate in the program, including any information on whether the individual recipient is elderly, disabled, or homeless; and

''(ii) an assessment of whether the program is meeting an established need, as documented under subparagraph (A)(i).''.

(b) APPROVAL OF RETAIL FOOD STORES AND WHOLESALE FOOD CONCERNS.—Section 9 of the Food and Nutrition Act of 2008 (7 U.S.C. 2018) (as amended by section 4005(d)(3)) is amended by adding at the end the following:

''(h) PRIVATE ESTABLISHMENTS.—

''(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)(24).

''(2) EXISTING CONTRACTS.—

''(A) IN GENERAL.—If, on the day before the date of enactment of this subsection, a State

has entered into a contract with a private establishment described in paragraph (1) and the Secretary has not determined that the participation of the private establishment is necessary to meet a documented need in accordance with section 11(e)(24), the Secretary shall allow the operation of the private establishment to continue without that determination of need for a period not to exceed 180 days from the date on which the Secretary establishes determination criteria, by regulation, under section 11(e)(24).

''(B) JUSTIFICATION.—If the Secretary makes a determination to terminate a contract with a private establishment that is in effect on the date of enactment of this subsection, the Secretary shall provide justification to the State in which the private establishment is located for that termination.

''(3) REPORT TO CONGRESS.—Not later than 90 days after September 30, 2013, and 90 days after the last day of each fiscal year thereafter, the Secretary shall report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate on the effectiveness of a program under this subsection using any information received from States under section 11(e)(24) as well as any other information the Secretary may have relating to the manner in which benefits are used.''.

(c) CONFORMING AMENDMENTS.—Section 3(k) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(k)) is amended by inserting ''subject to section 9(h)'' after ''concessional prices'' each place it appears.

SEC. 4010. QUALITY CONTROL ERROR RATE DETERMINATION.

Section 16(c) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(c)) is amended by adding at the end the following:

''(10) TOLERANCE LEVEL.—For the purposes of this subsection, the Secretary shall set the tolerance level for excluding small errors at $25.''.

SEC. 4011. PERFORMANCE BONUS PAYMENTS.

Section 16(d) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(d)) is amended by adding at the end the following:

''(5) USE OF PERFORMANCE BONUS PAYMENTS.—A State agency may use a performance bonus payment received under this subsection only to carry out the program established under this Act, including investments in—

''(A) technology;

''(B) improvements in administration and distribution; and

''(C) actions to prevent fraud, waste, and abuse.''.

SEC. 4012. AUTHORIZATION OF APPROPRIATIONS.

Section 18(a)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2027(a)(1)) is amended in the first sentence by striking ''2012'' and inserting ''2018''.

SEC. 4013. ASSISTANCE FOR COMMUNITY FOOD PROJECTS.

Section 25 of the Food and Nutrition Act of 2008 (7 U.S.C. 2034) is amended—

(1) in subsection (a)(1)(B)(ii)—

(A) by striking subclause (I); and

(B) by redesignating subclauses (II) and (III) as subclauses (I) and (II), respectively; and

(2) in subsection (b), by adding at the end the following:

''(3) FUNDING.—

''(A) IN GENERAL.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary to carry out this section not less than $5,000,000 for fiscal year 2014 and each fiscal year thereafter.

''(B) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out this section the funds transferred under subparagraph (A), without further appropriation.

''(C) MAINTENANCE OF FUNDING.—The funding provided under subparagraph (A) shall supplement (and not supplant) other Federal funding made available to the Secretary to carry out this section.''.

SEC. 4014. EMERGENCY FOOD ASSISTANCE.

(a) PURCHASE OF COMMODITIES.—Section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)) is amended—

(1) in paragraph (1), by striking ''2008 through 2012'' and inserting ''2014 through 2018'';

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

''(2) AMOUNTS.—The Secretary shall use to carry out paragraph (1)—

''(A) for fiscal year 2013, $260,250,000; and

''(B) for each subsequent fiscal year, the dollar amount of commodities specified in subparagraph (A) adjusted by the percentage by which the thrifty food plan has been adjusted under section 3(u)(4) between June 30, 2013, and June 30 of the immediately preceding fiscal year, and subsequently increased by—

''(i) for fiscal year 2014, $28,000,000;

''(ii) for fiscal year 2015, $44,000,000;

''(iii) for fiscal year 2016, $24,000,000;

''(iv) for fiscal year 2017, $18,000,000; and

''(v) for fiscal year 2018 and each fiscal year thereafter, $10,000,000.''; and

(3) by adding at the end the following:

''(3) FUNDS AVAILABILITY.—For purposes of the funds described in this subsection, the Secretary shall—

''(A) make the funds available for 2 fiscal years; and

''(B) allow States to carry over unexpended balances to the next fiscal year pursuant to such terms and conditions as are determined by the Secretary.''.

(b) EMERGENCY FOOD PROGRAM INFRASTRUCTURE GRANTS.—Section 209(d) of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7511a(d)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 4015. NUTRITION EDUCATION.

Section 28(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036a(b)) is amended by inserting ''and physical activity'' after ''healthy food choices''.

SEC. 4016. RETAIL FOOD STORE AND RECIPIENT TRAFFICKING.

The Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) is amended by adding at the end the following:

''SEC. 29. RETAIL FOOD STORE AND RECIPIENT TRAFFICKING.

''(a) PURPOSE.—The purpose of this section is to provide the Department of Agriculture with additional resources to prevent trafficking in violation of this Act by strengthening recipient and retail food store program integrity.

''(b) USE OF FUNDS.—Additional funds are provided under this section to supplement the retail food store and recipient integrity activities of the Department.

''(c) FUNDING.—

''(1) IN GENERAL.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary to carry out this section not less than $18,500,000 for fiscal year 2014 and each fiscal year thereafter.

''(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.

''(3) MAINTENANCE OF FUNDING.—The funding provided under paragraph (1) shall supplement (and not supplant) other Federal funding for programs carried out under this Act.''.

SEC. 4017. TECHNICAL AND CONFORMING AMENDMENTS.

(a) Section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012) is amended—

(1) in subsection (g), by striking ''coupon,'' and inserting ''coupon'';

(2) in subsection (k)(7), by striking ''or are'' 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 (s) (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. 2013(a)) 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. 2014) is amended—

(1) in the last sentence of subsection (i)(2)(D), by striking ''section 13(b)(2)'' and inserting ''section 13(b)''; and

(2) in subsection (k)(4)(A), by striking ''paragraph (2)(H)'' and inserting ''paragraph (2)(G)''.

(d) Section 6(d)(4) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(d)(4)) is amended in subparagraphs (B)(vii) and (F)(iii) by indenting both clauses appropriately.

(e) Section 7(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)) is amended by redesignating the second paragraph (12) (relating to interchange fees) as paragraph (13).

(f) Section 9(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2018(a)) is amended by indenting paragraph (3) appropriately.

(g) Section 12 of the Food and Nutrition Act of 2008 (7 U.S.C. 2021) is amended—

(1) in subsection (b)(3)(C), by striking ''civil money penalties'' and inserting ''civil penalties''; and

(2) in subsection (g)(1), by striking ''(7 U.S.C. 1786)'' and inserting ''(42 U.S.C. 1786)''.

(h) Section 15(b)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2024(b)(1)) is amended in the first sentence by striking ''an benefit'' and inserting ''a benefit''.

(i) Section 16(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(a)) is amended in the proviso following paragraph (8) by striking ''as amended.''.

(j) Section 18(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2027(e)) is amended in the first sentence by striking ''sections 7(f)'' and inserting ''section 7(f)''.

(k) Section 22(b)(10)(B)(i) of the Food and Nutrition Act of 2008 (7 U.S.C. 2031(b)(10)(B)(i)) is amended in the last sentence by striking ''Food benefits'' and inserting ''Benefits''.

(l) Section 26(f)(3)(C) of the Food and Nutrition Act of 2008 (7 U.S.C. 2035(f)(3)(C)) is amended by striking ''subsection'' and inserting ''subsections''.

(m) Section 27(a)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)(1)) is amended by striking ''(Public Law 98–8; 7 U.S.C. 612c note)'' and inserting ''(7 U.S.C. 7515)''.

(n) Section 509 of the Older Americans Act of 1965 (42 U.S.C. 3056g) is amended in the section heading by striking ''food stamp programs'' and inserting ''supplemental nutrition assistance programs''.

(o) Section 4115(c)(2)(H) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 1871) is amended by striking ''531'' and inserting ''454''.

Subtitle B—Commodity Distribution Programs

SEC. 4101. COMMODITY DISTRIBUTION PROGRAM.

Section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note; Public Law 93–86) is amended in the

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. 612c note; Public Law 93–86) is amended—

(1) in paragraphs (1) and (2)(B) of subsection (a), by striking ''2012'' 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 subsection (m), the States shall only provide assistance under the commodity supplemental food program to low-income persons aged 60 and older.''; and

(4) by adding at the end 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 1114(a)(2)(A) of the Agriculture and Food Act of 1981 (7 U.S.C. 1431e(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. 612c note; Public Law 100–237) 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'';

(2) in subsection (b)(1)(A)(ii), by striking ''section 32 of the Agricultural Adjustment Act (7 U.S.C. 601 et seq.)'' and inserting ''section 32 of the Act of August 24, 1935 (7 U.S.C. 612c)'';

(3) in subsection (e)(1)(D)(iii), by striking subclause (II) and inserting the following:

''(II) the program established under section 4(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b));''; and

(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 10603(b) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 612c–4(b)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 4202. SENIORS FARMERS' MARKET NUTRITION PROGRAM.

Section 4402(a) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3007(a)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 4203. NUTRITION INFORMATION AND AWARENESS PILOT PROGRAM.

Section 4403 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3171 note; Public Law 107–171) is repealed.

SEC. 4204. WHOLE GRAIN PRODUCTS.

Section 4305 of the Food, Conservation, and Energy Act of 2008 (42 U.S.C. 1755a) is amended—

(1) in subsection (a), by striking ''2005'' and inserting ''2010'';

(2) in subsection (d), by striking ''2011'' and inserting ''2015'';

(3) in subsection (e), by striking ''Labor of the House of Representative'' and inserting ''the Workforce of the House of Representatives''; and

(4) by adding at the end the following:

''(f) FUNDING.—

''(1) IN GENERAL.—On October 1, 2013, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury 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.

''(3) MAINTENANCE OF FUNDING.—The funding provided under paragraph (1) shall supplement (and not supplant) other Federal funding (including funds made available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c)) for programs carried out under—

''(A) the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), except for section 19 of that Act (42 U.S.C. 1769a);

''(B) the Emergency Food Assistance Act of 1983 (7 U.S.C. 7501 et seq.); and

''(C) section 27 of the Food and Nutrition Act of 2008 (7 U.S.C. 2036).''.

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.—

''(A) COLLABORATIVE GRANTS.—In subsection (b), the term 'eligible entity' means a public food program service provider or nonprofit organization, including an emergency feeding organization, that has collaborated or will collaborate with 1 or more local partner organizations to achieve at least 1 hunger-free communities goal.

''(B) INCENTIVE GRANTS.—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 program, buying club, supplemental nutrition assistance program retail food store, a State, local, or tribal agency, and any other entity the Secretary designates.'';

(B) by adding at the end the following:

''(4) SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.—The term 'supplemental nutrition assistance program' means the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.).

''(5) UNDERSERVED COMMUNITY.—The term 'underserved community' has the meaning given the term in section 25 of the Food and Nutrition Act of 2008 (7 U.S.C. 2034).'';

(2) in subsection (b)(1)(A), by striking ''not more than 50 percent of any funds made available under subsection (e)'' and inserting ''funds made available under subsection (d)(1)''; and

(3) by striking subsections (c), (d), and (e) and inserting the following:

''(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.

''(C) NON-FEDERAL SHARE.—

''(i) IN GENERAL.—The non-Federal share of the cost of an activity under this subsection may be provided—

''(I) in cash or in-kind contributions as determined by the Secretary, including facilities, equipment, or services; and

''(II) by a State or local government or a private source.

''(ii) LIMITATION.—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.

''(2) 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);

''(IV) ensures that the same terms and conditions apply to purchases made by individuals with benefits issued under this Act and incentives provided for in this subsection as apply to purchases made by individuals who are not members of households receiving benefits, such as provided for in section 278.2(b) of title 7, Code of Federal Regulations (or a successor regulation); and

''(V) includes effective and efficient technologies for benefit redemption systems that may be replicated in other for States and communities.

''(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

''(vi) address other criteria as established by the Secretary.

''(3) 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) PROHIBITION ON COLLECTION OF SALES TAXES.—Each State shall ensure that no State or local tax is collected on a purchase of food 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. 2011 et seq.) 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 considered 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 fruit 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 to carry out this section to pay costs associated with administering, monitoring, and evaluating each project.

''(d) FUNDING.—

''(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out subsection (b) $5,000,000 for each of fiscal years 2014 through 2018.

''(2) MANDATORY FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out subsection (c)—

''(A) $15,000,000 for fiscal year 2014;

''(B) $20,000,000 for each of fiscal years 2015 through 2017; and

''(C) $25,000,000 for fiscal year 2018.''.

SEC. 4206. HEALTHY FOOD FINANCING INITIATIVE.

(a) IN GENERAL.—Subtitle D of title II of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6951 et seq.) is amended by adding at the end the following:

''SEC. 242. HEALTHY FOOD FINANCING INITIATIVE.

''(a) PURPOSE.—The purpose of this section is to enhance the authorities of the Secretary to support efforts to provide access to healthy food by establishing an initiative to improve access to healthy foods in underserved areas, to create and preserve quality jobs, and to revitalize low-income communities by providing loans and grants to eligible fresh, healthy food retailers to overcome the higher costs and initial barriers to entry in underserved areas.

''(b) DEFINITIONS.—In this section:

''(1) COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION.—The term 'community development financial institution' has the meaning given the term in section 103 of the Community Development Banking and Financial Institutions Act of 1994 (12 U.S.C. 4702).

''(2) INITIATIVE.—The term 'Initiative' means the Healthy Food Financing Initiative established under subsection (c)(1).

''(3) NATIONAL FUND MANAGER.—The term 'national fund manager' means a community development financial institution that is—

''(A) in existence on the date of enactment of this section; and

''(B) certified by the Community Development Financial Institution Fund of the Department of Treasury to manage the Initiative for purposes of—

''(i) raising private capital;

''(ii) providing financial and technical assistance to partnerships; and

''(iii) funding eligible projects to attract fresh, healthy food retailers to underserved areas, in accordance with this section.

''(4) PARTNERSHIP.—The term 'partnership' means a regional, State, or local public-private partnership that—

''(A) is organized to improve access to fresh, healthy foods;

''(B) provides financial and technical assistance to eligible projects; and

''(C) meets such other criteria as the Secretary may establish.

''(5) PERISHABLE FOOD.—The term 'perishable food' means a staple food that is fresh, refrigerated, or frozen.

''(6) QUALITY JOB.—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.

''(7) STAPLE FOOD.—

''(A) IN GENERAL.—The term 'staple food' means food that is a basic dietary item.

''(B) INCLUSIONS.—The term 'staple food' includes—

''(i) bread;

''(ii) flour;

''(iii) fruits;

''(iv) vegetables; and

''(v) meat.

''(c) INITIATIVE.—

''(1) ESTABLISHMENT.—The Secretary shall establish an initiative to achieve the purpose described in subsection (a) in accordance with this subsection.

''(2) IMPLEMENTATION.—

''(A) IN GENERAL.—

''(i) IN GENERAL.—In carrying out the Initiative, the Secretary shall provide funding to entities with eligible projects, as described in subparagraph (B), subject to the priorities described in subparagraph (C).

''(ii) USE OF FUNDS.—Funds provided to an entity pursuant to clause (i) shall be used—

''(I) to create revolving loan pools of capital or other products to provide loans to finance eligible projects or partnerships;

''(II) to provide grants for eligible projects or partnerships;

''(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 in underserved areas with moderate- and low-income populations by maintaining or increasing the number of retail outlets that offer an assortment of perishable food and staple food items, as determined by the Secretary, in those areas; and

''(ii) to accept benefits under the supplemental nutrition assistance program established under 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 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 practicable.

''(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 otherwise advances the purpose of this section, as determined by the Secretary.

''(d) AUTHORIZATION OF APPROPRIATIONS.—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 1994 (7 U.S.C. 7014(b)) (as amended by section 1609(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. 5341).

(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.

(c) PURCHASE OF PULSE CROPS AND PULSE CROP PRODUCTS.—In addition to the commodities delivered under section 6 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 by 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, Nutrition, and Forestry of the Senate and the Committee on Education and the Workforce of the House of Representative a report describing the results of the evaluation.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to

carry out this section $10,000,000, to remain available until expended.

SEC. 4208. DIETARY GUIDELINES FOR AMERICANS.

Section 301(a) of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341(a)) is amended by adding at the end the following:

''(3) PREGNANT WOMEN AND YOUNG CHILDREN.—Not later than the 2020 report and in each report thereafter, the Secretaries shall include national nutritional and dietary information and guidelines for pregnant women and children from birth until the age of 2.''.

SEC. 4209. PURCHASES OF LOCALLY PRODUCED FOODS.

Section 9(j) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(j)) is amended—

(1) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and indenting the subparagraphs appropriately;

(2) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary'';

(3) in paragraph (1) (as so redesignated)—

(A) in subparagraph (B)—

(i) by striking ''paragraph (1) of the policy described in that paragraph and paragraph (3)'' and inserting ''subparagraph (A) of the policy described in that subparagraph and subparagraph (C)''; and

(ii) by striking ''and'' at the end;

(B) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(D) not later than 1 year after the date of enactment of this subparagraph, in accordance with paragraphs (2) and (3), conduct not fewer than 5 demonstration projects through school food authorities receiving funds under this Act and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.) to facilitate the purchase of unprocessed and minimally processed locally grown and locally raised agricultural products.''; and

(4) by adding at the end the following:

''(2) SELECTION.—In conducting demonstration projects under paragraph (1)(D), the Secretary shall ensure that at least 1 project is located in a State in each of—

''(A) the Pacific Northwest Region;

''(B) the Northeast Region;

''(C) the Western Region;

''(D) the Midwest Region; and

''(E) the Southern Region.

''(3) PRIORITY.—In selecting States for participation in the demonstration projects under paragraph (2), the Secretary shall prioritize applications based on—

''(A) the quantity and variety of growers of local fruits and vegetables in the State;

''(B) the demonstrated commitment of the State to farm-to-school efforts, as evidenced by prior efforts to increase and promote farm-to- school programs in the State; and

''(C) whether the State contains a sufficient quantity of school districts of varying population sizes and geographical locations.''.

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.

The Consolidated Farm and Rural Development Act (as amended by section 6001) is amended by inserting after section 3002 the following:

''Subtitle A—Farmer Loans, Servicing, and Other Assistance

''CHAPTER 1—FARM OWNERSHIP LOANS

''SEC. 3101. FARM OWNERSHIP LOANS.

''(a) IN GENERAL.—The Secretary may make or guarantee a farm ownership loan under this chapter to an eligible farmer.

''(b) ELIGIBILITY.—A farmer shall be eligible under subsection (a) only—

''(1) if the farmer, or, in the case of an entity, 1 or more individuals holding a majority interest in the farmer—

''(A) is a citizen of the United States; and

''(B) in the case of a direct loan, has training or farming experience that the Secretary determines is sufficient to ensure a reasonable prospect of success in the farming operation proposed by the farmer;

''(2)(A) in the case of a farmer that is an individual, if the farmer is or proposes to become an owner and operator of a farm that is not larger than a family farm; or

''(B) in the case of a lessee-operator of a farm located in the State of Hawaii, if the Secretary determines that—

''(i) the farm is not larger than a family farm;

''(ii) the farm cannot be acquired in fee simple by the lessee-operator;

''(iii) adequate security is provided for the loan with respect to the farm for which the lessee-operator applies under this chapter; and

''(iv) there is a reasonable probability of accomplishing the objectives and repayment of the loan;

''(3) in the case of a farmer that is a cooperative, corporation, partnership, trust, limited liability company, joint operation, or such other 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) if—

''(i) a majority interest is held by individuals who are related by blood or marriage, as defined by the Secretary;

''(ii) all of the individuals are or propose to become owners or operators of a farm that is not larger than a family farm; and

''(iii) at least 1 of the individuals is or proposes to become an operator of the farm; or

''(B) if—

''(i) the entire interest is held by individuals who are related by blood or marriage, as defined by the Secretary;

''(ii) all of the individuals are or propose to become farm operators; and

''(iii) the ownership interest of each individual separately constitutes not larger than a family farm, even if the ownership interests of the individuals collectively constitute larger than a family farm;

''(4) in the case of an entity that is, or will become within a reasonable period of time, as determined by the Secretary, only the operator of a family farm, if the 1 or more individuals who are the owners of the family farm own—

''(A) a percentage of the family farm that exceeds 50 percent; or

''(B) such other percentage as the Secretary determines to be appropriate;

''(5) in the case of an operator described in paragraph (3) that is owned, in whole or in part, by 1 or more other entities, if each of the individuals that have a direct or indirect ownership interest in such other entities also have a direct ownership interest in the entity applying as an individual; and

''(6) if the farmer and each individual that holds a majority interest in the farmer is unable to obtain credit elsewhere.

''(c) DIRECT LOANS.—

''(1) IN GENERAL.—Subject to paragraph (2), the Secretary may make a direct loan under this chapter only to a farmer who has participated in business operations of a farm for not less than 3 years (or has other acceptable experience for a period of time determined by the Secretary) and—

''(A) is a qualified beginning farmer;

''(B) has not received a previous direct farm ownership loan made under this chapter; or

''(C) has not received a direct farm ownership loan under this chapter more than 10 years before the date on which the new loan would be made.

''(2) YOUTH LOANS.—The operation of an enterprise by a youth under section 3201(d) shall not be considered the operation of a farm for purposes of paragraph (1).

''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;

''(B) to make capital improvements to a farm;

''(C) to pay loan closing costs related to acquiring, enlarging, or improving a farm;

''(D) to pay for activities to promote soil and water conservation and protection described in section 3103 on a farm; or

''(E) to refinance a temporary bridge loan made by a commercial or cooperative lender to a farmer for the acquisition of land for a farm, if—

''(i) the Secretary approved an application for a direct farm ownership loan to the farmer for acquisition of the land; and

''(ii) funds for direct farm ownership loans under section 3201(a) were not available at the time at which the application was approved.

''(2) GUARANTEED LOANS.—A farmer may use a loan guaranteed under this chapter only—

''(A) to acquire or enlarge a farm;

''(B) to make capital improvements to a farm;

''(C) to pay loan closing costs related to acquiring, enlarging, or improving a farm;

''(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 chapter for purchase of a farm, the Secretary shall give preference to a person who—

''(1) has a dependent family;

''(2) to the extent practicable, is able to make an initial down payment on the farm; or

''(3) is an owner of livestock or farm equipment that is necessary to successfully carry out farming operations.

''(c) HAZARD INSURANCE REQUIREMENT.—The Secretary may not make a loan to a farmer under this chapter unless the farmer has, or agrees to obtain, hazard insurance on any real property to be acquired or improved with the loan.

''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, including—

''(A) the installation of conservation structures to address soil, water, and related resources;

''(B) the establishment of forest cover for sustained yield timber management, erosion control, or shelter belt purposes;

''(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); and

''(G) other purposes consistent with the plan, including the adoption of any other emerging or existing conservation practices, techniques, 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.

''(c) ELIGIBILITY.—

''(1) IN GENERAL.—The Secretary may make or guarantee loans to farmers.

''(2) REQUIREMENTS.—To be eligible for a loan under this section, applicants shall meet the citizenship and training and experience requirements of section 3101(b).

''(d) PRIORITY.—In making or guaranteeing loans under this section, the Secretary shall give priority to—

''(1) qualified beginning farmers and socially disadvantaged farmers;

''(2) owners or tenants who use the loans to convert to sustainable or organic agricultural production systems; and

''(3) producers who use the loans to build conservation structures or establish conservation practices to comply with section 1212 of the Food Security Act of 1985 (16 U.S.C. 3812).

''(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 ensure, to the maximum extent practicable, that loans made or guaranteed under this section are distributed across diverse geographic regions.

''(g) CREDIT ELIGIBILITY.—The provisions of paragraphs (1) and (3) of section 3406(a) shall not apply to loans made or guaranteed under this section.

''(h) AUTHORIZATION OF APPROPRIATIONS.—For each of fiscal years 2013 through 2018, there are authorized to be appropriated to the Secretary such sums as are necessary to carry out this section.

''SEC. 3104. 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)(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)).

''(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) 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 FARM OWNERSHIP LOANS.

''(a) PERIOD FOR REPAYMENT.—The period for repayment of a loan under this chapter shall not exceed 40 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—

''(A) 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 amount not to exceed 1 percent, as determined by the Secretary; and

''(B) adjusted to the nearest ⅛ of 1 percent.

''(2) LOW INCOME FARM OWNERSHIP LOANS.—Except as provided in paragraph (3), the interest rate on a loan (other than a guaranteed loan) under section 3106 shall be determined by the Secretary at a rate that is—

''(A) not 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

''(B) not less than 5 percent per year.

''(3) JOINT FINANCING ARRANGEMENT.—If a direct farm ownership loan is made under this chapter as part of a joint financing arrangement and the amount of the direct farm ownership loan does not exceed 50 percent of the total principal amount financed under the arrangement, the interest rate on the direct farm ownership loan shall be at least 4 percent annually.

''(4) GUARANTEED LOANS.—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.

''(c) PAYMENT OF CHARGES.—A borrower of a loan made or guaranteed under this chapter shall pay such fees and other charges as the Secretary may require, and prepay to the 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, 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 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 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.

''(e) MINERAL RIGHTS AS COLLATERAL.—

''(1) IN GENERAL.—In the case of a 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.

''(2) 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.

''(f) ADDITIONAL COLLATERAL.—The Secretary may not—

''(1) require any borrower to provide additional collateral to secure a farmer program loan made or guaranteed under this subtitle, if the borrower is current in the payment of principal and interest on the loan; or

''(2) bring any action to foreclose, or otherwise liquidate, the loan as a result of the failure of a borrower to provide additional collateral to secure the loan, if the borrower was current in the payment of principal and interest on the loan at the time the additional collateral was requested.

''SEC. 3106. LIMITED-RESOURCE LOANS.

''(a) IN GENERAL.—The Secretary may 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—

''(1) in the case of an entity, all members, stockholders, or partners are eligible under section 3101(b);

''(2) has a low income; and

''(3) demonstrates a need to maximize the income of the farmer from farming operations.

''(b) INSTALLMENTS.—A loan made or guaranteed under this section shall be repayable in such installments as the Secretary determines will provide for reduced payments during the initial repayment period of the loan and larger payments during the remainder of the repayment period of the loan.

''(c) INTEREST RATES.—Except as provided in 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—

''(A) 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

''(B) an amount not exceeding 1 percent per year, as the Secretary determines is appropriate; or

''(2) less than 5 percent per year.

''SEC. 3107. DOWNPAYMENT LOAN PROGRAM.

''(a) IN GENERAL.—

''(1) ESTABLISHMENT.—Notwithstanding any other provision of this chapter, 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 on a farm ownership loan.

''(2) COORDINATION.—The Secretary shall be the primary coordinator of credit supervision for the downpayment 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) PRINCIPAL.—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;

''(B) the appraised value of the farm to be acquired; or

''(C) $667,000.

''(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—

''(i) 4 percent; and

''(ii) the interest rate for farm ownership loans under this chapter; or

''(B) 1.5 percent.

''(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.

''(5) NATURE OF RETAINED SECURITY INTEREST.—The Secretary shall retain an interest in each farm acquired with a loan made under this section that shall—

''(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 to the person (including a lender) 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) BORROWERS 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 financing is 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.

''(d) ADMINISTRATION.—In carrying out this section, the Secretary shall, to the maximum extent practicable—

''(1) facilitate the transfer of farms from retiring farmers to persons eligible for insured loans under this subtitle;

''(2) 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 providing seller financing;

''(4) coordinate the loan program established by this section with State programs that provide farm ownership or operating loans for beginning farmers or socially disadvantaged farmers; and

''(5) establish annual performance goals to promote the use of the down payment loan program and other 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 CONTRACT LAND SALES PROGRAM.

''(a) IN GENERAL.—The Secretary shall, in accordance with this section, guarantee a loan made by a private seller of a farm to a qualified beginning farmer or socially disadvantaged farmer on a contract land sales basis.

''(b) ELIGIBILITY.—To be eligible for a loan guarantee under subsection (a)—

''(1) the qualified beginning farmer or socially disadvantaged farmer shall—

''(A) on the date the contract land sale that is subject of the loan is 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

''(2) the loan shall meet applicable underwriting criteria, as determined by the Secretary.

''(c) LIMITATIONS.—The Secretary shall not provide a loan guarantee under subsection (a) if—

''(1) 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

''(2) the purchase price or the appraisal value of the farm that is the subject of the contract land sale is greater than $500,000.

''(d) PERIOD OF GUARANTEE.—A loan guarantee under this section shall be in effect for the 10-year period beginning on the date on which the guarantee is provided.

''(e) GUARANTEE 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) secure 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—

''(1) if the farmer, or an individual holding a majority interest in the farmer—

''(A) is a citizen of the United States; and

''(B) has training or farming experience that the Secretary determines is 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 or proposes to become an operator of a farm that is not larger than a family farm;

''(3) in the case of a farmer that is a cooperative, corporation, partnership, trust, 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) if—

''(i) a majority interest is held by individuals who are related by blood or marriage, as defined by the Secretary;

''(ii) all of the individuals are or propose to become owners or operators of a farm that is not larger than a family farm; and

''(iii) at least 1 of the individuals is or proposes to become an operator of the farm; or

''(B) if—

''(i) the entire interest is held by individuals who are related by blood or marriage, as defined by the Secretary;

''(ii) all of the individuals are or propose to become farm operators; and

''(iii) the ownership interest of each individual separately constitutes not larger than a family farm, even if the ownership interests of the individuals collectively constitute larger than a family farm;

''(4) in the case of an operator described in paragraph (3) that is owned, in whole or in part by 1 or more other entities, if not less than 75 percent of the ownership interests of each other entity is owned directly or indirectly by 1 or more individuals who own the family farm; and

''(5) if the farmer and each individual that holds a majority interest in the farmer is unable to obtain credit elsewhere.

''(c) DIRECT LOANS.—

''(1) IN GENERAL.—Subject to paragraph (3), the Secretary may make a direct loan under this chapter only to a farmer who—

''(A) is a qualified beginning farmer;

''(B) has not received a previous direct operating loan made under this chapter; or

''(C) has not received a direct operating 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.

''(2) YOUTH LOANS.—In this subsection, the term 'direct operating loan' shall not include a loan made to a youth under subsection (d).

''(3) TRANSITION RULE.—If, as of April 4, 1996, a farmer has received a direct operating loan 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) WAIVERS.—

''(A) FARM OPERATIONS ON TRIBAL LAND.—The Secretary shall waive the limitation under paragraph (1)(C) or (3) for a direct loan made under this chapter to a farmer whose farm land is subject to the jurisdiction of an Indian tribe and whose loan is secured by 1 or more security instruments that are subject to the jurisdiction of an Indian tribe if the Secretary determines that commercial credit is not generally available for such farm operations.

''(B) OTHER FARM OPERATIONS.—On a case-by-case determination not subject to administrative appeal, the Secretary may grant a borrower a waiver, 1 time only for a period of 2 years, of the limitation under paragraph (1)(C) or (3) for a direct operating loan if the

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); and

''(iv) the borrower successfully has completed, or will complete within 1 year, borrower training under section 3419 (from which requirement the Secretary shall not grant a waiver under section 3419(f)).

''(d) YOUTH LOANS.—

''(1) IN GENERAL.—Notwithstanding subsection (b), except for citizenship and credit requirements, a loan may be made under this chapter to a youth who is a rural resident to enable the youth to operate an enterprise 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 for a loan under 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 operating loan program established under this chapter, a pilot program under which the Secretary makes loans available to eligible entities to assist the entities in providing food to the 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 measure 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 use to carry out this subsection a total amount of not more than $500,000.

''(9) REPORT.—Not later than 180 days after the maximum amount 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 more 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 in complying with the standard;

''(7) to train a limited-resource borrower receiving a loan under section 3106 in maintaining records of farming operations;

''(8) to train a borrower under section 3419;

''(9) to refinance the indebtedness of a borrower, if the borrower—

''(A) has refinanced a loan under this chapter not more than 4 times previously; and

''(B)(i) is a direct loan borrower under this title at the time of the refinancing and has suffered a qualifying loss because of a natural or major disaster or emergency; or

''(ii) is refinancing a debt obtained from a creditor other than the Secretary; or

''(10) to provide other farm or home needs, including family subsistence.

''(b) GUARANTEED LOANS.—A loan may be guaranteed under this chapter only—

''(1) to pay the costs incident to reorganizing a farm for more 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 refinance indebtedness;

''(6) to pay loan closing costs;

''(7) 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;

''(8) to train a borrower under section 3419; or

''(9) to provide other farm or home needs, including family subsistence.

''(c) HAZARD INSURANCE REQUIREMENT.—The Secretary may not make a loan to a farmer under this chapter unless the farmer has, or agrees to obtain, hazard insurance on the property to be acquired with the loan.

''(d) PRIVATE RESERVE.—

''(1) IN GENERAL.—Notwithstanding any other provision of this title, the Secretary may reserve a portion of any loan made under this chapter to be placed in an unsupervised bank account that may be used at the discretion of the borrower for the basic family needs of the borrower and the immediate family of the borrower.

''(2) LIMIT ON SIZE OF THE RESERVE.—The size of the reserve shall not exceed the lesser of—

''(A) 10 percent of the loan;

''(B) $5,000; or

''(C) the amount needed to provide for the basic family needs of the borrower and the immediate family of the borrower for 3 calendar months.

''SEC. 3203. RESTRICTIONS ON LOANS.

''(a) REQUIREMENTS.—

''(1) IN GENERAL.—The Secretary may 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)(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)(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 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) 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. 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 paragraphs (2) and (3), the interest rate on a loan made under this chapter (other than a guaranteed 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 subparagraph (A) shall be adjusted to the nearest ⅛ 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) LOW INCOME LOAN.—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 ½ 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) less 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) LINE-OF-CREDIT LOANS.—

''(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 farmer takes an advance or draws on a line-of-credit loan the farmer 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, unless the Secretary determines that—

''(A) the failure of the borrower to pay on schedule was due to unusual conditions that the borrower could not control; 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 may be used to finance the production or marketing of an agricultural commodity that is eligible for a price support program of the Department.

"CHAPTER 3—EMERGENCY LOANS

"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 commercial fisherman) 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 an 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 3101(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) in the case of a farmer that is a cooperative, corporation, partnership, trust, limited liability company, joint operation, or such other 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) if—

''(i) a majority interest is held by individuals who are related by blood or marriage, as defined by the Secretary;

''(ii) all of the individuals are or propose to become owners or operators of a farm that is not larger than a family farm; and

''(iii) at least 1 of the individuals is or proposes to become an operator of the farm; or

''(B) if—

''(i) the entire interest is held by individuals who are related by blood or marriage, as defined by the Secretary;

''(ii) all of the individuals are or propose to become farm operators; and

''(iii) the ownership interest of each individual separately constitutes not larger than a family farm, even if the ownership interests of the individuals collectively constitute larger than a family farm;

''(4) if the entity is owned, in whole or in part, by 1 or more other entities 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;

''(5) if the farmer and any individual that holds a majority interest in the farmer is unable to obtain credit elsewhere; and

''(6)(A) if the Secretary finds that the operations of the farmer have been substantially affected by—

''(i) a natural or 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.); or

''(ii) a quarantine imposed by the Secretary under the Plant Protection Act (7 U.S.C. 7701 et seq.) or the Animal Health Protection Act (7 U.S.C. 8301 et seq.); or

''(B) if the farmer conducts farming operations in a county or a county contiguous to a county in which the Secretary has found that farming operations have been substantially affected by a natural or major disaster or emergency.

''(c) TIME FOR ACCEPTING AN APPLICATION.—The Secretary shall accept an application for a loan under this chapter from a farmer at any time during the 8-month period beginning on the date that—

''(1) the Secretary determines that farming operations of the farmer have been substantially affected by—

''(A) a quarantine imposed by the Secretary under the Plant Protection Act (7 U.S.C. 7701 et seq.) or the Animal Health Protection Act (7 U.S.C. 8301 et seq.); or

''(B) a natural disaster; or

''(2) the President makes a major disaster or emergency designation with respect to the affected county of the farmer referred to in subsection (b)(5)(B).

''(d) HAZARD INSURANCE REQUIREMENT.—The Secretary may not make a loan to a farmer under this chapter to cover a property loss unless the farmer had hazard insurance that insured the property at the time of the loss.

''(e) FAMILY FARM.—The Secretary shall conduct the loan program under this chapter in a manner that will foster and encourage the family farm system of agriculture, consistent with the reaffirmation of policy and declaration of the intent of Congress contained in section 102(a) of the Food and Agriculture Act of 1977 (7 U.S.C. 2266(a)).

"SEC. 3302. PURPOSES OF LOANS.

''Subject to the limitations on the amounts of loans provided in section 3303(a), a loan may be made or guaranteed under this chapter for—

''(1) any purpose authorized for a loan under chapter 1 or 2; and

''(2) crop or livestock purposes that are—

''(A) necessitated by a quarantine, natural disaster, major disaster, or emergency; and

''(B) considered desirable by the farmer.

"SEC. 3303. TERMS OF LOANS.

''(a) MAXIMUM AMOUNT OF LOAN.—The Secretary may not make or guarantee a loan under this chapter to a borrower who has suffered a loss in an amount that—

''(1) exceeds the actual loss caused by a disaster; or

''(2) would cause the total indebtedness of the borrower under this chapter to exceed $500,000.

''(b) INTEREST RATES.—Any portion of a loan under this chapter up to the amount of the actual loss suffered by a farmer caused by a disaster shall be at a rate prescribed by the Secretary, but not in excess of 8 percent per annum.

''(c) INTEREST SUBSIDIES FOR GUARANTEED LOANS.—In the case of a guaranteed loan under this chapter, the Secretary may pay an interest subsidy to the lender for any portion of the loan up to the amount of the actual loss suffered by a farmer caused by a disaster.

''(d) TIME FOR REPAYMENT.—

''(1) IN GENERAL.—Subject to paragraph (2), a loan under this chapter shall be repayable at such times as the Secretary may determine, considering the purpose of the loan and the nature and effect of the disaster, but not later than the maximum repayment period allowed for a loan for a similar purpose under chapters 1 and 2.

''(2) EXTENDED REPAYMENT PERIOD.—The Secretary may, if the loan is for a purpose described in chapter 2 and the Secretary determines that the need of the loan applicant justifies the longer repayment period, make the loan repayable at the end of a period of more than 7 years, but not more than 20 years.

''(e) SECURITY FOR LOAN.—

''(1) IN GENERAL.—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.

''(2) 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.

''(3) INADEQUATE SECURITY DUE TO DISASTER.—If adequate security for a loan under this chapter is not available because of a disaster, the Secretary shall accept as security any collateral that is available if the Secretary is confident that the collateral and the repayment ability of the farmer are adequate security for the loan.

''(4) VALUATION OF FARM ASSETS.—If a farm asset (including land, livestock, or equipment) is used as collateral to secure a loan applied for under this chapter and the governor of the State in which the farm is located requests assistance under this chapter or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) for the portion of the State in which the asset is located, the Secretary shall establish the value of the asset as of the day before the occurrence of the natural or major disaster or emergency.

''(f) 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 is able to obtain a loan from a non-Federal source at reasonable rates and terms, the borrower shall, on request by the Secretary, apply for, and accept, a non-Federal loan in a sufficient amount to repay the Secretary.

''SEC. 3304. PRODUCTION LOSSES.

''(a) IN GENERAL.—The Secretary shall make or guarantee a loan under this chapter 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 30 percent loss 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 PROVISIONS

''SEC. 3401. AGRICULTURAL CREDIT INSURANCE FUND.

''The fund established pursuant to section 11(a) of the Bankhead-Jones Farm Tenant Act (60 Stat. 1075, chapter 964) shall be known as the Agricultural Credit Insurance Fund (referred to in this section as the 'Fund', unless the context otherwise requires) for the discharge of the obligations of the Secretary under agreements insuring loans under this subtitle and loans and mortgages insured under prior authority.

''SEC. 3402. GUARANTEED FARMER LOANS.

''(a) IN GENERAL.—The Secretary may provide financial assistance to a borrower for a purpose provided 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, but shall not exceed the average interest rate charged by the lender on loans made to farm borrowers.

''(c) FEES.—In the case of a loan guarantee on a loan made by a commercial or cooperative lender related to a loan made by the Secretary under section 3107—

''(1) the Secretary shall not charge a fee to any person (including a lender); and

''(2) a lender may charge a loan origination and servicing fee in an amount not to exceed 1 percent of the amount of the loan.

''(d) MAXIMUM GUARANTEE OF 90 PERCENT.—Except as provided in subsections (e) and (f), a loan guarantee under this subtitle shall be for not more than 90 percent of the principal and interest due on the loan.

''(e) REFINANCED LOANS GUARANTEED AT 95 PERCENT.—The Secretary shall guarantee 95 percent of—

''(1) in the case of a loan that solely refinances 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 refinances the principal and interest due on a direct loan made under this subtitle that is outstanding on the date the loan is guaranteed.

''(f) BEGINNING FARMER LOANS GUARANTEED UP TO 95 PERCENT.—The Secretary may guarantee not more than 95 percent of—

''(1) a farm ownership loan for acquiring a farm to a borrower who is participating in the downpayment loan program under section 3107; or

''(2) an operating loan to a borrower who is participating in the downpayment loan program under section 3107 that is made during the period that the borrower has a direct loan outstanding under chapter 1 for acquiring a farm.

''(g) GUARANTEE OF LOANS MADE UNDER STATE BEGINNING FARMER PROGRAMS.—The Secretary may guarantee under this subtitle a loan made under a State beginning farmer program, including a loan financed by the net proceeds of a qualified small issue agricultural bond for land or property described in section 144(a)(12)(B)(ii) of the Internal Revenue Code of 1986.

''SEC. 3403. PROVISION OF INFORMATION TO BORROWERS.

''(a) APPROVAL NOTIFICATION.—The Secretary shall approve or disapprove an application for a loan or loan guarantee made 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 available to any farmer, on request, a list of lenders in the area that participate 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 5, 1988, unless the duty directly conflicts 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 subtitle.

''(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 shall 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 on request; and

''(6) be designed to be readable and understandable 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—

''(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 property;

''(C) accelerating the loan;

''(D) repossessing property;

''(E) foreclosing on property; or

''(F) taking any other collection action.

''(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, or 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 exclude the crop year with the lowest actual or county average yield for the farm from the calculation, if the farmer was affected by a natural or major disaster or emergency during at least 2 of the crop years during the period.

''(2) AFFECTED BY A NATURAL OR MAJOR DISASTER OR EMERGENCY.—A farmer was affected by a natural or major disaster or emergency under paragraph (1) if the Secretary finds that the farming operations of the farmer have been substantially affected by a natural or major disaster or emergency, including a farmer who has a qualifying loss but is not located in a designated or declared disaster area.

''(3) APPLICATION OF SUBSECTION.—This subsection shall apply to any action taken by the Secretary that involves—

''(A) a loan under chapter 1 or 2; and

''(B) the yield of a farm of a farmer, including making a loan or loan guarantee, servicing a loan, or making a credit sale.

''SEC. 3406. SPECIAL CONDITIONS AND LIMITATIONS ON LOANS.

''(a) APPLICANT REQUIREMENTS.—In connection with a loan made or guaranteed under this subtitle, the Secretary shall require—

''(1) the applicant—

''(A) to certify in writing that, and the Secretary shall determine whether, the applicant is unable to obtain credit elsewhere; and

''(B) to 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 association, 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 under section 3101), at reasonable rates and terms for loans for similar purposes and periods of time, the borrower will, on request by the Secretary, apply for and accept the loan in a sufficient amount to repay the Secretary or the insured lender, or both, and to pay for any stock necessary to be purchased in a cooperative lending agency in connection with the loan;

''(3) such provision for supervision of the operations of the borrower as the Secretary shall consider necessary to achieve the objectives of the loan and protect the interests of the United States; and

''(4) the application of a person who is a veteran for a loan under chapter 1 or 2 to be given preference over a similar application from a person who is not a veteran if the applications are on file in a county or area office at the same time.

''(b) AGENCY PROCESSING REQUIREMENTS.—

''(1) NOTIFICATIONS.—

''(A) INCOMPLETE APPLICATION NOTIFICATION.—If an application for a loan or loan guarantee under this subtitle (other than an operating loan or loan guarantee) is incomplete, the Secretary shall inform the applicant of the reasons the application is incomplete not later than 20 days after the date on which the Secretary has received the application.

''(B) OPERATING LOANS.—

''(i) ADDITIONAL INFORMATION NEEDED.—Not later than 10 calendar days after the Secretary receives an application for an operating loan or loan guarantee, the Secretary shall notify the applicant of any information required before a decision may be made on the application.

''(ii) INFORMATION NOT RECEIVED.—If, not later than 20 calendar days after the date a request is made pursuant to clause (i) with respect to an application, the Secretary has not received the information requested, the Secretary shall notify the applicant and the district office of the Farm Service Agency, in writing, of the outstanding information.

''(C) REQUEST INFORMATION.—

''(i) IN GENERAL.—On receipt of an application, the Secretary shall request from other parties such information as may be needed in connection with the application.

''(ii) INFORMATION FROM AN AGENCY OF THE DEPARTMENT.—Not later than 15 calendar days after the date on which an agency of the Department receives a request for information made pursuant to subparagraph (A), the agency shall provide the Secretary with the requested information.

''(2) REPORT OF PENDING APPLICATIONS.—

''(A) IN GENERAL.—A county office shall notify the district office of the Farm Service Agency of each application for an operating loan or loan guarantee that is pending more than 45 days after receipt, and the reasons for which the application is pending.

''(B) ACTION ON PENDING APPLICATIONS.—A district office that receives a notice provided under subparagraph (A) with respect to an application shall immediately take steps to ensure that final action is taken on the application not later than 15 days after the date of the receipt of the notice.

''(C) PENDING APPLICATION REPORT.—The district office shall report to the State office of the Farm Service Agency on each application for an operating loan or loan guarantee that is pending more than 45 days after receipt, and the reasons for which the application is pending.

''(D) 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 calendar days after receipt by the Secretary, and the reasons for which final action had not been taken.

''(3) DISAPPROVALS.—

''(A) IN GENERAL.—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 required under paragraph (1).

''(B) DISAPPROVAL DUE TO LACK OF FUNDS.—

''(i) IN GENERAL.—Notwithstanding paragraph (1), each application for a loan or loan guarantee under section 3601(e), or for a loan under section 3501(a) or 3502(a), that is to be disapproved by the Secretary solely because the Secretary lacks the funds necessary to make the loan or guarantee shall not be disapproved but shall be placed in pending status.

''(ii) RECONSIDERATION.—The Secretary shall retain each pending application and reconsider the application beginning on the date that sufficient funds become available.

''(iii) NOTIFICATION.—Not later than 60 days after funds become available regarding each pending application, the Secretary shall notify the applicant of the approval or disapproval of funding for the application.

''(4) APPROVALS ON APPEAL.—If an application for a loan or loan guarantee under this subtitle is disapproved by the Secretary, but that action is subsequently reversed or revised as the result of an appeal within the Department or to the courts of the United States and the application is returned to the Secretary for further consideration, the Secretary shall act on the application and provide the applicant with notice of the action not later than 15 days after the date of return of the application to the Secretary.

''(5) PROVISION OF PROCEEDS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), if an application for an insured loan under this title is approved by the Secretary, the Secretary shall provide the loan proceeds to the applicant not later than 15 days (or such longer period as the applicant may approve) after the application for the loan is approved by the Secretary.

''(B) LACK OF FUNDS.—If the Secretary is unable to provide the loan proceeds to the applicant during the 15-day period described in subparagraph (A) because sufficient funds are not available to the Secretary for that purpose, the Secretary shall provide the loan proceeds to the applicant as soon as practicable (but in no event later than 15 days unless the applicant agrees to a longer period) after sufficient funds for that purpose become available to the Secretary.

''SEC. 3407. GRADUATION OF BORROWERS.

''(a) GRADUATION OF SEASONED DIRECT LOAN BORROWERS TO THE LOAN GUARANTEE PROGRAM.—

''(1) REVIEW OF LOANS.—

''(A) IN GENERAL.—The Secretary, or a contracting third party, shall annually review under section 3420 the loans of each seasoned direct loan borrower.

''(B) ASSISTANCE.—If, based on the review, it is determined that a borrower would be able to obtain a loan, guaranteed by the Secretary, from a commercial or cooperative lender at reasonable rates and terms for loans for similar purposes and periods of time, the Secretary shall assist the borrower in applying for the commercial or cooperative loan.

''(2) PROSPECTUS.—

''(A) IN GENERAL.—In accordance with section 3422, the Secretary shall prepare a prospectus on each seasoned direct loan borrower determined eligible to obtain a guaranteed loan.

''(B) REQUIREMENTS.—The prospectus shall contain a description of the amounts of the loan guarantee and interest assistance that the Secretary will provide to the seasoned direct loan borrower to enable the seasoned direct loan borrower to carry out a financially viable farming plan if a guaranteed loan is made.

''(3) VERIFICATION.—

''(A) IN GENERAL.—The Secretary shall provide a prospectus of a seasoned direct loan borrower to each approved lender whose lending area includes the location of the seasoned direct loan borrower.

''(B) NOTIFICATION.—The Secretary shall notify each borrower of a loan that a prospectus has been provided to a lender under subparagraph (A).

''(C) CREDIT EXTENDED.—If the Secretary receives an offer from an approved lender to extend credit to the seasoned direct loan borrower under terms and conditions contained in the prospectus, the seasoned direct loan borrower shall not be eligible for a loan from the Secretary under chapter 1 or 2, except as otherwise provided in this section.

''(4) INSUFFICIENT ASSISTANCE OR OFFERS.—If the Secretary is unable to provide loan guarantees and, if necessary, interest assistance to the seasoned direct loan borrower under this section in amounts sufficient to enable the seasoned direct loan borrower to borrow from commercial sources the amount required to carry out a financially viable farming plan, or if the Secretary does not receive an offer from an approved lender to extend credit to a seasoned direct loan borrower under the terms and conditions contained in the prospectus, the Secretary shall make a loan to the seasoned direct loan borrower under chapter 1 or 2, whichever is applicable.

''(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 as provided for under section 3413.

''(b) TRANSITION TO PRIVATE COMMERCIAL OR OTHER SOURCES OF CREDIT.—

''(1) IN GENERAL.—In making an operating or ownership loan, the Secretary shall establish a plan and promulgate regulations (including performance criteria) that promote the goal of transitioning borrowers to private commercial credit and other sources of credit in the shortest period of time practicable.

''(2) 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 3419;

''(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 whom 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.

"In carrying out this subtitle, the Secretary may—

"(1) provide voluntary debt adjustment assistance between—

"(A) farmers; and

"(B) the creditors of the farmers;

"(2) cooperate with State, territorial, and local agencies and committees engaged in the debt adjustment; and

"(3) give credit counseling.

"SEC. 3409. SECURITY SERVICING.

"(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 not 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 135 days after acquiring the real property, the Secretary shall, not later than 30 days after the 135-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 mineral rights.

"(B) CONSERVATION.—The Secretary may for conservation purposes grant or sell an easement, restriction, development right, or similar legal right to 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.

"(3) OTHER LAW.—Subtitle I of title 40, United States Code, and title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.) shall not apply to any exercise of authority under this subtitle.

"(4) LEASE OF PROPERTY.—

"(A) IN GENERAL.—Subject to subparagraph (B), the Secretary may not lease any real property acquired under this subtitle.

"(B) EXCEPTION.—

"(i) QUALIFIED BEGINNING FARMER OR SOCIALLY DISADVANTAGED FARMER.—The Secretary may lease or contract to sell to a qualified beginning farmer or a socially disadvantaged farmer a farm acquired by the Secretary under this subtitle if the qualified beginning farmer qualifies for a credit sale or direct farm ownership loan under chapter 1 but credit sale authority for loans or direct farm ownership loan funds, respectively, are not available.

"(ii) TERM.—The term of a lease or contract to sell to a qualified beginning farmer or a socially disadvantaged farmer under clause (i) shall be until the earlier of—

"(I) the date that is 18 months after the date of the lease or sale; or

"(II) the date that direct farm ownership loan funds or credit sale authority for loans becomes available to the qualified beginning farmer or socially disadvantaged farmer.

"(iii) INCOME-PRODUCING CAPABILITY.—In determining the rental rate on real property leased under this subparagraph, the Secretary shall consider the income-producing capability of the property during the term that the property is leased.

"(5) EXPEDITED DETERMINATION.—

"(A) IN GENERAL.—On the request of an applicant, not later than 30 days after denial of the application, the appropriate State director shall provide an expedited review and determination of whether the applicant is a qualified beginning farmer or a socially disadvantaged farmer for the purpose of acquiring farm inventory property.

"(B) APPEAL.—The determination of a State Director under subparagraph (A) shall be final and not administratively appealable.

"(C) EFFECTS OF DETERMINATIONS.—

"(i) IN GENERAL.—The Secretary shall maintain statistical data on the number and results of determinations made under subparagraph (A) and the effect of the determinations on—

"(I) selling farm inventory property to qualified beginning farmers or socially disadvantaged farmers; and

"(II) disposing of real property in inventory.

"(ii) NOTIFICATION.—The Secretary shall notify the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate if the Secretary determines that the review process under subparagraph (A) is adversely affecting the selling of farm inventory property to qualified beginning farmers or socially disadvantaged farmers or the disposing of real property in inventory.

"(b) ROAD AND UTILITY EASEMENTS AND CONDEMNATIONS.—In the case of any real property administered under this subtitle, the Secretary may grant or sell easements or rights-of-way for roads, utilities, and other appurtenances that are not inconsistent with the public interest.

"(c) SALE OR LEASE OF FARMLAND.—

"(1) DISPOSITION OF REAL PROPERTY ON INDIAN RESERVATIONS.—

"(A) DEFINITION OF INDIAN RESERVATION.—In this paragraph, the term 'Indian reservation' means—

"(i) all land located within the limits of any Indian reservation under the jurisdiction of the United States, notwithstanding the issuance of any patent, and, including any right-of-way running through the reservation;

"(ii) trust or restricted land located within the boundaries of a former reservation of an Indian tribe in the State of Oklahoma; or

"(iii) all Indian allotments the Indian titles to which have not been extinguished if the allotments are subject to the jurisdiction of an Indian tribe.

"(B) DISPOSITION.—Except as provided in paragraph (3), the Secretary shall dispose of or administer the property as provided in this paragraph when—

"(i) the Secretary acquires property under this subtitle that is located within an Indian reservation; and

"(ii) the borrower-owner is the Indian tribe that has jurisdiction over the reservation in which the real property is located or the borrower-owner is a member of the Indian tribe;

"(C) PRIORITY.—Not later than 90 days after acquiring the property, the Secretary shall afford an opportunity to purchase or lease the real property in accordance with the order of priority established under subparagraph (D) to the Indian tribe having jurisdiction over the Indian reservation within which the real property is located or, if no order of priority is established by the Indian tribe under subparagraph (D), in the following order:

"(i) An Indian member of the Indian tribe that has jurisdiction over the reservation within which the real property is located.

"(ii) An Indian corporate entity.

"(iii) The Indian tribe.

"(D) REVISION OF PRIORITY AND RESTRICTION OF ELIGIBILITY.—The governing body of any Indian tribe having jurisdiction over an Indian reservation may revise the order of priority provided in subparagraph (C) under which land located within the reservation shall be offered for purchase or lease by the Secretary under subparagraph (C) and may restrict the eligibility for the purchase or lease to—

"(i) persons who are members of the Indian tribe;

"(ii) Indian corporate entities that are authorized by the Indian tribe to lease or purchase land within the boundaries of the reservation; or

"(iii) the Indian tribe itself.

"(E) TRANSFER OF PROPERTY TO SECRETARY OF THE INTERIOR.—

"(i) IN GENERAL.—If real property described in subparagraph (B) is not purchased or leased under subparagraph (C) and the Indian tribe having jurisdiction over the reservation within which the real property is located is unable to purchase or lease the real property, the Secretary shall transfer the real property to the Secretary of the Interior who shall administer the real property as if the real property were held in trust by the United States for the benefit of the Indian tribe.

"(ii) USE OF RENTAL INCOME.—From the rental income derived from the lease of the transferred real property, and all other income generated from the transferred real property, the Secretary of the Interior shall pay the State, county, municipal, or other local taxes to which the transferred real property was subject at the time of acquisition by the Secretary, until the earlier of—

"(I) the expiration of the 4-year period beginning on the date on which the real property is so transferred; or

"(II) such time as the land is transferred into trust pursuant to subparagraph (H).

"(F) RESPONSIBILITIES OF SECRETARIES.—If any real property is transferred to the Secretary of the Interior under subparagraph (E)—

"(i) the Secretary of Agriculture shall have no further responsibility under this title for—

"(I) collection of any amounts with regard to the farm program loan that had been secured by the real property;

"(II) any lien arising out of the loan transaction; or

"(III) repayment of any amount with regard to the loan transaction or lien to the Treasury of the United States; and

"(ii) the Secretary of the Interior shall succeed to all right, title, and interest of the Secretary of Agriculture in the real estate arising from the farm program loan transaction, including the obligation to remit to the Treasury of the United States, in repayment of the original loan, the amounts provided in subparagraph (G).

"(G) USE OF INCOME.—After the payment of any taxes that are required to be paid under subparagraph (E)(ii), all remaining rental income derived from the lease of the real property transferred to the Secretary of the Interior under subparagraph (E)(i), and all other

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;

''(ii) the fair market value of the real property, as of the date of the transfer to the Secretary of the Interior; or

''(iii) the capitalized value of the real property, as of the date of the transfer to the Secretary of the Interior.

''(H) HOLDING OF TITLE IN TRUST.—If the total amount that is required to be deposited under subparagraph (G) with respect to any real property has been deposited into the Treasury of the United States, title to the real property shall be held in trust by the United States for the benefit of the Indian tribe having jurisdiction over the Indian reservation within which the real property is located.

''(I) PAYMENT OF REMAINING LIEN OR FAIR MARKET VALUE OF PROPERTY.—

''(i) IN GENERAL.—Notwithstanding any other subparagraph of this paragraph, the Indian tribe having jurisdiction over the Indian reservation within which the real property described in subparagraph (B) is located may, at any time after the real property has been 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.

''(ii) 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 voluntary transfer under 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.

''(J) APPLICABILITY.—

''(i) IN GENERAL.—This paragraph shall apply to all land in the land inventory established under this subtitle (as of November 28, 1990) that was (immediately prior to the date) owned by an Indian borrower-owner described in subparagraph (B) and that is situated within an Indian reservation, regardless of the date of foreclosure or acquisition by the Secretary.

''(ii) 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).

''(iii) 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).

''(2) ADDITIONAL RIGHTS.—The rights provided in this subsection shall be in addition to any right of first refusal under the law of the State in which the property is located.

''(3) DISPOSITION OF REAL PROPERTY ON INDIAN RESERVATIONS AFTER PROCEDURES EXHAUSTED.—

''(A) IN GENERAL.—The Secretary shall dispose of or administer real property described in paragraph (1)(B) only as provided in paragraph (1), as modified by this paragraph, if—

''(i) the real property described in paragraph (1)(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;

''(iii) the borrower-owner has obtained a loan made or guaranteed under this title; and

''(iv) the borrower-owner and the Secretary have exhausted all of the procedures provided for in this title to permit a borrower-owner to retain title to the real property, so that it is necessary for the borrower-owner to relinquish title.

''(B) NOTICE OF RIGHT TO CONVEY PROPERTY.—The Secretary shall provide the borrower-owner of real property that is described in subparagraph (A) with 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.

''(C) NOTICE OF RIGHTS AND PROTECTIONS.—The Secretary shall provide the borrower-owner of the real property with written notice of the rights and protections provided under this title 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—

''(i) of paragraph (1), this paragraph, and subsection (e)(3);

''(ii) if the borrower-owner does not voluntarily convey the real property to the Secretary, that—

''(I) the Secretary may foreclose on the property;

''(II) in the event of foreclosure, the property will be offered for sale;

''(III) 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;

''(IV) the property may be purchased by another party; and

''(V) if the property is purchased by another party, the property will not be placed in the inventory of the Secretary and the borrower-owner will forfeit the rights and protections provided under this title; and

''(iii) of the opportunity of the borrower-owner to consult with the Indian tribe that has jurisdiction over the reservation in which the real property is located or counsel to determine if State or tribal law provides rights and protections that are more beneficial than the rights and protections provided the borrower-owner under this title.

''(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 subparagraph (A).

''(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, the Secretary shall accept the voluntary conveyance of the property only if the Secretary determines that the conveyance is in the best interests of the Federal Government.

''(E) FORECLOSURE PROCEDURES.—

''(i) NOTICE TO BORROWER.—If an Indian borrower-owner does not voluntarily convey to the Secretary real property described in subparagraph (A), not less than 30 days before a foreclosure sale of the property, the Secretary shall provide the Indian borrower-owner with the option of—

''(I) requiring the Secretary to assign the loan and security instruments to the Secretary of the Interior, if the Secretary of the Interior agrees to an assignment releasing the Secretary of Agriculture from all further responsibility for collection of any amounts with regard to the loan secured by the real property; or

''(II) requiring the Secretary to assign the loan and security instruments to the tribe having jurisdiction over the reservation in which the real property is located, if the tribe agrees to assume the loan under the terms specified in clause (iii).

''(ii) NOTICE TO TRIBE.—If an Indian borrower-owner does not voluntarily convey to the Secretary real property described in subparagraph (A), not less than 30 days before a foreclosure sale of the property, the Secretary shall provide written notice to the Indian tribe that has jurisdiction over the reservation in which the real property is located of—

''(I) the sale;

''(II) the fair market value of the property; and

''(III) the requirements of this paragraph.

''(iii) ASSUMED LOANS.—If an Indian tribe assumes a loan under clause (i)—

''(I) the Secretary shall not foreclose the loan because of any default that occurred prior to the date of the assumption;

''(II) the loan shall be for the lesser of the outstanding principal and interest of the loan or the fair market value of the property; and

''(III) the loan shall be treated as though the loan was made under Public Law 91–229 (25 U.S.C. 488 et seq.).

''(F) AMOUNT OF BID BY SECRETARY.—

''(i) IN GENERAL.—Except as provided in clause (ii), at a foreclosure sale of real property described in subparagraph (A), the Secretary shall offer 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 bidding is in the best interests of the Federal Government.

''(4) DETRIMENTAL EFFECT ON VALUE OF AREA FARMLAND.—The Secretary shall not offer for sale or sell any farmland referred to in paragraphs (1) through (3) if placing the farmland on the market will have a detrimental effect on the value of farmland in the area.

''(5) 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).

''(6) HIGHLY ERODIBLE 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 may require the use of specified conservation practices on the land as a condition of the sale or lease of the land.

''(7) NO EFFECT ON ACREAGE ALLOTMENTS, MARKETING QUOTAS, OR ACREAGE BASES.—Notwithstanding any other law, compliance by the Secretary with this subsection shall not cause any acreage allotment, marketing quota, or acreage base assigned to the property to lapse, terminate, be reduced, or otherwise be adversely affected.

''(8) NO PREEMPTION OF STATE LAW.—If a conflict exists between any provision of this subsection and any provision of the law of any State providing a right of first refusal to the owner of farmland or the operator of a farm before the sale or lease of land to any other person, the provision of State law shall prevail.

''(d) RELEASE OF NORMAL INCOME SECURITY.—

''(1) DEFINITION OF NORMAL INCOME SECURITY.—In this subsection:

''(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'normal income security' means all security not considered basic security, including crops, livestock, poultry products, Farm Service Agency payments and Commodity Credit Corporation payments, and other property covered by Farm Service Agency liens that is sold in conjunction with the operation of a farm or other business.

''(B) EXCEPTIONS.—The term 'normal income security' does not include any equipment (including fixtures in States that have adopted the Uniform Commercial Code), or foundation herd or flock, that is—

''(i) the basis of the farming or other operation; and

''(ii) the basic security for a farmer program loan.

''(2) GENERAL RELEASE.—The Secretary shall release from the normal income security provided for a loan an amount sufficient to pay for the essential household and farm operating expenses of the borrower, until such time as the Secretary accelerates the loan.

''(3) NOTICE OF REPORTING REQUIREMENTS AND RIGHTS.—If a borrower is required to plan for or to report as to how proceeds from the sale of collateral property will be used, the Secretary shall notify the borrower of—

''(A) the requirement; and

''(B) the right to the release of funds under this subsection and the means by which a request for the funds may be made.

''(e) EASEMENTS ON INVENTORIED PROPERTY.—

''(1) IN GENERAL.—Subject to paragraph (2), in the disposal of real property under this section, the Secretary shall establish perpetual wetland conservation easements to protect and restore wetland or converted wetland that exists on inventoried property.

''(2) LIMITATION.—The Secretary shall not establish a wetland conservation easement on an inventoried property that—

''(A) was cropland on the date the property entered the inventory of the Secretary; or

''(B) was used for farming at any time during the period—

''(i) beginning on the date that is 5 years before the property entered the inventory of the Secretary; and

''(ii) ending on the date on which the property entered the inventory of the Secretary.

''(3) NOTIFICATION.—The Secretary shall provide prior written notification to a borrower considering homestead retention that a wetland conservation easement may be placed on land for which the borrower is negotiating a lease option.

''(4) APPRAISED VALUE.—The appraised value of the farm shall reflect the value of the land due to the placement of wetland conservation easements.

''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) LIMITATIONS.—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)(A) the property secures a loan made under a law administered and held by the Secretary; and

''(B) the contract would better enable a qualified borrower to repay the loan in a timely manner, as determined by the Secretary.

''(c) TERMS AND CONDITIONS.—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.

''(d) REDUCTION OR FORGIVENESS OF DEBT.—

''(1) IN GENERAL.—Subject to this section, the Secretary may reduce or forgive the outstanding debt of a borrower—

''(A) in the case of a borrower to whom the Secretary has made an outstanding loan under a law administered by the Secretary, by canceling that part of the aggregate amount of the outstanding loan that bears the same ratio to the aggregate amount as—

''(i) 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

''(B) in any other case, by treating as prepaid that part of the principal amount of a new loan to the borrower issued and held by the Secretary under a law administered by the Secretary that bears the same ratio to the principal amount as—

''(i) 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 new loan.

''(2) MAXIMUM CANCELED AMOUNT.—The amount canceled or treated as prepaid under paragraph (1) shall not exceed—

''(A) in the case of a delinquent loan, the greater of—

''(i) the value of the land on which the contract is entered into; or

''(ii) the difference between—

''(I) the amount of the outstanding loan secured by the land; and

''(II) the value of the land; or

''(B) in the case of a nondelinquent loan, 33 percent of the amount of the loan secured by the land.

''(e) CONSULTATION WITH FISH AND WILDLIFE SERVICE.—If the Secretary uses the authority provided by this section, the Secretary shall consult with the Director of the Fish and Wildlife Service for the purposes of—

''(1) selecting real property in which the Secretary may enter into a contract under this section;

''(2) formulating the terms and conditions of the contract; and

''(3) enforcing the contract.

''(f) ENFORCEMENT.—The Secretary, and any person or governmental entity designated by the Secretary, may enforce a contract entered into by the Secretary under this section.

''SEC. 3411. DEBT RESTRUCTURING AND LOAN SERVICING.

''(a) IN GENERAL.—The Secretary shall modify a delinquent farmer program loan made under this subtitle, or purchased from the lender or the Federal Deposit Insurance Corporation under section 3902, to the maximum extent practicable—

''(1) to avoid a loss to the Secretary on the loan, with priority consideration being placed on writing-down the loan principal and interest (subject to subsections (d) and (e)), and debt set-aside (subject to subsection (e)), to facilitate keeping the borrower on the farm, or otherwise through the use of primary loan service programs under this section; and

''(2) to ensure that a borrower is able to continue farming operations.

''(b) ELIGIBILITY.—To be eligible to obtain assistance under subsection (a)—

''(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);

''(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;

''(3) the borrower shall present a preliminary plan to the Secretary that contains reasonable assumptions that demonstrate that the borrower will be able—

''(A) to meet the necessary family living and farm operating expenses of the borrower; and

''(B) to service all debts of the borrower, including restructured loans; and

''(4) 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 to the Federal Government from an involuntary liquidation or foreclosure on the property securing the loan.

''(c) RESTRUCTURING DETERMINATIONS.—

''(1) DETERMINATION OF NET RECOVERY.—In determining the net recovery from the involuntary liquidation of a loan under this section, the Secretary shall calculate—

''(A) the recovery value of the collateral securing the loan, in accordance with paragraph (2); and

''(B) the value of the restructured loan, in accordance with paragraph (3).

''(2) RECOVERY VALUE.—For the purpose of paragraph (1), the recovery value of the collateral securing the loan shall be based on the difference between—

''(A)(i) the amount of the current appraised value of the interests of the borrower in the property 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 or in a bankruptcy action under Federal or State law;

''(B) the estimated administrative, attorney, and other expenses associated with the liquidation and disposition of the loan and collateral, including—

''(i) the payment of prior liens;

''(ii) taxes and assessments, depreciation, management costs, the yearly percentage decrease or increase in the value of the property, and lost interest income, each calculated for the average holding period for the type of property involved;

''(iii) resale expenses, such as repairs, commissions, and advertising; and

''(iv) other administrative and attorney costs; and

''(C) the value, as determined by the Secretary, of any property not included in subparagraph (A)(i) if the property is specified in any security agreement with respect to the loan and the Secretary determines that the value of the property should be included for purposes of this section.

''(3) VALUE OF THE RESTRUCTURED LOAN.—

''(A) IN GENERAL.—For the purpose of paragraph (1), the value of the restructured loan shall be based on the present value of payments that the borrower would make to the Federal Government if the terms of the loan were modified under any combination of primary loan service programs to ensure that the borrower is able to meet the obligations and continue farming operations.

''(B) PRESENT VALUE.—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.

''(C) CASH FLOW MARGIN.—For the purpose of assessing under subparagraph (A) the ability of a borrower to meet debt obligations and continue farming operations, the Secretary shall assume that the borrower needs up to 110 percent of the amount indicated for payment of farm operating expenses, debt service obligations, and family living expenses.

''(4) NOTIFICATION.—Not later than 90 days after receipt of a written request for restructuring from the borrower, the Secretary shall—

''(A) make the calculations specified in paragraphs (2) and (3);

''(B) notify the borrower in writing of the results of the calculations; and

''(C) provide documentation for the calculations.

''(5) RESTRUCTURING OF LOANS.—

''(A) IN GENERAL.—If the value of a restructured loan is greater than or equal to the recovery value of the collateral securing the loan, not later than 45 days after notifying the borrower under paragraph (4), the Secretary shall offer to restructure the loan obligations of the borrower under this subtitle through primary loan service programs that would enable the borrower to meet the obligations (as modified) under the loan and to continue the farming operations of the borrower.

''(B) RESTRUCTURING.—If the borrower accepts an offer under subparagraph (A), not later than 45 days after receipt of notice of acceptance, the Secretary shall restructure the loan accordingly.

''(6) TERMINATION OF LOAN OBLIGATIONS.—The obligations of a borrower to the Secretary under a loan shall terminate if—

''(A) the borrower satisfies the requirements of paragraphs (1) and (2) of subsection (b);

''(B) the value of the restructured loan is less than the recovery value; and

''(C) not later than 90 days after receipt of the notification described in paragraph (4)(B), the borrower pays (or obtains third-party financing to pay) the Secretary an amount equal to the current market value.

''(7) NEGOTIATION OF APPRAISAL.—

''(A) IN GENERAL.—In making a determination concerning restructuring under this subsection, the Secretary, at the request of the borrower, shall enter into negotiations with the borrower concerning appraisals required under this subsection.

''(B) INDEPENDENT APPRAISAL.—

''(i) IN GENERAL.—If the borrower, based on a separate current appraisal, objects to the decision of the Secretary regarding an appraisal, the borrower and the Secretary shall mutually agree, to the extent practicable, on an independent appraiser who shall conduct another appraisal of the property of the borrower.

''(ii) VALUE OF FINAL APPRAISAL.—The average of the 2 appraisals under clause (i) that are closest in value shall become the final appraisal under this paragraph.

''(iii) COST OF APPRAISAL.—The borrower and the Secretary shall each pay ½ of the cost of any independent appraisal.

''(d) PRINCIPAL AND INTEREST WRITE-DOWN.—

''(1) IN GENERAL.—

''(A) PRIORITY CONSIDERATION.—In selecting the restructuring alternatives to be used in the case of a borrower who has requested restructuring under this section, the Secretary shall give priority consideration to the use of a principal and interest write-down if other creditors of the borrower (other than any creditor who is fully collateralized) representing 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 agree to participate in a State mediation program.

''(B) FAILURE OF CREDITORS TO AGREE.—Failure of creditors to agree to participate in the restructuring plan or mediation program shall not preclude the use of a principal and interest write-down by the Secretary if the Secretary determines that restructuring results in the least cost to the Secretary.

''(2) PARTICIPATION OF CREDITORS.—Before eliminating the option to use debt write-down in the case of a borrower, the Secretary shall make a reasonable effort to contact the creditors of the borrower, either directly or through the borrower, and encourage the creditors to participate with the Secretary in the development of a restructuring plan for the borrower.

''(e) SHARED APPRECIATION ARRANGEMENTS.—

''(1) IN GENERAL.—As a condition of restructuring a loan in accordance with this section, the borrower of the loan may be required to enter into a shared appreciation arrangement that requires the repayment of amounts written off or set aside.

''(2) TERMS.—A shared appreciation agreement shall—

''(A) have a term not to exceed 10 years; and

''(B) provide for recapture based on the difference between the appraised values of the real security property at the time of restructuring and at the time of recapture.

''(3) PERCENTAGE OF RECAPTURE.—The amount of the appreciation to be recaptured by the Secretary shall be—

''(A) 75 percent of the appreciation in the value of the real security property if the recapture occurs not later than 4 years after the date of restructuring; and

''(B) 50 percent if the recapture occurs during the remainder of the term of the agreement.

''(4) TIME OF RECAPTURE.—Recapture shall take place on the date that is the earliest of—

''(A) the end of the term of the agreement;

''(B) the conveyance of the real security property;

''(C) the repayment of the loans; or

''(D) the cessation of farming operations by the borrower.

''(5) TRANSFER OF TITLE.—Transfer of title to the spouse of a borrower on the death of the borrower shall not be treated as a conveyance for the purpose of paragraph (4).

''(6) NOTICE OF RECAPTURE.—Not later than 12 months before the end of the term of a shared appreciation arrangement, the Secretary shall notify the borrower involved of the provisions of the arrangement.

''(7) FINANCING OF RECAPTURE PAYMENT.—

''(A) IN GENERAL.—The Secretary may amortize a recapture payment owed to the Secretary under this subsection.

''(B) TERM.—The term of an amortization under this paragraph may not exceed 25 years.

''(C) INTEREST RATE.—The interest rate applicable to an amortization under this paragraph may not exceed the rate applicable to a loan to reacquire homestead property less 100 basis points.

''(D) REAMORTIZATION.—

''(i) IN GENERAL.—The Secretary may modify the amortization of a recapture payment referred to in subparagraph (A) of this paragraph on which a payment has become delinquent if—

''(I) the default is due to circumstances beyond the control of the borrower; and

''(II) the borrower acted in good faith (as determined by the Secretary) in attempting to repay the recapture amount.

''(ii) LIMITATIONS.—

''(I) TERM OF REAMORTIZATION.—The term of a reamortization under this subparagraph may not exceed 25 years from the date of the original amortization agreement.

''(II) 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.

''(f) 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 and for the term of the original loan at a rate that is the lowest of—

''(1) the rate of interest on the original loan;

''(2) 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; or

''(3) the rate being charged by the Secretary for loans, other than guaranteed loans, of the same type at the time of the 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—

''(1) until the borrower has been given the opportunity to appeal the decision; and

''(2) if the borrower appeals, the appeals process has been completed, and a determination has been made that the loan is ineligible for restructuring.

''(i) 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;

''(B) the computations used to make the determination, including the calculation of the recovery value of the collateral securing the loan; and

''(C) a statement of the right of the borrower to appeal the decision to the appeals division, and to appear before a hearing officer.

''(j) 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 subsection shall be paid by the borrower.

''(4) RESULT.—The result of an appraisal under this subsection 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 PER BORROWER FOR A LOAN MADE AFTER JANUARY 6, 1988.—

''(1) IN GENERAL.—The Secretary may provide for each borrower not more than 1 write-down or net recovery buy-out under this section with respect to all loans made to the borrower after January 6, 1988.

''(2) SPECIAL RULE.—For purposes of paragraph (1), the Secretary shall treat any loan made on or before January 6, 1988, with respect to which a restructuring, write-down, or net recovery buy-out is provided under this section after January 6, 1988, as 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 liquidation value) described in subsection (c)(2)(A)(ii).

''(n) LIFETIME LIMITATION ON DEBT FORGIVENESS PER BORROWER.—The Secretary may provide each borrower not more than $300,000 in debt forgiveness under this section.

''SEC. 3412. RELIEF FOR MOBILIZED MILITARY RESERVISTS FROM CERTAIN AGRICULTURAL LOAN OBLIGATIONS.

''(a) DEFINITION OF MOBILIZED MILITARY RESERVIST.—In this section, the term 'mobilized military reservist' means an individual who—

''(1) is on active duty under section 688, 12301(a), 12301(g), 12302, 12304, 12306, or 12406, or chapter 15 of title 10, United States Code, or any other provision of law during a war or during a national emergency declared by the President or Congress, regardless of the location at which the active duty service is performed; or

''(2) in the case of a member of the National Guard, is on full-time National Guard duty (as defined in section 101(d)(5) of title 10, United States Code) under a call to active service authorized by the President or the Secretary of Defense for a period of more than 30 consecutive days under section 502(f) of title 32, United States Code, for purposes of responding to a national emergency declared by the President and supported by Federal funds.

''(b) FORGIVENESS OF INTEREST PAYMENTS DUE WHILE BORROWER IS A MOBILIZED MILITARY RESERVIST.—Any requirement that a borrower of a direct loan made under this subtitle make any interest payment on the loan that would otherwise be required to be made while the borrower is a mobilized military reservist is rescinded.

''(c) DEFERRAL OF PRINCIPAL PAYMENTS DUE WHILE OR AFTER BORROWER IS A MOBILIZED MILITARY RESERVIST.—The due date of any payment of principal on a direct loan made to a borrower under this subtitle that would otherwise be required to be made while or after the borrower is a mobilized military reservist is deferred for a period equal in length to the period for which the borrower is a mobilized military reservist.

''(d) NONACCRUAL OF INTEREST.—Interest on a direct loan made to a borrower described in this section shall not accrue during the period the borrower is a mobilized military reservist.

''(e) BORROWER NOT CONSIDERED TO BE DELINQUENT OR RECEIVING DEBT FORGIVENESS.—Notwithstanding section 3425 or any other provision of this title, a borrower who receives assistance under this section shall not, as a result of the assistance, be considered to be delinquent or receiving debt forgiveness for purposes of receiving a direct or guaranteed loan under this subtitle.

''SEC. 3413. INTEREST RATE REDUCTION PROGRAM.

''(a) 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.

''(b) 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 by the borrower on the guaranteed loan if—

''(1) the borrower—

''(A) is unable to obtain credit elsewhere;

''(B) is unable to make payments on the loan in a timely manner; and

''(C) during the 24-month period beginning on the date on which 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; and

''(2) during the term of the contract, the lender reduces the annual rate of interest payable on the loan by a minimum percentage specified in the contract.

''(c) 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) LIMITATION.—Payments under paragraph (1) may not exceed the cost of reducing the rate by more than 400 basis points.

''(d) TERM.—The term of a contract entered into under this section to reduce the interest rate on a guaranteed loan may not exceed the outstanding term of the loan.

''(e) 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 lender of the 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.

''SEC. 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, the 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 chapter 1 or 2.

''(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.

''(b) 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 securing a loan made under this subtitle;

''(B) the Administrator forecloses or takes into inventory property securing 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.

''(c) 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 at least 2 calendar years of the 6-year period preceding the calendar year in which the application is made;

''(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);

''(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, had to leave the homestead property for a period of time not to exceed 12 months during the 6-year period;

''(E) during the period of occupancy of the homestead property, pay a reasonable sum as rent for the property to the Secretary or the Administrator in an amount substantially equivalent to rents charged for similar residential properties in the area in which the homestead property is located;

''(F) during the period of the occupancy of the homestead property, maintain the property in good condition; and

''(G) meet such other reasonable and necessary terms and conditions as the Secretary may require.

''(2) DEFINITION OF FARMING OPERATIONS.—In subparagraphs (B) and (C) of paragraph (1), the term 'farming operations' includes rent paid by a lessee of agricultural land during a period in which the borrower-owner, due to circumstances beyond the control of the borrower-owner, is unable to actively farm the land.

''(3) TERMINATION OF RIGHTS.—

''(A) IN GENERAL.—For purposes of paragraph (1)(E), the failure of the borrower-owner to make a timely rental payment shall constitute cause for the termination of all rights of the borrower-owner to possession and occupancy of the homestead property under this section.

''(B) PROCEDURE FOR TERMINATION.—In effecting a termination under subparagraph (A), the Secretary shall—

''(i) afford the borrower-owner or lessee the notice and hearing procedural rights described in subtitle H of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6991 et seq.); and

''(ii) comply with any applicable State and local law governing eviction of a person from residential property.

''(4) RIGHTS OF BORROWER-OWNER.—

''(A) PERIOD OF OCCUPANCY.—Subject to subsection (b)(2), the period of occupancy allowed the borrower-owner of homestead property under this section shall be the period requested in writing by the borrower-owner.

''(B) RIGHT TO REACQUIRE.—

''(i) IN GENERAL.—During the period the borrower-owner occupies the homestead property, the borrower-owner shall have a right to reacquire the homestead property on such terms and conditions as the Secretary shall determine.

''(ii) SOCIALLY DISADVANTAGED BORROWER-OWNER.—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.

''(iii) 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.

''(iv) CONDUCT OF APPRAISAL.—An independent appraisal under clause (iii) shall be conducted by an appraiser selected by 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, from a list of 3 appraisers approved by the county supervisor.

''(5) TRANSFER OF RIGHTS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), no right of a borrower-owner under this section, and no agreement entered into between the borrower-owner and the Secretary for occupancy of 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 or incompetency of the borrower-owner, the right and agreement shall be transferable to a spouse of 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.

''(d) END OF PERIOD OF OCCUPANCY.—

''(1) IN GENERAL.—At the end of the period of occupancy allowed a borrower-owner under subsection (c), the Secretary or the Administrator shall grant to the borrower-owner a right of first refusal to reacquire the homestead property on such terms and conditions (which may include payment of principal in installments) as the Secretary or the Administrator shall determine.

''(2) TERMS AND CONDITIONS.—The terms and conditions granted under paragraph (1) may not be less favorable than those offered by the Secretary or Administrator or intended by the Secretary or Administrator to be offered to any other buyer.

''(e) MAXIMUM PAYMENT OF PRINCIPAL.—

''(1) 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.

''(2) DETERMINATION OF VALUE.—To the maximum extent practicable, the value of the homestead property shall be determined by an independent appraisal made during the 180 day period beginning on the date of receipt of the application of the borrower-owner to retain possession and occupancy of the homestead property.

''(f) TITLE NOT NEEDED TO ENTER INTO CONTRACTS.—The Secretary may enter into a contract authorized by this section before the Secretary acquires title to the homestead property that is the subject of the contract.

''(g) STATE LAW PREVAILS.—In the event of a conflict between this section and a provision of State law relating to the right of a borrower-owner to designate for separate sale or redeem part or all of the real property securing a loan foreclosed on by a lender to the borrower-owner, the provision of State law shall prevail.

''SEC. 3415. TRANSFER OF INVENTORY LAND.

''(a) IN GENERAL.—Subject to subsection (b), the Secretary may transfer to a Federal or State agency, for conservation purposes, any real property, or interest in real property, administered by the Secretary under this subtitle—

''(1) with respect to which the rights of all prior owners and operators have expired;

''(2) that is eligible to be disposed of in accordance with section 3409; and

''(3) that—

''(A) has marginal value for agricultural production;

''(B) is environmentally sensitive; or

''(C) has special management importance.

''(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 county official of the State and county in which the property is located are consulted prior to the transfer.

''SEC. 3416. TARGET PARTICIPATION RATES.

''(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 subtitle.

''(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.

''(b) RESERVATION AND ALLOCATION.—

''(1) RESERVATION.—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).

''(2) 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.

''(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) CONSIDERATIONS.—In establishing the target rates, the Secretary shall consider the number of socially disadvantaged farmers in a State in proportion to the total number of farmers in the State.

''(2) RESERVATION AND ALLOCATION.—

''(A) IN GENERAL.—To the maximum extent practicable, the Secretary shall reserve and allocate the proportion of the loan funds of each State made available under chapter 2 that is equal to the target participation rate of the State for use by the socially disadvantaged farmers in the State.

''(B) DISTRIBUTION.—To the maximum extent practicable, the Secretary shall distribute the total loan funds reserved under subparagraph (A) on a county-by-county basis according to the number of socially disadvantaged farmers in the county.

''(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 under this title, be available for use by socially disadvantaged farmers in other States, as determined by the Secretary, and any remaining funds shall be reallocated within the State.

''(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. Federico Pena, Secretary of Transportation, 115 S. Ct. 2097 (1995).

''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 loan and the Secretary approves the action, for purposes of the guarantee, 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 loan if the action reduces 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 property (including all associated legal and property management costs) in the course of such a bankruptcy or liquidation.

''(c) NO 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 any farmer program loan to a farm 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 financial and farm management concepts associated with commercial farming.

''(b) CONTRACT.—

''(1) IN GENERAL.—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 department of agriculture, or a nonprofit organization) to carry out this section.

''(2) CONSULTATION.—The Secretary may consult with the chief executive officer of a State concerning the identity of the contracting organization and the process for contracting.

''(c) ELIGIBILITY FOR LOANS.—

''(1) IN GENERAL.—Subject to paragraph (2), to be eligible to obtain a direct or guaranteed loan under this subtitle, a borrower shall be required to obtain management assistance under this section, appropriate to the management ability of the borrower during the determination of eligibility for the loan.

''(2) LOAN CONDITIONS.—The need of a borrower who satisfies the criteria set out in section 3101(b)(1)(B) or 3201(b)(1)(B) for management assistance under this section shall not be cause for denial of eligibility of the borrower for a direct or guaranteed loan under this subtitle.

''(d) GUIDELINES AND CURRICULUM.—The Secretary shall issue regulations establishing guidelines and curriculum for the borrower training program established under this section.

''(e) 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.

''(f) 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 in areas described in this section.

''(2) CRITERIA.—The Secretary shall establish criteria providing for the application of paragraph (1) consistently in all counties nationwide.

''SEC. 3420. LOAN ASSESSMENTS.

''(a) IN GENERAL.—After an applicant is determined to be eligible for assistance under this subtitle, the Secretary shall evaluate, in accordance with regulations issued by the Secretary, the farming plan and financial situation of each qualified farmer applicant.

''(b) DETERMINATIONS.—In evaluating the farming 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 be able to cover expenses and build an adequate equity base;

''(3) the goals of the proposed farming plan of the applicant;

''(4) the financial viability of the plan and any changes that are necessary to make the plan viable; and

''(5) whether assistance is necessary under this title and, if so, the amount of the assistance.

''(c) CONTRACT.—The Secretary may contract with a third party (including an entity that is eligible to provide borrower training under section 3419(b)) to conduct a loan assessment under this section.

''(d) REVIEW OF LOANS.—

''(1) IN GENERAL.—Loan assessments conducted under this section shall include biannual review of direct loans, and periodic review (as determined necessary by the Secretary) of guaranteed loans, made under this title to assess the progress of a borrower in meeting the goals for the farm operation.

''(2) CONTRACTS.—The Secretary may contract with an entity that is eligible to provide borrower training under section 3419(b) to conduct a loan review under paragraph (1).

''(3) PROBLEM ASSESSMENTS.—If a borrower is delinquent in payments on a direct or guaranteed loan made under this title, the Secretary or the contracting entity shall determine the cause of, and action necessary to correct, the delinquency.

''(e) GUIDELINES.—The Secretary shall issue regulations providing guidelines for loan assessments conducted under this section.

''SEC. 3421. SUPERVISED CREDIT.

''The Secretary shall provide adequate training to employees of the Farm Service Agency on credit analysis and financial and farm management—

''(1) to better acquaint the employees with what constitutes adequate financial data on which to base a direct or guaranteed loan approval decision; and

''(2) to ensure proper supervision of farmer program loans.

''SEC. 3422. MARKET PLACEMENT.

''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 has a reasonable chance of qualifying for commercial credit with a guarantee provided under this subtitle.

''SEC. 3423. RECORDKEEPING OF LOANS BY GENDER OF BORROWER.

''The Secretary shall classify, by gender, records of applicants for loans and loan guarantees 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) described in subsection (b), a borrower shall be required to obtain at least catastrophic risk protection insurance coverage under section 508 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 3301.

''SEC. 3425. LOAN AND LOAN SERVICING LIMITATIONS.

''(a) DELINQUENT BORROWERS PROHIBITED FROM OBTAINING DIRECT OPERATING LOANS.—The Secretary may not make a direct operating loan under chapter 2 to a borrower who is delinquent on any loan made or guaranteed under this subtitle.

''(b) LOANS PROHIBITED FOR BORROWERS THAT HAVE RECEIVED DEBT FORGIVENESS.—

''(1) PROHIBITIONS.—Except as provided in paragraph (2)—

''(A) the Secretary may not make a loan under this subtitle to a borrower that has received debt forgiveness on a loan made or guaranteed under this subtitle; and

''(B) the Secretary may not guarantee a loan under this subtitle to a borrower that has received—

''(i) debt forgiveness after April 4, 1996, on a loan made or guaranteed under this subtitle; or

''(ii) received debt forgiveness on more than 3 occasions on or before April 4, 1996.

''(2) EXCEPTIONS.—

''(A) IN GENERAL.—The Secretary may make a direct or guaranteed farm operating loan for paying annual farm operating expenses of a borrower who—

''(i) was restructured with a write-down under section 3411;

''(ii) is current on payments under a confirmed reorganization plan under chapters 1 11, 12, or 13 of title 11 of the United States Code; or

''(iii) received debt forgiveness on not more than 1 occasion resulting directly and primarily from a major disaster or emergency designated by the President on or after April

4, 1996, under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

''(B) EMERGENCY LOANS.—The Secretary may make an emergency loan under section 3301 to a borrower that—

''(i) on or before April 4, 1996, received not more than 1 debt forgiveness on a loan made or guaranteed under this subtitle; and

''(ii) after April 4, 1996, has not received debt forgiveness on a loan made or guaranteed under this subtitle.

''(c) NO MORE THAN 1 DEBT FORGIVENESS FOR A BORROWER ON A DIRECT LOAN.—The Secretary may not provide to a borrower debt forgiveness on a direct loan made under this subtitle if the borrower has received debt forgiveness on another direct loan made under this subtitle.

''SEC. 3426. SHORT FORM CERTIFICATION OF FARM PROGRAM BORROWER COMPLIANCE.

''The Secretary shall develop and use a consolidated short form for farmer program loan borrowers to use in certifying compliance with any applicable provision of law (including a regulation) that serves as an eligibility prerequisite for a loan made under this subtitle.

''SEC. 3427. UNDERWRITING FORMS AND STANDARDS.

''In the administration of this subtitle, the Secretary shall, to the extent practicable, use underwriting forms, standards, practices, and terminology similar to the forms, standards, practices, and terminology used by lenders in the private sector.

''SEC. 3428. BEGINNING FARMER INDIVIDUAL DEVELOPMENT ACCOUNTS PILOT PROGRAM.

''(a) DEFINITIONS.—In this section:

''(1) DEMONSTRATION PROGRAM.—The term 'demonstration program' means a demonstration program carried out by a qualified entity under the pilot program established in subsection (b)(1).

''(2) ELIGIBLE PARTICIPANT.—The term 'eligible participant' means a qualified beginning farmer that—

''(A) lacks significant financial resources or assets; and

''(B) has an income that is less than—

''(i) 80 percent of the median income of the State in which the farmer resides; or

''(ii) 200 percent of the most recent annual Federal Poverty Income Guidelines published by the Department of Health and Human Services for the State.

''(3) INDIVIDUAL DEVELOPMENT ACCOUNT.—The term 'individual development account' means a savings account described in subsection (b)(4)(A).

''(4) QUALIFIED ENTITY.—

''(A) IN GENERAL.—The term 'qualified entity' means—

''(i) 1 or more organizations—

''(I) described in section 501(c)(3) of the Internal Revenue Code of 1986; and

''(II) exempt from taxation under section 501(a) of such Code; or

''(ii) a State, local, or tribal government submitting an application jointly with an organization described in clause (i).

''(B) NO PROHIBITION ON COLLABORATION.—An organization described in subparagraph (A)(i) may collaborate with a financial institution or for-profit community development corporation to carry out the purposes of this section.

''(b) PILOT PROGRAM.—

''(1) IN GENERAL.—The Secretary shall establish a pilot program to be known as the 'New Farmer Individual Development Accounts Pilot Program' under which the Secretary shall work through qualified entities to establish demonstration programs—

''(A) of at least 5 years in duration; and

''(B) in at least 15 States.

''(2) COORDINATION.—The Secretary shall operate the pilot program through and in coordination with the farmer program loans of the Farm Service Agency.

''(3) RESERVE FUNDS.—

''(A) IN GENERAL.—A qualified entity carrying out a demonstration program under this section shall establish a reserve fund consisting of a non-Federal match of 50 percent of the total amount of the grant awarded to the demonstration program under this section.

''(B) FEDERAL FUNDS.—After the qualified entity has deposited the non-Federal matching funds described in subparagraph (A) in the reserve fund, the Secretary shall provide the total amount of the grant awarded under this section to the demonstration program for deposit in the reserve fund.

''(C) 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)(ii)(I).

''(D) INTEREST.—Any interest earned on amounts in a reserve fund established under subparagraph (A) may be used by the qualified entity as additional matching funds for, or to administer, the demonstration program.

''(E) GUIDANCE.—The Secretary shall issue guidance regarding the investment requirements of reserve funds established under this paragraph.

''(F) REVERSION.—On the date on which all funds remaining in any individual development account established by a qualified entity have reverted under paragraph (5)(B)(ii) to the reserve fund established by the qualified entity, there shall revert to the Treasury of the United States a percentage of the amount (if any) in the reserve fund equal to—

''(i) the amount of Federal funds deposited in the reserve fund under subparagraph (B) that were not used for administrative expenses; divided by

''(ii) the total amount of funds deposited in the reserve fund.

''(4) INDIVIDUAL DEVELOPMENT ACCOUNTS.—

''(A) IN GENERAL.—A qualified entity receiving a grant under this section shall establish and administer individual development accounts for eligible participants.

''(B) CONTRACT REQUIREMENTS.—To be eligible to receive funds under this section from a qualified entity, an eligible participant shall enter into a contract with only 1 qualified entity under which—

''(i) the eligible participant agrees—

''(I) to deposit a certain amount of funds of the eligible participant in a personal savings account, as prescribed by the contractual agreement between the eligible participant and the qualified entity;

''(II) to use the funds described in subclause (I) only for 1 or more eligible expenditures described in paragraph (5)(A); and

''(III) to complete financial training; and

''(ii) the qualified entity agrees—

''(I) to deposit, not later than 1 month after an amount is deposited pursuant to clause (i)(I), at least a 100-percent, and up to a 200-percent, match of that amount into the individual development account established for the eligible participant; and

''(II) with uses of funds proposed by the eligible participant.

''(C) LIMITATION.—

''(i) IN GENERAL.—A qualified entity administering a demonstration program under this section may provide not more than $6,000 for each fiscal year in matching funds to the individual development account established by the qualified entity for an eligible participant.

''(ii) TREATMENT OF AMOUNT.—An amount provided under clause (i) shall not be considered to be a gift or loan for mortgage purposes.

''(5) ELIGIBLE EXPENDITURES.—

''(A) IN GENERAL.—An eligible expenditure described in this subparagraph is an expenditure—

''(i) to purchase farmland or make a down payment on an accepted purchase offer for farmland;

''(ii) to make mortgage payments on farmland purchased pursuant to clause (i), for up to 180 days after the date of the purchase;

''(iii) to purchase breeding stock, fruit or nut trees, or trees to harvest for timber; and

''(iv) for other similar expenditures, as determined by the Secretary.

''(B) TIMING.—

''(i) IN GENERAL.—An eligible participant may make an eligible expenditure at any time during the 2-year period beginning on the date on which the last matching funds are provided under paragraph (4)(B)(ii)(I) to the individual development account established for the eligible participant.

''(ii) UNEXPENDED FUNDS.—At the end of the period described in clause (i), any funds remaining in an individual development account established for an eligible participant shall revert to the reserve fund of the demonstration program under which the account was established.

''(c) APPLICATIONS.—

''(1) IN GENERAL.—A qualified entity that seeks to carry out a demonstration program under this section may submit to the Secretary an application at such time, in such form, and containing such information as the Secretary may prescribe.

''(2) CRITERIA.—In considering whether to approve an application to carry out a demonstration program under this section, the Secretary shall assess—

''(A) the degree to which the demonstration program described in the application is likely to aid eligible participants in successfully pursuing new farming opportunities;

''(B) the experience and ability of the qualified entity to responsibly administer the demonstration program;

''(C) the experience and ability of the qualified entity in recruiting, educating, and assisting eligible participants to increase economic independence and pursue or advance farming opportunities;

''(D) the aggregate amount of direct funds from non-Federal public sector and private sources that are formally committed to the demonstration program as matching contributions;

''(E) the adequacy of the plan of the qualified entity to provide information relevant to an evaluation of the demonstration program; and

''(F) such other factors as the Secretary considers to be appropriate.

''(3) PREFERENCES.—In considering an application to conduct a demonstration program under this section, the Secretary shall give preference to an application from a qualified entity that demonstrates—

''(A) a track record of serving clients targeted by the program, including, as appropriate, socially disadvantaged farmers; and

''(B) expertise in dealing with financial management aspects of farming.

''(4) APPROVAL.—Not later than 1 year after the date of enactment of this section, in accordance with this section, the Secretary shall, on a competitive basis, approve such applications to conduct demonstration programs as the Secretary considers appropriate.

''(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 5 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) TIMING OF GRANT PAYMENTS.—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 conclusion 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 1 year after the date on which all demonstration programs under this section are concluded, the Secretary shall 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; and

''(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

''(b) NOTIFICATION.—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 LOANS FOR CERTAIN PURPOSES.

''(a) IN GENERAL.—Except as provided in subsections (b) and (c), the Secretary may not approve a loan under this subtitle to drain, dredge, fill, level, or otherwise manipulate a wetland (as defined in section 1201(a) of the Food Security Act of 1985 (16 U.S.C. 3801(a))), or to engage in any activity that results in impairing or reducing the flow, circulation, or reach of water.

''(b) PRIOR ACTIVITY.—Subsection (a) does not apply in the case of—

''(1) an activity related to the maintenance of a previously converted wetland; or

''(2) an activity that had already commenced before November 28, 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 from the Agricultural Credit Insurance Fund for not more than $4,226,000,000 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) $3,026,000,000 shall be for guaranteed loans, of which—

''(i) $1,000,000,000 shall be for guarantees of farm ownership loans; and

''(ii) $2,026,000,000 shall be for guarantees of operating loans.

''(2) BEGINNING FARMERS.—

''(A) DIRECT LOANS.—

''(i) FARM OWNERSHIP LOANS.—

''(I) IN GENERAL.—Of the amounts made available under paragraph (1) for direct farm ownership loans, the Secretary shall reserve an amount that is not less than 75 percent of the total amount for qualified beginning farmers.

''(II) DOWN PAYMENT LOANS; JOINT FINANCING ARRANGEMENTS.—Of the amounts reserved for a fiscal year under subclause (I), the Secretary shall reserve an amount not less than ⅔ of the amount for the down payment loan program under section 3107 and joint financing arrangements under section 3105 until April 1 of the fiscal year.

''(ii) OPERATING LOANS.—Of the amounts made available under paragraph (1) for direct operating loans, the Secretary shall reserve for qualified beginning farmers for each of fiscal years 2013 through 2018, an amount that is not less than 50 percent of the total amount.

''(iii) FUNDS RESERVED UNTIL SEPTEMBER 1.—Except as provided in clause (i)(II), funds reserved for qualified beginning farmers under this subparagraph for a fiscal year shall be reserved only until September 1 of the fiscal year.

''(B) GUARANTEED LOANS.—

''(i) FARM OWNERSHIP LOANS.—Of the amounts made available under paragraph (1) for guarantees of farm ownership loans, the Secretary shall reserve an amount that is not less than 40 percent of the total amount for qualified beginning farmers.

''(ii) OPERATING LOANS.—Of the amounts made available under paragraph (1) for guarantees of operating loans, the Secretary shall reserve 40 percent for qualified beginning farmers.

''(iii) FUNDS RESERVED UNTIL APRIL 1.—Funds reserved for qualified beginning farmers under this subparagraph for a fiscal year shall be reserved only until April 1 of the fiscal year.

''(C) RESERVED FUNDS FOR ALL QUALIFIED BEGINNING FARMERS.—If a qualified beginning farmer meets the eligibility criteria for receiving a direct or guaranteed loan under section 3101, 3107, or 3201, the Secretary shall make or guarantee the loan if sufficient funds reserved under this paragraph are available to make or guarantee the loan.

''(3) TRANSFER FOR DOWN PAYMENT LOANS.—

''(A) IN GENERAL.—Subject to subparagraph (B)—

''(i) beginning on August 1 of each fiscal year, the Secretary shall use available unsubsidized guaranteed farm operating loan funds to provide direct farm ownership loans approved by the Secretary 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 available unsubsidized guaranteed farm operating loan funds to provide direct farm ownership loans approved by the Secretary to qualified beginning farmers, if sufficient direct farm ownership loan funds are not otherwise available.

''(B) LIMITATION.—The Secretary shall limit the transfer of funds under subparagraph (A) so that all guaranteed farm operating loans 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) SUPPLEMENTAL APPROPRIATIONS.—The transfer authority provided under subparagraph (A) shall not apply to any funds made available to the Secretary for any fiscal year under an Act making supplemental appropriations.

''(C) LIMITATION.—The Secretary shall limit the transfer of funds under subparagraph (A) so that all emergency disaster loans 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.

''(b) COST PROJECTIONS.—

''(1) IN GENERAL.—The Secretary shall develop long-term cost projections for loan program authorizations required under subsection (a).

''(2) ANALYSIS.—Each projection under paragraph (1) shall include analyses of—

''(A) the long-term costs of the lending levels that the Secretary requests to be authorized under subsection (a); and

''(B) the long-term costs for increases in lending levels beyond those requested to be authorized, based on increments of $10,000,000 or such other levels as the Secretary considers appropriate.

''(3) SUBMISSION TO CONGRESS.—The Secretary shall submit to the Committees on Agriculture and Appropriations of the House of Representatives and the Committees on

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 1983 and each 3-year period 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 the 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 91–229 (25 U.S.C. 488) is amended—

(1) in subsection (a), in the first sentence, by striking ''loans from'' and all that follows through ''1929)'' 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. 2204(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 purchasers 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 section 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 is as follows:

''TITLE III—AGRICULTURAL CREDIT

''Sec. 3001. Short title; table of contents.
''Sec. 3002. Definitions.

''Subtitle A—Farmer Loans, Servicing, and Other Assistance

''CHAPTER 1—FARM OWNERSHIP LOANS

''Sec. 3101. Farm ownership loans.
''Sec. 3102. Purposes of loans.
''Sec. 3103. Conservation 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. Planting 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. Compromise or adjustment of debts or claims by guaranteed lender.
''Sec. 3418. Waiver of mediation rights by borrowers.
''Sec. 3419. Borrower training.
''Sec. 3420. Loan assessments.
''Sec. 3421. Supervised credit.
''Sec. 3422. Market placement.
''Sec. 3423. Recordkeeping of loans by gender of borrower.
''Sec. 3424. Crop insurance requirement.
''Sec. 3425. Loan and loan servicing limitations.
''Sec. 3426. Short form certification of farm program borrower compliance.
''Sec. 3427. Underwriting 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, loan guarantees, and grants.
''Sec. 3502. Community facilities loans, loan guarantees, and grants.
''Sec. 3503. Health care services.

''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 grants.
''Sec. 3702. Strategic economic and community development.
''Sec. 3703. Guaranteed rural development loans.
''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 and nondistressed counties.
''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. 3821. Definitions.
''Sec. 3822. Northern Great Plains Regional Authority.
''Sec. 3823. Interstate cooperation for economic opportunity and efficiency.
''Sec. 3824. Economic and community development grants.
''Sec. 3825. Supplements to Federal grant programs.
''Sec. 3826. Multistate and local development districts and organizations and Northern Great Plains Inc.
''Sec. 3827. Distressed counties and areas and nondistressed counties.
''Sec. 3828. Development planning process.
''Sec. 3829. Program development criteria.
''Sec. 3830. Approval of development plans and projects.
''Sec. 3831. Consent of States.
''Sec. 3832. Records.
''Sec. 3833. Annual report.
''Sec. 3834. Authorization of appropriations.
''Sec. 3835. Termination of authority.

''Subtitle C—General Provisions

''Sec. 3901. Full faith and credit.
''Sec. 3902. Purchase and sale of guaranteed portions of loans.
''Sec. 3903. Administration.
''Sec. 3904. Loan moratorium and policy on foreclosures.
''Sec. 3905. Oil and gas royalty payments on loans.
''Sec. 3906. Taxation.
''Sec. 3907. Conflicts of interest.
''Sec. 3908. Loan summary statements.
''Sec. 3909. Certified lenders program.
''Sec. 3910. Loans to resident aliens.
''Sec. 3911. Expedited clearing of title to inventory property.

''Sec. 3912. Transfer of land to Secretary.
''Sec. 3913. Competitive sourcing limitations.
''Sec. 3914. Regulations.

''SEC. 3002. DEFINITIONS.

''In this title (unless the context otherwise requires):

''(1) ABLE TO OBTAIN CREDIT ELSEWHERE.—The term 'able to obtain credit elsewhere' means able to obtain a loan from a production credit association, 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 under section 3101) at reasonable rates and terms, taking into consideration prevailing private and cooperative rates and terms in the community in or near which the applicant resides for loans for similar purposes and periods of time.

''(2) AGRICULTURAL CREDIT INSURANCE FUND.—The term 'Agricultural Credit Insurance Fund' means the fund established under section 3401.

''(3) APPROVED LENDER.—The term 'approved lender' means—

''(A) a lender approved prior to October 28, 1992, by the Secretary under the approved lender program established by exhibit A to subpart B of part 1980 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' has the meaning given the term by the Secretary.

''(6) 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 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 (16 U.S.C. 590h(b)(5)).

''(8) DEBT FORGIVENESS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), 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 3903;

''(iii) paying a loss on a guaranteed loan under this title; or

''(iv) discharging a debt as a result of bankruptcy.

''(B) LOAN RESTRUCTURING.—The term 'debt forgiveness' does not include consolidation, rescheduling, reamortization, or deferral.

''(9) DEPARTMENT.—The term 'Department' means the Department of Agriculture.

''(10) DIRECT LOAN.—The term 'direct loan' means a loan made by the Secretary from appropriated funds.

''(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 involved in—

''(A) the production of an agricultural commodity;

''(B) ranching; or

''(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) ranching; or

''(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 3103;

''(C) an operating loan under section 3201;

''(D) an emergency loan under section 3301;

''(E) an economic emergency loan under section 202 of the Emergency Agricultural Credit Adjustment Act of 1978 (7 U.S.C. prec. 1961 note; Public Law 95–334);

''(F) a loan for a farm service building under section 502 of the Housing Act of 1949 (42 U.S.C. 1472);

''(G) an economic opportunity loan under section 602 of the Economic Opportunity Act of 1964 (Public Law 88–452; 42 U.S.C. 2942 note) (as it existed before the amendment made by section 683(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. 1981 note; Public Law 98–258); or

''(I) any other loan described in section 343(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 guaranteeing the payment of a loan originated, 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. 3801(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. 1059c(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 nonmanmade 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 reamortization;

''(B) interest rate reduction, including the use of the limited resource program;

''(C) loan restructuring, including deferral, set aside, or writing down of the principal or accumulated interest charges, or both, of the loan; or

''(D) any combination of actions described in subparagraphs (A), (B), and (C).

''(24) PRIME FARMLAND.—The term 'prime farmland' means prime farmland and unique farmland (as defined in subsections (a) and (b) of section 657.5 of title 7, Code of Federal Regulations (1980)).

''(25) PROJECT.—For purposes of section 3501, the term 'project' includes a facility providing central service or a facility 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—

''(I) 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

''(ii)(I) 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

''(ii)(I) 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, has stockholders who will 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)(i) does not own farm land; or

''(ii) directly or through interests in family farm corporations, owns farm land, the aggregate acreage of which does not exceed 30 percent of the average acreage of the farms, as the case may be, in the county in which the farm operations of the applicant are located, as reported in the most recent census of agriculture taken in accordance with the Census of Agriculture Act of 1997 (7 U.S.C. 2204g et seq.), except that this subparagraph shall not apply to a loan made or guaranteed under chapter 2 of subtitle A; and

''(H) demonstrates that the available resources of the applicant and any spouse of the applicant are not sufficient to enable the applicant to farm on a viable scale.

''(27) RECREATIONAL PURPOSE.—For purposes of section 3410, the term 'recreational purpose' has the meaning provided by the Secretary, but shall include hunting.

''(28) RURAL AND RURAL AREA.—

''(A) IN GENERAL.—Subject to any determination made under subparagraph (B), the terms 'rural' and 'rural area' mean any area other than—

''(i) a city or town that has a population of greater than 50,000 inhabitants; and

''(ii) 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 day 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 remain eligible unless the Secretary, acting through the Under Secretary for Rural Development (referred to in this subparagraph as the 'Under Secretary'), determines the area is no longer rural, based on the criteria described in clause (iii).

''(ii) OTHER AREAS.—On petition of a unit of local government in an urbanized area described in subparagraph (A)(ii), or on the initiative of the Under Secretary, the Under 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 Under Secretary shall consider—

''(I) population density;

''(II) economic conditions, favoring a rural determination for areas facing—

''(aa) chronic unemployment in excess of statewide averages;

''(bb) sudden loss of employment from natural disaster or the loss of a significant employer in the area; or

''(cc) chronic poverty demonstrated at the census block or county level compared to statewide median household income; and

''(III) commuting patterns, favoring a rural determination for areas that can demonstrate higher proportions of the population living and working in the area.

''(iv) ADMINISTRATION.—In carrying out this subparagraph, the Under Secretary shall—

''(I) not delegate the authority to carry out this subparagraph;

''(II) not make a determination under clause (i) until the date that is 3 years after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013;

''(III) consult with the applicable rural development State or regional director of the Department and the Governor of the respective State;

''(IV) provide an opportunity to appeal to the Under Secretary a determination made under this subparagraph;

''(V) release to the public notice of a petition filed or initiative of the Under Secretary under this subparagraph not later than 30 days after receipt of the petition or the commencement of the initiative, as appropriate;

''(VI) make a determination under this subparagraph not less than 15 days, and not more than 60 days, after the release of the notice under subclause (V); and

''(VII) 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 actions taken to carry out this subparagraph.

''(v) HAWAII AND PUERTO RICO.—Notwithstanding any other provision of this subsection, within the areas of the County of Honolulu, Hawaii, and the Commonwealth of Puerto Rico, the Under Secretary may designate any part of the areas as a rural area if the Under Secretary determines that the part is not urban in character, other than any area included in the Honolulu Census Designated Place or the San Juan Census Designated Place.

''(C) EXCLUSIONS.—Notwithstanding any other provision of this paragraph, in determining which census blocks in an urbanized area are not in a rural area (as defined in this paragraph), the Secretary shall exclude any cluster of census blocks that would otherwise be considered not in a rural area only because the cluster is adjacent to not more than 2 census blocks that are otherwise considered not in a rural area under this paragraph.

''(29) 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 determined by the Secretary.

''(30) 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 as members of a group without regard to the individual qualities of the members.

''(33) SOLAR ENERGY.—The term 'solar energy' means energy derived from sources (other than fossil fuels) and technologies included in the Federal Nonnuclear Energy Research and Development Act of 1974 (42 U.S.C. 5901 et seq.).

''(34) STATE.—The term 'State' means—

''(A) in this title (other than 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, 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 the term in section 101 of title 38, United States Code.

''(37) WETLAND.—The term 'wetland' has the meaning given the term in section 1201(a) 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))).

"Subtitle B—Rural Development

"CHAPTER 1—RURAL COMMUNITY PROGRAMS

"SEC. 3501. 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 142(a) of the Internal Revenue Code of 1986) to eligible entities described in subsection (b) for projects in rural areas that primarily serve rural residents to provide for—

''(1) the development, storage, treatment, purification, or distribution of water or the collection, treatment, or disposal of waste; and

''(2) financial assistance and other aid in the planning of projects for purposes described in paragraph (1).

''(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 attach 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—

''(1) 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 at reasonable rates and terms, taking into consideration prevailing private and cooperative rates and terms in the community in or near which the applicant resides for loans for similar purposes and periods of time; and

''(2) to 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 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 to the extent permitted under the law providing for the grant-in-aid program.

''(e) SPECIAL GRANTS.—

''(1) REVOLVING FUNDS FOR FINANCING WATER AND WASTEWATER PROJECTS.—

''(A) IN GENERAL.—The Secretary may make grants to qualified, nonprofit entities in rural areas to capitalize revolving funds for the purpose of providing financing to eligible entities for—

''(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 activities 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—

''(i) $100,000 for costs described in subparagraph (A)(i); and

''(ii) $100,000 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 describes the number and size of 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.

''(2) EMERGENCY AND IMMINENT COMMUNITY WATER ASSISTANCE PROGRAM.—

''(A) IN GENERAL.—The Secretary shall provide grants in accordance with this paragraph to assist the residents of rural areas and small communities to secure adequate quantities of safe water—

''(i) after a significant decline in the quantity or quality of water available from the water supplies of the rural areas and small communities, or when such a decline is imminent; or

''(ii) when repairs, partial replacement, or significant maintenance efforts on established water systems would remedy—

''(I) an acute or imminent shortage of quality water; or

''(II) a significant or imminent decline in the quantity or quality of water that is available.

''(B) PRIORITY.—In carrying out subparagraph (A), the Secretary shall—

''(i) give priority to projects described in subparagraph (A)(i); and

''(ii) provide at least 70 percent of all grants under this paragraph to those projects.

''(C) ELIGIBILITY.—To be eligible to obtain a grant under this paragraph, an applicant shall—

''(i) be a public or private nonprofit entity; and

''(ii) in the case of a grant made under subparagraph (A)(i), demonstrate to the Secretary that the decline referred to in that subparagraph occurred, or will occur, not later than 2 years after the date on which the application was filed for the grant.

''(D) USES.—

''(i) IN GENERAL.—Grants made under this paragraph may be used—

''(I) for waterline extensions from existing systems, laying of new waterlines, repairs, significant maintenance, digging of new wells, equipment replacement, and hook and tap fees;

''(II) for any other appropriate purpose associated with developing sources of, treating, storing, or distributing water;

''(III) to assist communities in complying with the requirements of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) or the Safe Drinking Water Act (42 U.S.C. 300f et seq.); and

''(IV) to provide potable water to communities through other means.

''(ii) JOINT PROPOSALS.—

''(I) IN GENERAL.—Subject to the restrictions in subparagraph (E), nothing in this paragraph precludes rural communities from submitting joint proposals for emergency water assistance.

''(II) CONSIDERATION OF RESTRICTIONS.—The restrictions in subparagraph (E) shall be considered in the aggregate, depending on the number of communities involved.

''(E) RESTRICTIONS.—

''(i) MAXIMUM INCOME.—No grant provided under this paragraph shall be used to assist any rural area or community that has a median household income in excess of the State nonmetropolitan median household income according to the most recent decennial census of the United States.

''(ii) SET-ASIDE FOR SMALLER COMMUNITIES.—Not less than 50 percent of the funds allocated under this paragraph shall be allocated to rural communities with populations that do not exceed 3,000 inhabitants.

''(F) MAXIMUM GRANTS.—Grants made under this paragraph may not exceed—

''(i) in the case of each grant made under subparagraph (A)(i), $500,000; and

''(ii) in the case of each grant made under subparagraph (A)(ii), $150,000.

''(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) TIMING OF REVIEW OF APPLICATIONS.—

''(I) SIMPLIFIED APPLICATION.—The application process developed by the Secretary under clause (i) shall include a simplified application form that will permit expedited consideration of an application for a grant filed under this paragraph.

''(II) PRIORITY REVIEW.—In processing applications for any water or waste grant or loan authorized under this section, the Secretary shall afford priority processing to an application for a grant under this paragraph to the extent funds will be available for an award on the application at the conclusion of priority processing.

''(III) TIMING.—The Secretary shall, to the maximum extent practicable, review and act on an application under this paragraph not later than 60 days after the date on which the application is submitted to the Secretary.

''(I) FUNDING.—

''(i) RESERVATION.—

''(I) IN GENERAL.—For each fiscal year, not less than 3 nor more than 5 percent of the total amount made available to carry out this section for the fiscal year shall be reserved for grants under this paragraph.

''(II) RELEASE.—Funds reserved under subclause (I) for a fiscal year shall be reserved only until July 1 of the fiscal year.

''(ii) AUTHORIZATION OF APPROPRIATIONS.—In addition to funds made available under clause (i), there is authorized to be appropriated to carry out this paragraph $35,000,000 for each of fiscal years 2014 through 2018.

''(3) 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 operation 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 necessary related equipment, training, and technical assistance to—

''(I) rural water supply corporations, cooperatives, or similar entities;

''(II) Indian tribes on Federal or State reservations and other federally recognized Indian tribes;

''(III) rural or native villages in the State of Alaska;

''(IV) native tribal health consortiums;

''(V) public agencies; and

''(VI) Native Hawaiian Home Lands.

''(ii) ELIGIBLE PROJECTS.—Loans and grants described in clause (i) shall be available only 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—

''(I) water supply systems; or

''(II) waste disposal facilities.

''(iii) MATCHING REQUIREMENTS.—For entities described under subclauses (III), (IV), or (V) of clause (i) to be eligible to receive a grant for water supply systems or waste disposal facilities, the State in which the project will occur shall provide 25 percent in matching funds from non-Federal sources.

''(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—

''(aa) the per capita income of the residents of which is not more than 70 percent of the national average per capita income, as determined by the Department of Commerce; and

''(bb) the unemployment rate of the residents of which is not less than 125 percent of the national average unemployment rate, as determined by the Bureau of Labor Statistics.

''(II) EXCEPTIONS.—Notwithstanding subclause (I), loans and grants under clause (i) may also be made if the loan or grant funds will be used primarily to provide water or waste services, or both, to residents of—

''(aa) a rural area that was recognized as a colonia as of October 1, 1989; or

''(bb) an area described under subclause (II), (III), 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 plumbing and fixtures within the residences of the individuals to facilitate the use of the water supply and waste disposal systems.

''(ii) INTEREST.—Loans described in clause (i) shall be at a rate of interest no greater than the Federal Financing Bank rate on loans of a similar term at the time the loans are made.

''(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 residence of the borrower will be connected.

''(iv) MANNER IN WHICH LOANS AND GRANTS ARE TO BE MADE.—Loans and grants to individuals under clause (i) shall be made—

''(I) directly to the individuals by the Secretary; or

''(II) to the individuals through the rural water supply corporation, cooperative, or similar entity, 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 roads and drainage, 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, equipment, or other supplies, to carry 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) for loans under this paragraph, $60,000,000 for each fiscal year; and

''(iii) in addition to grants provided under clause (i), for grants under this section to benefit Indian tribes, $20,000,000 for each fiscal year.

''(4) 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 for the provision of technical assistance 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

''(5) RURAL WATER AND WASTEWATER TECHNICAL ASSISTANCE AND TRAINING PROGRAMS.—

''(A) GRANTS TO NONPROFITS.—

''(i) IN GENERAL.—The Secretary may make grants to nonprofit organizations to enable the organizations to provide to associations that provide water and wastewater services in rural areas technical assistance and training—

''(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 prepare applications to receive financial assistance for any purpose specified in subsection (a)(1) from any public or private source; and

''(III) to improve 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.

''(ii) SELECTION PRIORITY.—In selecting recipients of grants to be made under clause (i), the Secretary shall give priority to nonprofit organizations that have experience in providing the technical assistance and training described in clause (i) to associations serving rural areas in which—

''(I) residents have low income; and

''(II) water supply systems or waste facilities are unhealthful.

''(iii) FUNDING.—

''(I) IN GENERAL.—Except as provided in subclause (II), not less than 1 nor more than 3 percent of any funds made available to carry out water and waste disposal projects described in subsection (a) for any fiscal year shall be reserved for grants under this paragraph.

''(II) EXCEPTION.—The minimum amount specified in subclause (I) shall not apply if the aggregate amount of grant funds requested by applications that qualify for grants received by the Secretary from eligible nonprofit organizations for the fiscal year totals less than 1 percent of those funds.

''(B) RURAL WATER AND WASTEWATER CIRCUIT RIDER PROGRAM.—

''(i) IN GENERAL.—The Secretary shall continue a national rural water and wastewater circuit rider program that—

''(I) is consistent with the activities and results of the program conducted before January 1, 2012, as determined by the Secretary; and

''(II) received funding from the Secretary, acting through the Administrator of the Rural Utilities Service.

''(ii) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subparagraph $25,000,000 for fiscal year 2014 and each fiscal year thereafter.

''(6) SEARCH PROGRAM.—

''(A) IN GENERAL.—The Secretary may establish a Special Evaluation Assistance for Rural Communities and Households (SEARCH) program to make predevelopment planning grants for feasibility studies, design assistance, and technical assistance, to financially distressed communities in rural areas with populations of 2,500 or fewer inhabitants for water and waste disposal projects described in this section.

''(B) TERMS.—

''(i) DOCUMENTATION.—With respect to grants made under this paragraph, the Secretary shall require the lowest quantity of documentation practicable.

''(ii) MATCHING.—Notwithstanding any other provision of this section, the Secretary may fund up to 100 percent of the eligible costs of grants provided under this paragraph, as determined by the Secretary.

''(iii) FUNDING.—The Secretary may use not more than 4 percent of the total amount of funds made available for a fiscal year for water, waste disposal, and essential community facility activities under this chapter to carry out this paragraph.

''(C) RELATIONSHIP TO OTHER AUTHORITY.—

''(i) IN GENERAL.—The funds and authorities provided under this paragraph are in addition to any other funds or authorities the Secretary may have to carry out activities described in this section.

''(ii) AUTHORIZED ACTIVITIES.—The Secretary may furnish financial assistance or other aid in planning projects for the purposes described in subparagraph (A).

''(f) PRIORITY.—In making grants and loans, and guaranteeing loans, for water, wastewater, and waste disposal projects under this section, the Secretary shall give priority consideration to projects that serve rural 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—

''(A) is experiencing—

''(i) an unanticipated reduction in the quality of water, the quantity of water, or the ability to deliver water; or

''(ii) some other deterioration in the supply of water to the community;

''(B) is not adequate to meet the needs of the community; and

''(C) requires immediate corrective action;

''(3) are experiencing outmigration;

''(4) have a high percentage of low-income residents; or

''(5) are isolated from other significant population centers.

''(g) CURTAILMENT OR LIMITATION OF SERVICE PROHIBITED.—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 such area during the term of such loan; nor shall the happening of any such event be the basis of requiring such association to secure any franchise, license, or permit as a condition to continuing to serve the area served by the association at the time of the occurrence of such event.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as are necessary.

''SEC. 3502. 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) for projects in rural areas that primarily serve rural residents to provide for—

''(1) essential community facilities, including—

''(A) necessary equipment;

''(B) recreational developments; and

''(2) financial assistance and other assistance in 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 not operated for profit);

''(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 SERVICING FOR COMMUNITY FACILITY LOANS.—The Secretary shall establish and implement a program that is similar to the program established under section 3411, 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).

''(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 for projects in communities that have—

''(A) low community population;

''(B) high rates of outmigration; and

''(C) low 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 to the extent permitted under the law providing for the grant-in-aid program.

''(e) PRIORITY.—In making grants and loans, and guaranteeing loans under this section, the Secretary shall give priority consideration to projects that serve rural communities 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 financial support in an amount that is 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 authorized under this section to provide technical assistance to applicants and participants for community facilities programs.

''(2) FUNDING.—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 provide technical assistance described in paragraph (1).

''(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as are necessary.

''SEC. 3503. HEALTH CARE SERVICES.

''(a) PURPOSE.—The purpose of this section is to address the continued unmet health needs in the Delta region through cooperation among health care professionals, institutions of higher education, research institutions, and other individuals and entities in the region.

''(b) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term 'eligible entity' means a consortium of regional institutions of higher education, academic health and research institutes, and economic development entities located in the Delta region that have experience in addressing the health care issues in the region.

''(c) GRANTS.—To carry out the purpose described in subsection (a), the Secretary may award a grant to an eligible entity for—

''(1) the development of—

''(A) health care services;

''(B) health education programs; and

''(C) health care job training programs; and

''(2) the development and expansion of public health-related facilities in the Delta region to address longstanding 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 described in subsection (c), based on input solicited from local governments, 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 $3,000,000 for each of fiscal years 2014 through 2018.

''CHAPTER 2—RURAL BUSINESS AND COOPERATIVE DEVELOPMENT

''SEC. 3601. BUSINESS PROGRAMS.

''(a) RURAL BUSINESS DEVELOPMENT GRANTS.—

''(1) IN GENERAL.—The Secretary may make grants under this subsection to eligible entities 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.—Eligible entities that receive grants under this subsection may use the grant funds for—

''(A) business opportunity projects that—

''(i) identify and analyze business opportunities;

''(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 existing 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, technology, and trade that will provide training to rural businesses in the use of interactive communications technologies to develop international trade opportunities and markets; and

''(B) projects that support the development of business enterprises that finance or facilitate—

''(i) the development of small and emerging private business enterprise;

''(ii) the establishment, expansion, and operation of rural distance learning networks;

''(iii) the development of rural learning programs that provide educational instruction or job training instruction related to potential employment or job advancement to adult students; and

''(iv) the provision of technical assistance and training to rural communities for the purpose of improving passenger transportation services or facilities.

''(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this subsection $65,000,000 for each of fiscal years 2014 through 2018, to remain available until expended.

''(b) VALUE-ADDED AGRICULTURAL PRODUCER GRANTS.—

''(1) DEFINITIONS.—In this subsection:

''(A) MID-TIER VALUE CHAIN.—The term 'mid-tier value chain' means a local and regional supply network that links independent producers with businesses and cooperatives that market value-added agricultural products in a manner that—

''(i) targets and strengthens the profitability and competitiveness of small- and medium-sized farms that are structured as family farms; and

''(ii) obtains agreement from an eligible agricultural producer group, farmer cooperative, or majority-controlled producer-based business venture that is engaged in the value chain on a marketing strategy.

''(B) PRODUCER.—The term 'producer' means a farmer.

''(C) VALUE-ADDED AGRICULTURAL PRODUCT.—The term 'value-added agricultural product' means any agricultural commodity or product—

''(i) that—

''(I) has undergone a change in physical state;

''(II) was produced in a manner that enhances the value of the agricultural commodity or product, as demonstrated through a business plan that shows the enhanced value, as determined by the Secretary;

''(III) is physically segregated in a manner that results in the enhancement of the value of the agricultural commodity or product;

''(IV) is a source of farm-based renewable energy, including E–85 fuel; or

''(V) is aggregated and marketed as a locally produced agricultural food product; and

''(ii) for which, as a result of the change in physical state or the manner in which the agricultural commodity or product was produced, marketed, or segregated—

''(I) the customer base for the agricultural commodity or product is expanded; and

''(II) a greater portion of the revenue derived from the marketing, processing, or physical segregation of the agricultural commodity or product is available to the producer of the commodity or product.

''(2) GRANTS.—

''(A) IN GENERAL.—The Secretary may make grants under this subsection to—

''(i) independent producers of value-added agricultural products; and

''(ii) an agricultural producer group, farmer cooperative, or majority-controlled producer-based business venture, as determined by the Secretary.

''(B) GRANTS TO A PRODUCER.—A grantee under subparagraph (A)(i) shall use the grant—

''(i) to develop a business plan or perform a feasibility study to establish a viable marketing opportunity (including through mid-tier value chains) for value-added agricultural products; or

''(ii) to provide capital to establish alliances or business ventures that allow the producer to better compete in domestic or international markets.

''(C) GRANTS TO AN AGRICULTURAL PRODUCER GROUP, COOPERATIVE OR PRODUCER-BASED BUSINESS VENTURE.—A grantee under subparagraph (A)(ii) shall use the grant—

''(i) to develop a business plan for viable marketing opportunities in emerging markets for a value-added agricultural product; or

''(ii) to develop strategies that are intended to create marketing opportunities in emerging markets for the value-added agricultural product.

''(D) AWARD SELECTION.—

''(i) PRIORITY.—In awarding grants under this subsection, the Secretary shall give priority to projects—

''(I) that contribute to increasing opportunities for operators of small- and medium-sized farms that are structured as family farms; or

''(II) at least ¼ of the recipients of which are beginning farmers or socially disadvantaged farmers.

''(ii) RANKING.—In evaluating and ranking proposals under this subsection, the Secretary shall provide substantial weight to the priorities described in clause (i).

''(E) AMOUNT OF GRANT.—

''(i) IN GENERAL.—The total amount provided to a grant recipient under this subsection shall not exceed $500,000.

''(ii) MAJORITY-CONTROLLED, PRODUCER-BASED BUSINESS VENTURES.—The total amount of all grants provided to majority-controlled, producer-based business ventures under this subsection for a fiscal year shall not exceed 10 percent of the amount of funds used to make all grants for the fiscal year under this subsection.

''(F) TERM.—The term of a grant under this paragraph shall not exceed 3 years.

''(G) SIMPLIFIED APPLICATION.—The Secretary shall offer a simplified application form and process for project proposals requesting less than $50,000 under this subsection.

''(3) FUNDING.—

''(A) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $40,000,000 for each of fiscal years 2014 through 2018.

''(B) RESERVATION OF FUNDS FOR PROJECTS TO BENEFIT BEGINNING FARMERS, SOCIALLY DISADVANTAGED FARMERS, AND MID-TIER VALUE CHAINS.—

''(i) IN GENERAL.—The Secretary shall reserve 10 percent of the amounts made available for each fiscal year under this subsection to fund projects that benefit beginning farmers or socially disadvantaged farmers.

''(ii) MID-TIER VALUE CHAINS.—The Secretary shall reserve 10 percent of the amounts made available for each fiscal year under this subsection to fund applications of eligible entities described in paragraph (2) that propose to develop mid-tier value chains.

''(iii) UNOBLIGATED AMOUNTS.—Any amounts in the reserves for a fiscal year established under clauses (i) and (ii) that are not obligated by June 30 of the fiscal year shall be available to the Secretary to make grants under this subsection to eligible entities in any State, as determined by the Secretary.

''(C) MANDATORY FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this subsection $12,500,000 for each of fiscal years 2014 through 2018, to remain available until expended.

''(c) RURAL COOPERATIVE DEVELOPMENT GRANTS.—

''(1) DEFINITIONS.—In this subsection:

''(A) NONPROFIT INSTITUTION.—The term 'nonprofit institution' means any organization or institution, including an accredited institution of higher education, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

''(B) UNITED STATES.—The term 'United States' means—

''(i) the several States; and

''(ii) the District of Columbia.

''(2) GRANTS.—The Secretary shall make grants under this subsection to nonprofit institutions for the purpose of enabling the nonprofit institutions to establish and operate centers for rural cooperative development.

''(3) GOALS.—The goals of a center funded under this subsection shall be to facilitate the creation of jobs in rural areas through the development of new rural cooperatives, value -added processing, and rural businesses.

''(4) APPLICATION.—

''(A) IN GENERAL.—Any nonprofit institution seeking a grant under paragraph (2) 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.

''(B) REQUIREMENTS.—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—

''(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) providing training and instruction for individuals, cooperatives, small businesses, and other similar entities in rural areas served by the center;

''(IV) providing loans and grants to individuals, cooperatives, small businesses, and other similar entities in rural areas served by the center;

''(V) providing technical assistance, research services, and advisory services to individuals, cooperatives, small businesses, and other similar entities in rural areas served by the center; and

''(VI) providing 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 take all practicable steps 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.

''(5) AWARDING 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 activities to promote and assist the development of cooperatively and mutually owned businesses;

''(ii) demonstrate previous expertise in providing technical assistance in rural areas to promote and assist the development of cooperatively and mutually owned businesses;

''(iii) demonstrate the ability to assist in the retention of businesses, facilitate the establishment of 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 multistate approaches to addressing the economic development and cooperative needs of rural areas; and

''(vi) commit to providing a 25 percent matching contribution with private funds and in-kind contributions, except that the Secretary shall not require non-Federal financial support in an amount that is greater than 5 percent in the case of a 1994 institution (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)).

''(6) GRANT PERIOD.—

''(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 3 years, to a center that has successfully met the requirements of paragraph (5)(B), as determined by the Secretary.

''(7) 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.

''(8) TECHNICAL ASSISTANCE TO PREVENT EXCESSIVE UNEMPLOYMENT OR UNDEREMPLOYMENT.—

''(A) IN GENERAL.—In carrying out this subsection, the Secretary may provide technical assistance to alleviate or prevent conditions of excessive unemployment, underemployment, 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.

''(9) 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.

''(10) 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.

''(11) ADDRESSING NEEDS OF MINORITY COMMUNITIES.—

''(A) IN GENERAL.—If the total amount appropriated under paragraph (13) 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; and

''(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 use the funds as otherwise authorized by this subsection.

''(12) INTERAGENCY WORKING GROUP.—Not later than 90 days after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, 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 that—

''(A) is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under 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—

''(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 loan' 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 that invest primarily in cooperative organizations, or to individuals—

''(A) to improve, develop, or finance business, industry, and employment and improve the economic and environmental climate in rural communities, including pollution abatement and control;

''(B) to conserve, develop, and use water for aquaculture purposes in rural areas; and

''(C) to reduce the reliance on nonrenewable energy resources by encouraging the development and construction of renewable energy systems (including solar energy systems, wind energy systems, and anaerobic digestors 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.—Except 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) LIMITATIONS ON LOAN GUARANTEES FOR COOPERATIVE ORGANIZATIONS.—

''(i) 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, and the Secretary may not delegate this authority.

''(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 10 percent of the total amount of business and industry loans guaranteed for the fiscal year under this subsection.

''(5) 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 guaranteed principal portion of 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 appraisal made in connection with a business and industry loan be conducted by a specialized appraiser that uses standards that are comparable to standards used for similar purposes 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 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 process value added for the period 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 agricultural 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 is—

''(I) used for a project or venture described in paragraph (2) that is located in a rural area; or

''(II) a loan guarantee that meets the requirements of paragraph (10).

''(ii) EQUITY.—The Secretary may guarantee a loan made for the purchase of preferred stock or similar equity issued by a cooperative organization or a fund that invests primarily in cooperative organizations, if the guarantee significantly benefits 1 or more entities eligible for assistance for the purposes described in paragraph (2)(A), as determined by the Secretary.

''(B) REFINANCING.—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)(aa) is not, and has not been, in payment default, with respect to the existing loan; or

''(bb) 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.

''(10) LOAN GUARANTEES 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 80 miles of the facility;

''(B) the applicant demonstrates to the Secretary that the primary benefit of the loan guarantee will be to provide employment for 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.

''(11) LOCALLY OR REGIONALLY PRODUCED AGRICULTURAL FOOD PRODUCTS.—

''(A) DEFINITIONS.—In this paragraph:

''(i) LOCALLY OR REGIONALLY PRODUCED AGRICULTURAL FOOD PRODUCT.—The term 'locally or regionally produced agricultural food product' means any agricultural food product that is raised, produced, and distributed in—

''(I) the locality or region in which the final product is marketed, so that the total distance that the product is transported is

less than 400 miles from the origin of the product; or

''(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 direct markets; and

''(II) a high rate of hunger or food insecurity or a high poverty rate.

''(B) LOAN AND LOAN GUARANTEE PROGRAM.—

''(i) IN GENERAL.—The Secretary shall make or guarantee loans to individuals, cooperatives, cooperative 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 include in an appropriate agreement with retail and institutional facilities to which the recipient sells locally or regionally produced agricultural food products a requirement to inform consumers of the retail or institutional facilities that the consumers are purchasing or consuming locally or regionally produced agricultural food products.

''(iii) PRIORITY.—In making or guaranteeing a loan under this paragraph, the Secretary shall give priority to projects that have components benefitting underserved communities.

''(iv) REPORTS.—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) resulting benefits.

''(v) RESERVATION OF FUNDS.—For each of fiscal years 2014 through 2018, the Secretary shall reserve not less than 5 percent of the total amount of funds made available to carry out this subsection to carry out this paragraph until April 1 of the fiscal year.

''(vi) OUTREACH.—The Secretary shall develop and implement an outreach plan to publicize the availability of loans and loan guarantees under this paragraph, working closely with rural cooperative development centers, credit unions, community development financial institutions, regional economic development authorities, and other financial and economic development entities.

''(12) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $75,000,000 for each of fiscal years 2014 through 2018.

''(f) RELENDING PROGRAMS.—

''(1) INTERMEDIATE RELENDING PROGRAM.—

''(A) IN GENERAL.—The Secretary may make or guarantee loans to eligible entities described in subparagraph (B) so that the eligible entities may relend the funds to individuals and entities for the purposes described in subparagraph (C).

''(B) ELIGIBLE ENTITIES.—Entities eligible for loans and loan guarantees described in subparagraph (A) are—

''(i) public agencies;

''(ii) Indian tribes;

''(iii) cooperatives; and

''(iv) nonprofit corporations.

''(C) ELIGIBLE PURPOSES.—The proceeds from loans made or guaranteed by the Secretary pursuant to subparagraph (A) may be relent by eligible entities for projects that—

''(i) predominately serve communities in rural areas; and

''(ii) as determined by the Secretary—

''(I) promote community development;

''(II) establish new businesses;

''(III) establish and support microlending programs; and

''(IV) create or retain employment opportunities.

''(D) 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.

''(2) RURAL MICROENTREPRENEUR ASSISTANCE PROGRAM.—

''(A) DEFINITIONS.—In this paragraph:

''(i) MICROENTREPRENEUR.—The term 'microentrepreneur' means an owner and operator, or prospective owner and operator, of a rural microenterprise who is unable to obtain sufficient training, technical assistance, or credit other than under this subsection, as determined by the Secretary.

''(ii) MICROENTERPRISE DEVELOPMENT ORGANIZATION.—The term 'microenterprise development organization' means an organization that is—

''(I) a nonprofit entity;

''(II) an Indian tribe, the tribal government of which certifies to the Secretary that—

''(aa) no microenterprise development organization serves the Indian tribe; and

''(bb) no rural microentrepreneur assistance program exists under the jurisdiction of the Indian tribe;

''(III) a public institution of higher education; or

''(IV) a collaboration of rural nonprofit entities serving a region or State, if 1 lead nonprofit entity is the sole underwriter of all loans and is responsible for associated risks.

''(iii) MICROLOAN.—The term 'microloan' means a business loan of not more than $50,000 that is provided to a rural microenterprise.

''(iv) PROGRAM.—The term 'program' means the rural microentrepreneur assistance program established under subparagraph (B).

''(v) 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) TRAINING.—The term 'training' means teaching broad business principles or general business skills in a group or public setting.

''(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 counseling, assist in the preparation of business or marketing plans, or provide other skills tailored to an individual microentrepreneur.

''(B) RURAL MICROENTREPRENEUR ASSISTANCE PROGRAM.—

''(i) ESTABLISHMENT.—The Secretary shall establish a rural microentrepreneur assistance program to provide loans and grants to support microentrepreneurs in the development and ongoing success of rural microenterprises.

''(ii) PURPOSE.—The purpose of the program is to provide microentrepreneurs with—

''(I) the skills necessary to establish new rural microenterprises; and

''(II) continuing technical and financial assistance related to the successful operation 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—

''(aa) be for a term not to exceed 20 years; and

''(bb) 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—

''(aa) establish a loan loss reserve fund; and

''(bb) 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 payments on principal and interest due on a loan to a microenterprise development organization made under this paragraph for a 2-year period beginning on the date on which the loan is made.

''(iv) GRANTS TO SUPPORT RURAL MICROENTERPRISE DEVELOPMENT.—

''(I) IN GENERAL.—The Secretary shall make grants to microenterprise development organizations—

''(aa) to provide training and technical assistance, and other related services to rural microentrepreneurs; and

''(bb) 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, as determined by the Secretary; and

''(bb) ensure, to the maximum extent practicable, that grant recipients include microenterprise development organizations of varying sizes and that serve racially and ethnically diverse populations.

''(v) GRANTS TO ASSIST MICROENTREPRENEURS.—

''(I) IN GENERAL.—The Secretary shall make annual grants to microenterprise development organizations to provide technical assistance to microentrepreneurs that—

''(aa) received a loan from the microenterprise development organization under subparagraph (B)(iii); or

''(bb) are seeking a loan from the microenterprise development organization under subparagraph (B)(iii).

''(II) MAXIMUM AMOUNT OF TECHNICAL ASSISTANCE GRANT.—The maximum amount of a grant under this clause shall be in an amount equal to not more than 25 percent of the total outstanding balance of microloans made by the microenterprise development organization under clause (iii), as of the date the grant is awarded.

''(vi) ADMINISTRATIVE EXPENSES.—Not more than 10 percent of a grant received by a microenterprise development organization for a fiscal year under this subparagraph may be used to pay administrative expenses.

''(C) ADMINISTRATION.—

''(i) MATCHING REQUIREMENT.—As a condition of any grant made under clauses (iv) and (v) of subparagraph (B), the Secretary shall require the microenterprise development organization to match not less than 15 percent

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.

''(ii) OVERSIGHT.—At a minimum, not later than December 1 of each fiscal year, a microenterprise development organization that receives a loan or grant under this section shall provide to the Secretary such information as the Secretary may require to ensure that assistance provided under this section is used for the purposes for which the loan or grant was made.

''(D) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this paragraph $40,000,000 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 an objective of fostering economic development in rural areas.

''(3) EMPLOYEE WELFARE BENEFIT PLAN; PENSION PLAN.—

''(A) IN GENERAL.—The terms '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 terms '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' means common or 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 in 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) MEMBER.—The term 'member' 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, and other 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 final approval under subsection (d)(5), that requires the rural business investment company to make investments in smaller enterprises in rural areas.

''(11) PRIVATE CAPITAL.—

''(A) IN GENERAL.—The term 'private capital' means the total of—

''(i)(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; or

''(III) the equity investment of the members of a limited liability company rural business investment company; and

''(ii) unfunded binding commitments from investors that meet criteria established by the Secretary to contribute capital to the rural business investment company, except that—

''(I) unfunded commitments may be counted as private capital for purposes of approval by the Secretary of any request for leverage; but

''(II) leverage shall not be funded based on the commitments.

''(B) EXCLUSIONS.—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 by a political subdivision, agency, or instrumentality of the Federal Government or a State), except for—

''(I) funds obtained from the 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;

''(II) funds invested by an employee welfare benefit plan or pension plan; and

''(III) 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'; and

''(B) funds invested in any applicant or rural business investment company by 1 or more entities of any State (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 public, private, or cooperative for-profit or nonprofit organization;

''(B) a for-profit or nonprofit business controlled by an Indian tribe; or

''(C) any other person or 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.—

''(A) IN GENERAL.—The term 'smaller enterprise' means any rural business concern that, together with its affiliates—

''(i) 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

''(ii) 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.

''(B) EXCEPTION.—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 pass income through to the shareholders, partners, beneficiaries, or other equitable owners of the business concern, the net income of the business concern shall be determined by 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 State 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) the product obtained by multiplying—

''(I) the net income (so determined) less any deduction for State (and local) income taxes calculated under clause (i); by

''(II) the marginal Federal income tax rate that would have applied if the rural business concern were a corporation.

''(b) PURPOSES.—The purposes of the Rural Business Investment Program established under this section are—

''(1) to promote economic development and the creation of wealth and job opportunities in rural areas and among individuals living in those areas by encouraging developmental venture capital investments in smaller enterprises primarily located in rural areas; and

''(2) to establish a developmental venture capital program, with the mission of addressing the unmet equity investment needs of small enterprises located in rural areas, by authorizing the Secretary—

''(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.

''(c) 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)(5) for the purposes described in subsection (b);

''(2) guarantee the debentures issued by rural business investment companies as provided in subsection (e); and

''(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 this section to provide operational assistance to smaller enterprises financed by the company, including information regarding whether the company intends to use licensed professionals, as necessary, on the staff of the company or from an outside entity;

''(E) with respect to binding commitments to be made to the company under this section, an estimate of the ratio of cash to in-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 and financial strength of any parent firm, affiliated firm, or any other firm essential to the success of the business plan of the company; and

''(H) such 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 shall provide to the applicant a written report describing the status of the application and any requirements remaining for completion of the application.

''(4) MATTERS CONSIDERED.—In reviewing and processing any application under this subsection, the Secretary shall—

''(A) determine whether—

''(i) the applicant meets the requirements of paragraph (5); and

''(ii) the management of the applicant is qualified and has the knowledge, experience, and capability necessary to comply with this section;

''(B) take into consideration—

''(i) the need for and availability of financing for rural business concerns in the geographic area in which the applicant is to commence business;

''(ii) the general business reputation of the owners and management of the applicant; and

''(iii) the probability of successful operations of the applicant, including adequate profitability and financial soundness; and

''(C) not take into consideration any projected shortage or unavailability of grant funds or leverage.

''(5) APPROVAL; LICENSE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary may approve an applicant to operate as a rural business investment company under this subtitle 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 articles), are approved by the Secretary; 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 applicant to operate as a rural business investment company under this section and designate the applicant as a rural business investment company, if the Secretary determines that the applicant—

''(I) has private capital as determined by the Secretary;

''(II) would otherwise be approved under this section, except that the applicant does not satisfy the requirements of subsection (i)(3); and

''(III) 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 (i)(3).

''(ii) LEVERAGE.—An applicant approved under clause (i) shall not be eligible to receive leverage under this section until the applicant satisfies the requirements of section 3602(i)(3).

''(iii) GRANTS.—An applicant approved 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.

''(e) DEBENTURES.—

''(1) IN GENERAL.—The Secretary may guarantee the timely payment of principal and interest, as scheduled, 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 3901 shall apply to any guarantee under this subsection.

''(4) MAXIMUM GUARANTEE.—Under this subsection, the Secretary may—

''(A) guarantee the debentures issued by a rural business investment company only to the extent that the total face amount of outstanding guaranteed 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.

''(f) 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 of and interest on trust certificates issued by the Secretary or agents of the Secretary for purposes of this subsection.

''(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.—

''(I) AUTHORITY TO PREPAY.—A debenture may be prepaid at any time without penalty.

''(II) REDUCTION OF GUARANTEE.—Subject to subclause (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 prepaid 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.

''(3) FULL FAITH AND CREDIT OF THE UNITED STATES.—Section 3901 shall apply to any guarantee of a trust certificate issued by the Secretary under this section.

''(4) 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 satisfied by the payment.

''(B) OWNERSHIP RIGHTS.—No Federal, State, or local law shall preclude or limit the exercise by the Secretary of the ownership rights of the Secretary in a debenture residing in a trust or pool against which 1 or more trust certificates are issued under this subsection.

''(5) MANAGEMENT AND ADMINISTRATION.—

''(A) REGISTRATION.—The Secretary shall provide for a central registration of all trust certificates issued under this subsection.

''(B) CREATION OF POOLS.—The Secretary may—

''(i) maintain such commercial bank accounts or investments in obligations of the United States as may be necessary to facilitate the creation of trusts or pools backed by debentures guaranteed under this subtitle; and

''(ii) issue trust certificates to facilitate the creation of those trusts or pools.

''(C) FIDELITY BOND OR INSURANCE REQUIREMENT.—Any agent performing functions on behalf of the Secretary under this paragraph shall provide a fidelity bond or insurance in such amount as the Secretary considers to be necessary to fully protect the interests of the United States.

''(D) REGULATION OF BROKERS AND DEALERS.—The Secretary may regulate brokers

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 section.

''(2) TRUST CERTIFICATE.—Notwithstanding paragraph (1), the Secretary shall not collect a fee for any guarantee of a trust certificate under subsection (f), 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) LICENSE.—

''(A) IN GENERAL.—Except as provided in subparagraph (C), the Secretary may prescribe fees to be paid by each applicant for a license to operate as a rural business investment company under this section.

''(B) USE OF AMOUNTS.—Fees collected under this paragraph—

''(i) shall be deposited in the account for salaries and expenses of the Secretary;

''(ii) are authorized to be appropriated solely to cover the costs of licensing examinations; and

''(iii) shall—

''(I) in the case of a license issued before the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, not exceed $500 for any fee collected under this paragraph; and

''(II) in the case of a license issued after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, be a rate as determined by the Secretary.

''(C) PROHIBITION ON COLLECTION OF CERTAIN FEES.—In the case of a license described in subparagraph (A) that was approved before July 1, 2007, the Secretary shall not collect any fees due on or after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013.

''(h) OPERATIONAL ASSISTANCE GRANTS.—

''(1) IN GENERAL.—In accordance with this subsection, the Secretary may make grants to rural business investment companies and to other entities, as authorized by this section, to provide operational assistance to smaller enterprises financed, or expected to be financed, by the entities.

''(2) TERMS.—Grants made under this subsection shall be made over a multiyear period (not to exceed 10 years) under such terms as the Secretary may require.

''(3) USE OF FUNDS.—The proceeds of a grant made under this subsection may be used by the rural business investment company receiving the grant only to provide operational assistance in connection with an equity or prospective equity investment in a business located in a rural area.

''(4) SUBMISSION OF PLANS.—A rural business investment company shall be eligible for a grant under this subsection only if the rural business investment company submits to the Secretary, in such form and manner as the Secretary may require, a plan for use of the grant.

''(5) GRANT AMOUNT.—

''(A) RURAL BUSINESS INVESTMENT COMPANIES.—The amount of a grant made under this subsection to a rural business investment company shall be equal to the lesser of—

''(i) 10 percent of the private capital raised by the rural business investment company; or

''(ii) $1,000,000.

''(6) OTHER ENTITIES.—The amount of a grant made under this subsection to any entity other than a rural business investment company shall be equal to the resources (in cash or in kind) raised by the entity in accordance with the requirements applicable to rural business investment companies under this section.

''(i) RURAL BUSINESS INVESTMENT COMPANIES.—

''(1) ORGANIZATION.—For purposes of this subsection, a rural business investment company shall—

''(A) be an incorporated body, a limited liability company, or a limited partnership organized and chartered or otherwise existing under State law solely for the purpose of performing the functions and conducting the activities authorized by this section; and

''(B)(i) if incorporated, have succession for a period of not less than 30 years unless earlier dissolved by the shareholders of the rural business investment company; and

''(ii) if a limited partnership or a limited liability company, have succession for a period of not less than 10 years; and

''(iii) 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 is formed;

''(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.

''(3) 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 2 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 the articles of the rural business investment company;

''(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 equity capital needs of the businesses in which the rural business investment company invests and not to compete with traditional small business financing by commercial lenders; 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.

''(4) DIVERSIFICATION OF OWNERSHIP.—The Secretary shall ensure that the management of each rural business investment company licensed 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 the rural business investment company so as to ensure independence and objectivity in the financial management and oversight of the investments and operations of the rural business investment company.

''(j) FINANCIAL INSTITUTION INVESTMENTS.—

''(1) IN GENERAL.—Except as otherwise provided in this subsection and notwithstanding any other provision of law, the following banks, associations, and institutions are eligible both to establish and invest in any rural business investment company or in any entity established to invest solely in rural business investment companies:

''(A) Any bank or savings association the deposits of which are insured under the Federal Deposit Insurance Act (12 U.S.C. 1811 et seq.), including an investment pool created entirely by such bank or savings association.

''(B) Any Farm Credit System institution described in subsection 1.2(a) of the Farm Credit Act of 1971 (12 U.S.C. 2002(a)).

''(2) LIMITATION.—No bank, association, or institution described in paragraph (1) may make investments described in paragraph (1) that are greater than 5 percent of the capital and surplus of the bank, association, or institution.

''(3) LIMITATION ON RURAL BUSINESS INVESTMENT COMPANIES CONTROLLED BY FARM CREDIT SYSTEM INSTITUTIONS.—If a Farm Credit System institution described in section 1.2(a) of the Farm Credit Act of 1971 (12 U.S.C. 2002(a)) holds more than 25 percent of the shares of a rural business investment company, either alone or in conjunction with other System institutions (or affiliates), the rural business investment company shall not provide equity investments in, or provide other financial assistance to, entities that are not otherwise eligible to receive financing from the Farm Credit System under that Act (12 U.S.C. 2001 et seq.).

''(k) EXAMINATIONS.—

''(1) IN GENERAL.—Each rural business investment company that participates in the program established under this section shall be subject to examinations made at the direction of the Secretary in accordance with this subsection.

''(2) ASSISTANCE OF PRIVATE SECTOR ENTITIES.—An examination under this subsection may be conducted with the assistance of a private sector entity that has the qualifications and the expertise necessary to conduct such an examination.

''(3) COSTS.—

''(A) IN GENERAL.—The Secretary may assess the cost of an examination under this section, including compensation of the examiners, against the rural business investment company examined.

''(B) PAYMENT.—Any rural business investment company against which the Secretary assesses costs under this subparagraph shall pay the costs.

''(4) DEPOSIT OF FUNDS.—Funds collected under this subsection shall—

''(A) be deposited in the account that incurred the costs for carrying out this subsection;

''(B) be made available to the Secretary to carry out this subsection, without further appropriation; and

''(C) remain available until expended.

''(l) REPORTING REQUIREMENTS.—

''(1) RURAL BUSINESS INVESTMENT COMPANIES.—Each entity that participates in a program established under this section shall

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 application of the rural business investment company; and

''(B) in each case in which the entity under this section makes an investment in, or a loan or grant to, a business that is not located in a rural area, a report on the number and percentage of employees of the business who reside in those areas.

''(2) PUBLIC REPORTS.—

''(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 on—

''(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 placed in liquidation 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 leverage 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 leverage 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 have 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 this section

''(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 in 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 subtitle, the period for repayment of a loan under this subtitle shall not exceed 40 years.

''(b) INTEREST RATES.—

''(1) 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—

''(A) not to exceed a 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 amount not to exceed 1 percent, as determined by the Secretary; and

''(B) adjusted to the nearest ⅛ of 1 percent.

''(2) WATER AND WASTE FACILITY LOANS AND COMMUNITY FACILITIES LOANS.—

''(A) IN GENERAL.—Notwithstanding any provision of State law limiting the rate or amount of interest that may be charged, taken, received, or reserved, except as provided in subparagraph (C) and paragraph (5), the interest rate on a loan (other than a guaranteed loan) to a public body or nonprofit association (including an Indian tribe) for a water or waste disposal facility or essential community facility shall be determined by the Secretary at a rate not to exceed—

''(i) the current market yield on outstanding municipal obligations with remaining periods to maturity comparable to the average maturity for the loan, and adjusted to the nearest ⅛ of 1 percent;

''(ii) 5 percent per year for a loan that is for the upgrading of a facility or construction of a new facility as required to meet applicable health or sanitary standards in—

''(I) an area in which the median family income of the persons to be served by the facility is below the poverty line (as defined in section 673 of the Community Services Block Grant Act (42 U.S.C. 9902)); and

''(II) any areas the Secretary may designate in which a significant percentage of the persons to be served by the facilities are low income persons, as determined by the Secretary; and

''(iii) 7 percent per year for a loan for a facility that does not qualify for the 5 percent per year interest rate prescribed in clause (ii) but that is located in an area in a State in which the median household income of the persons to be served by the facility does not exceed 100 percent of the statewide nonmetropolitan median household income for the State.

''(B) HEALTH CARE AND RELATED FACILITIES.—Notwithstanding subparagraph (A), the Secretary shall establish a rate for a loan for a health care or related facility that is—

''(i) based solely on the income of the area to be served; and

''(ii) otherwise consistent with subparagraph (A).

''(C) INTEREST RATES FOR WATER AND WASTE DISPOSAL FACILITIES LOANS.—

''(i) IN GENERAL.—Except as provided in clause (ii) and notwithstanding subparagraph (A), in the case of a direct loan for a water or waste disposal facility—

''(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 60 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 ⅛ of 1 percent; and

''(II) in the case of a loan that would be subject to the 7 percent 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 ⅛ of 1 percent.

''(ii) EXCEPTION.—Clause (i) does not apply to a loan for a specific 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.

''(3) INTEREST RATES ON BUSINESS AND OTHER LOANS.—

''(A) IN GENERAL.—Except as provided in paragraph (4), the interest rates on loans under sections 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 be not less than the sum obtained by adding—

''(i) such rates as determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities of such loans, adjusted in the judgment of the Secretary of the Treasury to provide for rates comparable to the rates prevailing in the private market for similar loans and considering the insurance by the Secretary of the loans; and

''(ii) an additional charge, prescribed by the Secretary, to cover the losses of the Secretary and cost of administration, which shall be deposited in the Rural Development Insurance Fund, and further adjusted to the nearest ⅛ 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 shall be the interest rates otherwise applicable under this section increased by 2 percent per year.

''(B) PRIME FARMLAND.—

''(i) IN GENERAL.—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 governmental authority still desires to carry out the construction on prime farmland, the 2-percent interest rate increase provided by this paragraph shall apply, but that increased interest rate shall not 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(e)(2)(A); and

''(iii) section 3601(c).

''(c) PAYMENT OF CHARGES.—A borrower of a loan made or guaranteed under this subtitle shall pay such fees and other charges as the Secretary may require, and prepay to the

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 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 same collateral to secure 2 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) PRIORITY.—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 demonstrate—

''(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 resources that could support the plan, including natural resources, human resources, infrastructure, and financial resources;

''(3) investment from other Federal agencies;

''(4) investment from philanthropic organizations; and

''(5) 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 provided 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) REFINANCED LOANS GUARANTEED AT 95 PERCENT.—The Secretary shall guarantee 95 percent of—

''(1) in the case of a loan that solely refinances 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 refinances 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 may not make a loan under section 3501 or 3601 unless 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.

''(a) DEFINITION OF RURAL DEVELOPMENT LOAN.—In this section, the term 'rural development loan' means a loan provided for by section 3501 or 3601.

''(b) ESTABLISHMENT.—There is 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 PARTNERSHIP 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) with excessive unemployment or underemployment, a high percentage of low-income residents, or high rates of outmigration, as determined by the Secretary; and

''(B) that the Secretary determines have a substantial need for assistance.

''(b) REQUIREMENTS.—The Secretary shall carry out those rural economic area partnership zones administratively in effect on the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013 in accordance with the terms and conditions contained in the memoranda of agreement entered into by the Secretary for the rural economic area partnership zones.

''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 prioritizing programs and applications at the individual level with an emphasis on utilizing current technology including online applications and submission processes.

''SEC. 3707. STATE RURAL DEVELOPMENT PARTNERSHIP.

''(a) DEFINITIONS.—In this section:

''(1) AGENCY WITH RURAL RESPONSIBILITIES.—The term '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, targeted at or having a significant impact on rural areas.

''(2) PARTNERSHIP.—The term 'Partnership' means the State Rural Development Partnership continued by subsection (b).

''(3) STATE RURAL DEVELOPMENT COUNCIL.—The term 'State rural development council' means a State rural development council that meets the requirements of subsection (c).

''(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 responses to their rural development needs in a manner that maximizes collaborative public- and private-sector cooperation and minimizes regulatory redundancy.

''(3) 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.

''(4) 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 necessary 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 63 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.

''(3) DUTIES.—A State rural development council shall—

''(A) 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;

''(B) monitor, report, and comment on policies and programs that address, or fail to address, the needs of the rural areas of the State;

''(C) as part of the Partnership, facilitate the development of strategies to reduce or eliminate conflicting or duplicative administrative or regulatory requirements of Federal, State, local, and tribal governments; and

''(D)(i) 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, other employees of the Department, and employees of other Federal agencies with rural responsibilities shall fully participate as voting members in the governance and operations of State rural development councils (including activities related to grants, contracts, and other agreements in accordance 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 may, and 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 a period of up to 1 year.

''(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 (2), a State 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 not less than 33 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) DEPARTMENT'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 section $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 to provide assistance to, and enter into contracts with, a State rural development council, as described in subparagraph (A).

''(3) 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. 3801. DEFINITIONS.

''In this chapter:

''(1) AUTHORITY.—The term 'Authority' means the Delta Regional Authority established by section 3802.

''(2) FEDERAL GRANT PROGRAM.—The term 'Federal grant program' means a Federal grant program to provide 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 (as defined in section 4 of the Delta Development Act (42 U.S.C. 3121 note; Public Law 100–460)).

''SEC. 3802. 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 between 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 all other participating States in the Authority.

''(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.

''(4) DELEGATION OF POWER.—No power or responsibility of the Authority specified in paragraphs (2) and (3) of subsection (c), and no voting right of any Authority member, shall be delegated to any person—

''(A) who is not an Authority member; or

''(B) who is not entitled to vote in Authority meetings.

''(c) VOTING.—

''(1) IN 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 (g)(2)(C)) to be effective.

''(2) QUORUM.—A quorum of State members 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 3809.

''(4) VOTING BY ALTERNATE MEMBERS.—An alternate member shall vote in the case of the absence, death, disability, removal, or resignation of the Federal or State representative for which the alternate member is an alternate.

''(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)(A) enhance the capacity of, and provide support for, local development districts in the region; or

''(B) if no local development district exists in an area in a participating State in the region, foster the creation of a local development district;

''(7) encourage private investment in industrial, commercial, and other 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, 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 administration of oaths 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 the head of 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

''(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 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; and

''(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—

''(A) by the Federal Government, in an amount equal to 50 percent of the administrative expenses; and

''(B) by the States in the region participating in the Authority, in an amount equal to 50 percent of the administrative expenses.

''(2) STATE SHARE.—

''(A) IN GENERAL.—The share of administrative expenses of the Authority to be paid by each State shall be determined by the Authority.

''(B) NO FEDERAL PARTICIPATION.—The Federal cochairperson shall not participate or vote in any decision under subparagraph (A).

''(C) DELINQUENT STATES.—If a State is delinquent in payment of the State's share of administrative expenses of the Authority under this subsection—

''(i) no assistance under this chapter shall be furnished to the State (including assistance to a political subdivision or a resident 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 COCHAIRPERSON.—The Federal cochairperson shall be compensated by the Federal Government at level III of the Executive Schedule in subchapter II of chapter 53 of title 5, United States Code.

''(2) ALTERNATE FEDERAL COCHAIRPERSON.—The alternate Federal cochairperson—

''(A) shall be compensated by the Federal Government at level V of the Executive Schedule described in paragraph (1); and

''(B) when not actively serving as an alternate for the Federal cochairperson, shall perform such functions and duties as are delegated by the Federal cochairperson.

''(3) STATE MEMBERS AND ALTERNATES.—

''(A) IN GENERAL.—A State shall compensate each member and alternate representing the State on the Authority at the rate established by law of the State.

''(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 to the Authority.

''(4) DETAILED EMPLOYEES.—

''(A) IN GENERAL.—No person detailed to serve the Authority under subsection (e)(6) shall receive any salary or any contribution to or supplementation of salary for services provided to the Authority from—

''(i) any source other than the State, local, or intergovernmental department or 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.

''(C) APPLICABLE LAW.—The Federal cochairperson, the alternate Federal cochairperson, and any Federal officer or employee detailed to duty on the Authority under subsection (e)(5) shall not be subject to subparagraph (A), but shall remain subject to sections 202 through 209 of title 18, United States Code.

''(5) ADDITIONAL PERSONNEL.—

''(A) COMPENSATION.—

''(i) IN GENERAL.—The Authority may appoint and fix the compensation of an executive director and such other personnel as are necessary to enable the Authority to carry out the duties of the Authority.

''(ii) EXCEPTION.—Compensation under clause (i) shall not exceed the maximum rate 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 5304(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) 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 employee detailed to the Authority under subsection (e)(5)) shall be considered to be a Federal employee for any purpose.

''(i) CONFLICTS OF INTEREST.—

''(1) IN GENERAL.—Except as provided under paragraph (2), no State member, 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) of the member, alternate, officer, or employee, in which the member, alternate, officer, or employee is serving as officer, director, trustee, partner, or employee; or

''(C) any person or organization with whom the member, alternate, officer, or employee is negotiating or has any arrangement concerning prospective employment.

''(2) DISCLOSURE.—Paragraph (1) shall not apply if the State 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 particular 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 services that the Authority may expect from the State 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.

''(j) 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), subsection (i), or sections 202 through 209 of title 18, United States Code.

''SEC. 3803. ECONOMIC AND COMMUNITY DEVELOPMENT GRANTS.

''(a) IN GENERAL.—The Authority may approve grants to States and public and nonprofit entities for projects, approved in accordance with section 3809—

''(1) to develop the transportation infrastructure of the region for the purpose of facilitating economic development in the region (except that grants for this purpose may only be made to a State or local government);

''(2) to assist the region in obtaining the job training, employment-related education, and business development (with an emphasis on entrepreneurship) that are needed to build and maintain strong local economies;

''(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 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 chapter 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, with emphasis on use of existing public educational institutions located in the region.

''SEC. 3804. SUPPLEMENTS TO FEDERAL GRANT PROGRAMS.

''(a) 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—

''(1) the States or 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, the areas eligible for assistance, or the authorizations of appropriations of 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 the Federal grant program to not more than 90 percent (except as provided in section 3806(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 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 with respect to the project to the head of the department, agency, or instrumentality of the Federal Government responsible for the administration of the Federal grant program under which the project is carried out shall be accepted by 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 nonprofit groups to contribute to the development and implementation of programs in the region;

''(ii) governed by a policy board with at least a simple 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 or other political subdivisions within the region—

''(I) by the Governor of each State in which the entity is located; or

''(II) by the State officer designated by the appropriate State law to make the certification; and

''(iv)(I) a nonprofit incorporated body organized or chartered under the law of the State in which the entity is located;

''(II) a nonprofit agency or instrumentality of a State or local government;

''(III) a public organization established before December 21, 2000, under State law for creation of multi-jurisdictional, area-wide planning organizations; or

''(IV) a nonprofit association or combination of bodies, agencies, and instrumentalities described in subclauses (I) through (III); and

''(2) has not, as certified by the Federal cochairperson—

''(A) inappropriately used Federal grant funds from any Federal source; or

''(B) appointed 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 LOCAL DEVELOPMENT DISTRICTS.—

''(1) IN GENERAL.—The Authority shall make grants for administrative expenses under this section.

''(2) CONDITIONS FOR GRANTS.—

''(A) MAXIMUM AMOUNT.—The amount of any grant awarded under paragraph (1) shall not exceed 80 percent of the administrative expenses of the local development district receiving the grant.

''(B) MAXIMUM PERIOD.—No grant described in paragraph (1) shall be awarded to a State agency certified as a local development district for a period greater than 3 years.

''(C) LOCAL SHARE.—The contributions of a local development district for administrative expenses may be in cash or in kind, fairly evaluated, including space, equipment, and services.

''(c) DUTIES OF LOCAL DEVELOPMENT DISTRICTS.—A local development district shall—

''(1) operate as a lead organization serving multicounty areas in the region at the local level; and

''(2) serve as a liaison between State and local governments, nonprofit organizations (including community-based groups and educational institutions), the business community, and citizens that—

''(A) are involved in multijurisdictional planning;

''(B) provide technical assistance to local jurisdictions and potential grantees; and

''(C) provide leadership and civic development assistance.

''SEC. 3806. 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) 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;

''(2) as nondistressed counties, counties in the region that are not designated as distressed counties under paragraph (1); and

''(3) as isolated areas of distress, areas located in nondistressed counties (as designated under paragraph (2)) that have high rates of poverty or unemployment.

''(b) DISTRESSED 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 needs of distressed counties and isolated areas of distress in the region.

''(2) FUNDING LIMITATIONS.—The funding limitations under section 3804(b) shall not apply to a project providing transportation or basic public services to residents of 1 or more distressed counties or isolated areas of distress in the region.

''(c) NONDISTRESSED COUNTIES.—

''(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 nondistressed county under subsection (a)(2).

''(2) EXCEPTIONS.—

''(A) IN GENERAL.—The funding prohibition under paragraph (1) shall not apply to grants to fund the administrative expenses of local development districts under section 3805(b).

''(B) MULTICOUNTY PROJECTS.—The Authority may waive the application of the funding prohibition under paragraph (1) to a multicounty 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.

''(C) ISOLATED AREAS OF DISTRESS.—For a designation of an isolated area of distress for assistance to be effective, the designation shall be supported—

''(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 3803(a).

''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).

''(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) 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).

''(d) PUBLIC PARTICIPATION.—

''(1) IN GENERAL.—The Authority and applicable State and local development districts shall encourage and assist, to the maximum extent practicable, 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 hearings.

''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 that projects 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 BUSINESSES.—Financial assistance under this chapter may be used as otherwise authorized by this title to attract businesses from outside the region to the region.

''(c) REDUCTION OF FUNDS.—Funds may be provided for a program or project in a State under this chapter only if the Authority determines that the level of Federal or State financial assistance provided under a law other than this chapter, for the same type of program or project in the same area of the State within the region, will not be reduced as a result of funds made available by this chapter.

''SEC. 3809. APPROVAL OF DEVELOPMENT PLANS AND PROJECTS.

''(a) IN GENERAL.—A State or regional development plan or any multistate subregional plan that is proposed for development 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 applicant.

''(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 3808;

''(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 of an application for a grant 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 and the Inspector General of the Department of Agriculture (including authorized representatives of the Comptroller General 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 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 (including authorized representatives of the Comptroller General, 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 subsection (a) for a 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 103–318);

''(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 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) COMPOSITION.—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 described in paragraph (2)(A) has not been confirmed by the Senate by not later than 180 days after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, the Authority may organize and operate without the Federal 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.

''(b) ALTERNATE MEMBERS.—

''(1) ALTERNATE FEDERAL COCHAIRPERSON.—The President shall appoint an alternate Federal cochairperson.

''(2) STATE ALTERNATES.—

''(A) IN GENERAL.—The State member of a participating State may have a single alternate, who shall be—

''(i) a resident of that State; and

''(ii) appointed by the Governor of the State.

''(B) 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.

''(3) ALTERNATE TRIBAL COCHAIRPERSON.—The President shall appoint an alternate

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 paragraphs (2) and (3) of subsection (c), and no voting right of any member of the Authority, shall be delegated to any person who is not—

''(A) a member of the Authority; or

''(B) entitled to vote in Authority meetings.

''(c) VOTING.—

''(1) IN 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 (g)(2)(D)) to be effective.

''(2) QUORUM.—A quorum of State members 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 3830.

''(4) VOTING BY ALTERNATE MEMBERS.—An alternate member shall vote in the case of the absence, death, disability, removal, or resignation of the Federal, State, or Indian tribe member for whom the alternate member is an alternate.

''(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 planning and development activities in the region;

''(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 of the region 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 industrial, commercial, renewable energy, and other 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, 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, State, or tribal cochairperson or any other member of the Authority designated by the Authority, the administration of oaths if the Authority determines that testimony should be taken or evidence received under oath;

''(3) request from any Federal, State, tribal, or local agency such information as may be available to or procurable by the agency that may be of use to the Authority in carrying out the duties of the Authority;

''(4) adopt, amend, and repeal bylaws and rules governing the conduct of business and the performance of duties of the Authority;

''(5) request the head of any Federal 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 the head of any State agency, tribal government, 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 tribal government; or

''(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 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);

''(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 AGENCY COOPERATION.—A Federal agency shall—

''(1) cooperate with the Authority; and

''(2) provide, on request 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 paid by non-Federal sources in the States that participate in the Authority.

''(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).

''(D) DELINQUENT STATES.—If a State is delinquent in payment of the State's share of administrative expenses of the Authority under this subsection—

''(i) no assistance under this chapter shall be provided to the State (including assistance to a political subdivision or a resident 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) ALTERNATE FEDERAL AND TRIBAL COCHAIRPERSONS.—The alternate Federal cochairperson and the alternate tribal cochairperson—

''(A) shall be compensated by the Federal Government at the annual rate of basic pay prescribed for level V of the Executive Schedule described in paragraph (1); and

''(B) when not actively serving as an alternate, shall perform such functions and duties as are delegated by the Federal cochairperson or the tribal cochairperson, respectively.

''(3) STATE MEMBERS AND ALTERNATES.—

''(A) IN GENERAL.—A State shall compensate each member and alternate representing the State on the Authority at the rate established by State 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.

''(4) DETAILED EMPLOYEES.—

''(A) IN GENERAL.—No person detailed to serve the Authority under subsection (e)(6) shall receive any salary or any contribution to or supplementation of salary for services provided to the Authority from—

''(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.

''(C) APPLICABLE LAW.—The Federal cochairperson, the alternate Federal cochairperson, and any Federal officer or employee detailed to duty on the Authority under subsection (e)(5) shall not be subject to subparagraph (A), but shall remain subject to sections 202 through 209 of title 18, United States Code.

''(5) ADDITIONAL PERSONNEL.—

''(A) COMPENSATION.—

''(i) IN GENERAL.—The Authority may appoint and fix the compensation of an executive director and such other personnel as are necessary to enable the Authority to carry out the duties of the Authority.

''(ii) EXCEPTION.—Compensation under clause (i) shall not exceed the maximum rate 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 5304(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) 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 employee detailed to the Authority under subsection (e)(5)) shall be considered to be a Federal employee for any purpose.

''(i) CONFLICTS OF INTEREST.—

''(1) 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; or

''(C) any person or organization with whom the member, alternate, officer, or employee is negotiating or has any arrangement concerning prospective employment.

''(2) DISCLOSURE.—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 particular 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 services that the Authority may expect from the State member, Indian tribe 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.

''(j) 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. 3823. INTERSTATE COOPERATION FOR ECONOMIC OPPORTUNITY AND EFFICIENCY.

''(a) IN GENERAL.—The Authority shall provide assistance to States in developing regional plans to address multistate economic issues, including plans—

''(1) to develop a regional transmission system for movement of renewable energy to markets outside the region;

''(2) to address regional transportation concerns, including the establishment of a Northern Great Plains Regional Transportation Working Group;

''(3) to encourage and support interstate collaboration on federally-funded research that is in the national interest; and

''(4) to establish a Regional Working Group on Agriculture Development and Transportation.

''(b) ECONOMIC ISSUES.—The multistate economic issues referred to in subsection (a) shall include—

''(1) renewable energy development and transmission;

''(2) transportation planning and economic development;

''(3) information technology;

''(4) movement of freight and individuals within the region;

''(5) federally-funded research at institutions of higher education; and

''(6) conservation land management.

''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 development (with an emphasis 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 be unable to take maximum advantage 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, 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 90 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 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 3830 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 with respect to the project to the head of the department, agency, or instrumentality of the Federal Government responsible for the administration of the Federal grant program under which 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;

''(iii) a nonprofit agency or instrumentality of a State or local government;

''(iv) a public organization established before the date of enactment of the Agriculture Reform, Food, and Jobs 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 (in consultation with the Federal cochairperson or Secretary, as appropriate)—

''(A) inappropriately used Federal grant funds from any Federal source; or

''(B) appointed 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 awarded 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 SHARE.—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 established 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) as distressed counties, counties in the region that are the most severely and persistently distressed and underdeveloped and have high rates of poverty, unemployment, or outmigration;

''(2) as nondistressed counties, counties in the region that are not designated as distressed counties under paragraph (1); and

''(3) as isolated areas of distress, areas located in nondistressed counties (as designated under paragraph (2)) that have high rates of poverty, unemployment, or outmigration.

''(b) DISTRESSED COUNTIES.—

''(1) IN GENERAL.—The Authority shall allocate at least 50 percent of the appropriations made available under section 3834 for programs and projects designed to serve the needs of distressed counties and isolated areas of distress in the region.

''(2) FUNDING LIMITATIONS.—The funding limitations under section 3825(b) shall not apply to a project to provide transportation or telecommunication 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 3824(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 and assist, to the maximum extent practicable, 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 hearings.

''SEC. 3829. 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 to 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 multistate or regional development;

''(2) the per capita income and poverty and unemployment and outmigration rates in an area;

''(3) the financial resources available to the applicants for assistance seeking to carry out the project, with emphasis on ensuring that projects 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 to be 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 BUSINESSES.—Financial assistance under this chapter may be used as otherwise authorized by this title to attract businesses from outside the region to the region.

''(c) MAINTENANCE OF EFFORT.—Funds may be provided for a program or project in a State under this chapter only if the Authority determines that the level of Federal or State financial assistance provided under a law other than this chapter, for the same type of program or project in the same area of the State within the region, will not be reduced as a result of funds made available by this chapter.

''SEC. 3830. APPROVAL OF DEVELOPMENT PLANS AND PROJECTS.

''(a) IN GENERAL.—A State or regional development plan or any multistate subregional plan that is proposed for development under this chapter shall be reviewed 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 applicant.

''(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 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.

''(d) VOTES FOR DECISIONS.—On certification by a State member of the Authority of an application for a grant or other assistance for a specific project under this section, an affirmative vote of the Authority under section 3822(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 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 authorized representatives of the Comptroller General 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 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 (including authorized representatives of the Comptroller General, the Inspector General of the Department of Agriculture, and the Authority).

''(c) ANNUAL AUDIT.—The Inspector General of the Department of Agriculture shall audit the activities, 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 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 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 ⅓ of the product obtained by multiplying—

''(1) the aggregate 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. 3901. FULL FAITH AND CREDIT.

''(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) CONTESTABILITY.—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. 3902. PURCHASE AND SALE OF GUARANTEED PORTIONS OF LOANS.

''(a) IN GENERAL.—Subject to subsections (b) and (c), the Secretary may purchase, on such terms and conditions as the Secretary considers appropriate, the guaranteed portion of a loan guaranteed under this title, if the Secretary determines that an adequate secondary market is not available in the private sector.

''(b) MAXIMUM PAYMENT.—The Secretary may not pay for any guaranteed portion of a loan under subsection (a) in excess of an amount equal to the unpaid principal balance and accrued interest on the guaranteed portion of the loan.

''(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 title.

''(d) SALE OF GUARANTEED LOANS.—

''(1) SALES.—

''(A) REGULATION.—

''(i) IN GENERAL.—The guaranteed portion of any loan made 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 clauses (ii) and (iii).

''(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 of the lender with the Secretary; 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 impede 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 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 subparagraph (A) shall be based on and backed by a pool established or approved by the Secretary 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 on behalf of the Secretary by approved market makers for purposes of this subsection.

''(D) LIMITATIONS.—A guarantee under subparagraph (C) shall be limited to the extent of principal and interest on the guaranteed portions of loans that compose the pool.

''(E) PREPAYMENT.—If a loan in a pool is prepaid, either voluntarily or by reason of default, the guarantee of timely payment of principal and interest on the pool certificates shall be reduced in proportion to the amount of principal and interest that the prepaid loan represents in the pool.

''(F) INTEREST ACCRUAL.—Interest on prepaid or defaulted loans shall accrue and be guaranteed by the Secretary only through the date of payment on the guarantee.

''(G) REDEMPTION.—During the term of the pool certificate, the certificate may be called for redemption due to prepayment or default of all loans constituting the pool.

''(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 of the pool certificates issued by approved market makers under this subsection.

''(I) FEES.—

''(i) IN GENERAL.—The Secretary shall not collect any fee for any guarantee under this subsection.

''(ii) SECRETARIAL FUNCTIONS.—Clause (i) does not preclude the Secretary from collecting a fee for the functions described in paragraph (3).

''(J) DEFAULT.—Not later than 30 days after a 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 ownership rights of the Secretary in the portions of loans constituting the pool against which the certificates are issued.

''(3) 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) identification of the interest rate paid by the borrower to the lender;

''(II) the servicing fee of the lender;

''(III) disclosure 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.

''(ii) 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 restructuring pools of the guaranteed portion 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 in pool certificates sold under this subsection.

''(B) DEFINITION OF SELLER.—For purposes of subparagraph (A)(ii), if the instrument

being sold is a loan, the term 'seller' does not include—

''(i) the person who made the loan; or

''(ii) any person who sells 3 or fewer guaranteed loans per year.

''(4) CONTRACT FOR SERVICES.—The Secretary 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. 3903. ADMINISTRATION.

''(a) POWERS OF SECRETARY.—The Secretary may—

''(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 Secretary determines that the volume of business in the area is not sufficient to justify separate State offices;

''(2)(A) accept and use voluntary and uncompensated services; and

''(B) with the consent of the agency concerned, use the officers, employees, equipment, and information of any agency of the Federal Government, or of any State, territory, or political subdivision;

''(3) subject to appropriations, make necessary expenditures for the purchase or hire of passenger vehicles, and such other facilities 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 adjust, modify, subordinate, or release the terms of security 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 have no present or prospective value or that the enforcement of the mortgage and liens likely would be ineffectual or uneconomical;

''(6) obtain fidelity bonds protecting the Federal Government against fraud and dishonesty of officers and employees of the Farm Service Agency, the Rural Utilities Service, the Rural Housing Service, or the Rural Business-Cooperative Service in lieu of faithful performance of duties bonds 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 necessary to ensure the continuation of services for which financing was extended to the lessor; 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 Housing 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 Secretary shall document the consent 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 this title on the same basis as though the area still was rural in connection with property securing any loan made or guaranteed by the Secretary under this title or in connection with any property held by the Secretary under this title.

''(b) LOAN ADJUSTMENTS.—

''(1) NO LIQUIDATION OF 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.—Except as provided in subparagraph (B), the Secretary may release a borrower or other person obligated on a debt (other than debt incurred under the Housing Act of 1949 (42 U.S.C. 1441 et seq.)) from personal liability with or without payment of any consideration at the time of the compromise, adjustment, reduction, or charge-off of any claim.

''(B) EXCEPTION.—No compromise, adjustment, reduction, or charge-off of any claim may be made or carried out after the claim has been referred to the Attorney General, unless the Attorney General approves.

''(3) RURAL ELECTRIFICATION SECURITY INSTRUMENTS.—In the case of a security instrument entered into under the Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.), the Secretary shall notify the Attorney General of the intent of the Secretary to exercise the authority of the Secretary under paragraph (2).

''(c) SIMPLIFIED APPLICATION FORMS FOR LOAN GUARANTEES.—

''(1) IN GENERAL.—The Secretary shall provide to lenders a short, simplified application form for guarantees under this title of—

''(A) farmer program loans the principal amount of which is $125,000 or less; and

''(B) business and industry guaranteed loans under section 3601(a)(2)(A) the principal amount of which is—

''(i) in the case of a loan guarantee made during fiscal year 2002 or 2003, $400,000 or less; and

''(ii) in the case of a loan guarantee made during any subsequent fiscal year—

''(I) $400,000 or less; or

''(II) if the Secretary determines that there is not a significant increased risk of a default on the loan, $600,000 or less.

''(2) WATER AND WASTE DISPOSAL GRANTS AND LOANS.—The Secretary shall develop an application process that accelerates, to the maximum extent practicable, the processing of applications for water and waste disposal grants or direct or guaranteed loans under section 3501(a)(1) the grant award amount or principal loan amount, respectively, of which is $300,000 or less.

''(3) ADMINISTRATION.—In developing an application under this subsection, the Secretary shall—

''(A) consult with commercial and cooperative lenders; and

''(B) ensure that—

''(i) the form can be completed manually or electronically, at the option of the lender;

''(ii) the form minimizes the documentation required to accompany the form;

''(iii) the cost of completing and processing the form is minimal; and

''(iv) the form can be completed and processed in an expeditious manner.

''(d) USE OF ATTORNEYS FOR PROSECUTION OR DEFENSE OF CLAIMS.—The Secretary may use for the prosecution or defense of any claim or obligation described in subsection (a)(5) the Attorney General, the General Counsel of the Department, or a private attorney who has entered into a contract with the Secretary.

''(e) PRIVATE COLLECTION AGENCY.—The Secretary may use a private collection agency to collect a claim or obligation described in subsection (a)(5).

''(f) SECURITY SERVICING.—

''(1) IN GENERAL.—The Secretary may—

''(A) make advances, without regard to any loan or total indebtedness limitation, to preserve and protect the security for, or the lien or priority of the lien securing any loan or other indebtedness owing to or acquired by the Secretary under this title or under any other program administered by the Farm Service Agency, the Rural Utilities Service, the Rural Housing Service, or the Rural Business-Cooperative Service applicable program, as determined by the Secretary; and

''(B)(i) bid for and purchase at any execution, foreclosure, or other sale or otherwise acquire property on which the United States has a lien by reason of a judgment or execution arising from, or that is pledged, mortgaged, conveyed, attached, or levied on to secure the payment of, the indebtedness regardless of whether the property is subject to other liens;

''(ii) accept title to any property so purchased or acquired; and

''(iii) sell, manage, or otherwise dispose of the property in accordance with this subsection.

''(2) OPERATION OR LEASE OF REALTY.—Except 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 consider necessary to protect the investment of the Federal Government in the property.

''(g) PAYMENTS TO LENDERS.—

''(1) REQUIREMENT.—Not later than 90 days after a court of competent jurisdiction confirms 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 incurred by the lender for purposes of the guarantee.

''(2) PAYMENT TOWARD LOAN GUARANTEE.—Any amount paid to a lender under this subsection with respect to a loan guaranteed under this title shall be treated as payment towards satisfaction of the loan 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 foreclosure, the Secretary may permit, at the request of the borrower, the deferral of principal and interest on any outstanding loan made or guaranteed by the Secretary under this title, or under any other law administered 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 necessary 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 unduly impairing the standard of living of the borrower.

''(b) INTEREST.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary may permit any loan deferred under this section to bear no interest during or after the deferral period.

''(2) EXCEPTION.—If the security instrument securing the loan is foreclosed, such interest as is included in the purchase price at

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, with respect to farmer program loans made under subtitle A, on all acceleration and foreclosure proceedings instituted by the Department against any farmer who—

''(A) has pending against the Department a claim of program discrimination that is accepted by the Department as valid; or

''(B) files a claim of program discrimination that is accepted by the Department as valid.

''(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, B, or C 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 liable for any interest and offsets that accrued during the period that loan acceleration or foreclosure proceedings have been suspended under paragraph (1).

''SEC. 3905. OIL AND GAS ROYALTY PAYMENTS ON LOANS.

''(a) IN GENERAL.—The Secretary shall permit a borrower of a loan made or guaranteed under this title to make a prospective payment on the loan with proceeds from—

''(1) the leasing of oil, gas, or other mineral rights to real property used to secure the loan; or

''(2) the sale of oil, gas, or other minerals removed from real property used to secure the loan, if the value of the rights to the oil, gas, or other minerals has not been used to secure the loan.

''(b) APPLICABILITY.—Subsection (a) shall not apply to a borrower of a loan made or guaranteed under this title with respect to which a liquidation or foreclosure proceeding was pending on December 23, 1985.

''SEC. 3906. TAXATION.

''(a) IN GENERAL.—Except as provided in subsection (b), all property subject to a lien held by the United States or the title to which is acquired or held by the Secretary under this title (other than property used for administrative purposes) shall be subject to taxation by State, territory, district, and local political subdivisions in the same manner and to the same extent as other property is taxed.

''(b) EXCEPTIONS.—No tax shall be imposed or collected as described in subsection (a) if the tax (whether as a tax on the instrument or in connection with conveying, transferring, or recording the instrument) is based on—

''(1) the value of any notes or mortgages or other lien instruments held by or transferred to the Secretary;

''(2) any notes or lien instruments administered under this title that are made, assigned, or held by a person otherwise liable for the tax; or

''(3) the value of any property conveyed or transferred to the Secretary.

''(c) FAILURE TO PAY OR COLLECT TAX.—The failure to pay or collect a tax under subsection (a) shall not—

''(1) be a ground for—

''(A) refusal to record or file an instrument; or

''(B) failure to provide notice; or

''(2) prevent the enforcement of the instrument in any Federal or State court.

''SEC. 3907. CONFLICTS OF INTEREST.

''(a) ACCEPTANCE OF CONSIDERATION PROHIBITED.—No officer, attorney, or other employee of the Department shall, directly or indirectly, be the beneficiary of or receive any fee, commission, gift, or other consideration for or in connection with any transaction or business under this title other than such salary, fee, or other compensation as the officer, attorney, or employee may receive as the officer, attorney, or employee.

''(b) ACQUISITION OF INTEREST IN LAND PROHIBITED.—

''(1) IN GENERAL.—Except as provided in paragraph (2), no officer or employee of 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, any interest in the land for a period of 3 years after the date on which the action is taken or the review is made.

''(2) FORMER COUNTY COMMITTEE MEMBERS.—Paragraph (1) shall not apply to a former member of a county committee on a determination by the Secretary, prior to the acquisition of the interest, that the former member acted in good faith when acting on or reviewing the application.

''(c) CERTIFICATIONS ON LOANS TO FAMILY MEMBERS PROHIBITED.—No member of a county committee shall knowingly make or join in making any certification with respect to—

''(1) a loan to purchase any land in which the member, or any person related to the member within the second degree of consanguinity or affinity, has or may acquire any interest; or

''(2) any applicant related to the member within the second degree of consanguinity or affinity.

''(d) PENALTIES.—Any person violating this section shall, on conviction of the violation, be punished by a fine of not more than $2,000 or imprisonment for not more than 2 years, or both.

''SEC. 3908. LOAN SUMMARY STATEMENTS.

''(a) DEFINITION OF SUMMARY PERIOD.—In this section, the term 'summary period' means the period beginning on the date of issuance of the preceding loan summary statement and ending on the date of issuance of the current loan summary statement.

''(b) ISSUANCE OF STATEMENTS.—On the request of a borrower of a loan made (but not guaranteed) under this title, the Secretary shall issue to the borrower a loan summary statement that reflects the account activity during the summary period for each loan made under this title to the borrower, including—

''(1) the outstanding amount of principal due on each loan at the beginning of the summary period;

''(2) the interest rate charged on each loan;

''(3) the amount of payments made on, and the application of the payments to, each loan during the summary period and an explanation of the basis for the application of the payments;

''(4) the amount of principal and interest due on each loan at the end of the summary period;

''(5) the total amount of unpaid principal and interest on all loans at the end of the summary period;

''(6) any delinquency in the repayment of any loan;

''(7) a schedule of the amount and date of payments due on each loan; and

''(8) the procedure the borrower may use to obtain more information concerning the status of the loans.

''SEC. 3909. CERTIFIED LENDERS PROGRAM.

''(a) CERTIFIED LENDERS PROGRAM.—

''(1) IN GENERAL.—The Secretary shall establish a program under which the Secretary shall guarantee loans under this title that are made by lending institutions certified by the Secretary.

''(2) CERTIFICATION REQUIREMENTS.—The Secretary shall certify a lending institution that meets such criteria as the Secretary may prescribe in regulations, including the ability of the institution to properly make, service, and liquidate the loans of the institution.

''(3) CONDITION OF CERTIFICATION.—

''(A) IN GENERAL.—As a condition of the certification, the Secretary shall require the institution to undertake to service the loans guaranteed by the Secretary under this section, using standards that are not less stringent than generally accepted banking standards concerning loan servicing employed by prudent commercial or cooperative lenders.

''(B) MONITORING.—The Secretary shall, at least annually, monitor the performance of each certified lender to ensure that the conditions of the certification are being met.

''(4) 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)—

''(i) relating to issues such as creditworthiness, repayment ability, adequacy of collateral, and feasibility of farm operation; and

''(ii) that the borrower is in compliance with all requirements of law, including regulations issued by the Secretary.

''(C) APPROVAL PROCESS.—

''(i) IN GENERAL.—The Secretary shall approve or disapprove a guarantee not later than 14 days after the date that the lending institution applies to the Secretary for the guarantee.

''(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 information, and otherwise assess an application.

''(b) PREFERRED CERTIFIED LENDERS PROGRAM.—

''(1) 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);

''(B) knowledge of the regulations concerning the guaranteed loan program; and

''(C) proficiency related to the certified lender program requirements.

''(2) REVOCATION OF DESIGNATION.—

''(A) IN GENERAL.—Subject to subparagraph (B), the designation of a lender as a Preferred Certified Lender shall be revoked at any time—

''(i) that the Secretary determines that the lender is not adhering to the rules and regulations applicable to the program; or

''(ii) if the loss experiences of a Preferred Certified Lender are excessive as compared to other Preferred Certified Lenders.

''(B) EFFECT.—A suspension or revocation under subparagraph (A) shall not affect any outstanding guarantee.

''(3) CONDITION OF CERTIFICATION.—As a condition of preferred certification, the Secretary shall require the institution to undertake to service the loans guaranteed by the Secretary under this subsection using generally accepted banking standards concerning loan servicing employed by prudent commercial or cooperative lenders.

''(4) MONITORING.—The Secretary shall, at least annually, monitor the performance of each Preferred Certified Lender to ensure that the conditions of certification are being met.

''(5) EFFECT OF PREFERRED LENDER CERTIFICATION.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall—

''(i) guarantee 80 percent of an approved loan made by a certified lending institution as described in this subsection, subject to a determination that the borrower meets the eligibility requirements or such other criteria as may be applicable to loans guaranteed by the Secretary under other provisions of this title;

''(ii) permit certified lending institutions—

''(I) to make all decisions, with respect to loans to be guaranteed by the Secretary under this subsection relating to credit worthiness, the closing, monitoring, collection and liquidation of loans; and

''(II) to accept appropriate certifications, as provided by regulations issued by the Secretary, that the borrower is in compliance with all requirements of law or regulations promulgated by the Secretary; and

''(iii) be considered to have guaranteed 80 percent of a loan made by a preferred certified lending institution as described in paragraph (1), if the Secretary fails to approve or reject the application of such institution within 14 calendar days after the date that the lending institution presented the application to the Secretary.

''(B) REQUIREMENT.—If the Secretary rejects an application under subparagraph (A)(iii) during the 14-day period, the Secretary shall state, in writing, the reasons the application was rejected.

''(c) ADMINISTRATION OF CERTIFIED LENDERS AND PREFERRED CERTIFIED LENDERS PROGRAMS.—The Secretary may administer the loan guarantee programs under subsections (a) and (b) through central offices established in States or in multi-State areas.

''SEC. 3910. LOANS TO RESIDENT ALIENS.

''(a) IN GENERAL.—Notwithstanding the provisions of this title limiting the making of a loan to a citizen of the United States, the Secretary may make a loan under this title to an alien lawfully admitted to the United States for permanent residence under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

''(b) REGULATIONS.—

''(1) IN GENERAL.—No loan may be made under this title to an alien referred to in subsection (a) until the Secretary issues regulations establishing the terms and conditions under which the alien may receive the loan.

''(2) REQUIREMENT.—The Secretary shall submit the regulations to the Committee on Agriculture of the House of Representatives 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. EXPEDITED CLEARING OF TITLE TO INVENTORY PROPERTY.

''(a) IN GENERAL.—The Secretary may employ local attorneys, on a case-by-case basis, to process all legal procedures necessary to clear the title to foreclosed properties in the inventory of the Department.

''(b) COMPENSATION.—Attorneys shall be compensated 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 in a subsequent Act of Congress, a competitive sourcing activity of the Secretary, including support personnel of the Department, relating to rural development or farmer program loans.

''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 specified in this title, and make such delegations of authority as the Secretary considers necessary to carry out this title.''.

SEC. 6002. CONFORMING AMENDMENTS.

(a) Section 17(c) of the Rural Electrification Act of 1936 (7 U.S.C. 917(c)) is amended by striking paragraph (1) and inserting the following:

''(1) Subtitle B of the Consolidated Farm and Rural Development Act.''.

(b) Section 305(c)(2)(B)(i)(I) of the Rural Electrification Act of 1936 (7 U.S.C. 935(c)(2)(B)(i)(I)) is amended by striking ''section 307(a)(3)(A) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1927(a)(3)(A))'' and inserting ''section 3701(b)(2) of the Consolidated Farm and Rural Development Act''.

(c) Section 306F(a)(1) of the Rural Electrification Act of 1936 (7 U.S.C. 936f(a)(1)) 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. 950aaa–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. 950bb(b)) is amended by striking paragraph (3).

(f) Section 602(5) of the Emergency Livestock Feed Assistance Act of 1988 (7 U.S.C. 1471(5)) is amended by striking ''section 355(e)(1)(D)(ii) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1985(e)(1)(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. 1508) is amended—

(1) in subsection (b)(7)(A), by striking ''section 371 of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008f)'' and inserting ''section 3424 of the Consolidated Farm and Rural Development Act''; and

(2) in subsection (n)(2), by striking ''subtitle C of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961 et seq.)'' and inserting ''chapter 3 of subtitle A of the Consolidated Farm and Rural Development Act''.

(h) Section 231(a) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1632a(a)) is amended—

(1) in paragraph (1), by striking ''section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a))'' and inserting ''section 3002 of the Consolidated Farm and Rural Development Act''; and

(2) in paragraph (4), by striking ''section 355(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(e))'' and inserting ''section 3002 of the Consolidated Farm and Rural Development Act''.

(i) Section 14204(a) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 2008q–1(a)) is amended by striking ''an entity described in section 379C(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008q(a))'' and inserting ''an entity determined by the Secretary''.

(j) Section 607(c)(6) of the Rural Development Policy Act of 1972 (7 U.S.C. 2204b(c)(6)) is amended in the last sentence—

(1) by striking '', and'' and inserting ''and any''; and

(2) by striking ''required under section 306(a)(12) of the Consolidated Farm and Rural Development Act''.

(k) Section 901(b) of the Agricultural Act of 1970 (7 U.S.C. 2204b–1(b)) is amended by striking ''rural areas as defined in the private business enterprise exception in section 306(a)(7) of the Consolidated Farmers Home Administration Act of 1961, as amended (7 U.S.C. 1926)'' and inserting ''rural areas, as defined in section 3002 of the Consolidated Farm and Rural Development Act''.

(l) Section 14220 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 2206b) is amended by striking ''section 343(a)(13)(A) of the Consolidated Farm and Rural Development Act)'' and inserting ''section 3002 of the Consolidated Farm and Rural Development Act)''.

(m) Section 2501(c)(2)(D) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(c)(2)(D)) is amended by striking ''sections 355(a)(1) and 355(c) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(a)(1))'' and inserting ''paragraphs (1) and (3) of section 3416(a) of the Consolidated Farm and Rural Development Act''.

(n) Section 2501A(b) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279–1(b)) is amended by striking ''section 355(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(e))'' and inserting ''section 3002 of the Consolidated Farm and Rural Development Act''.

(o) Section 7405(c)(8)(B) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3319f(c)(8)(B)) is amended by striking ''section 355(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(e))'' and inserting ''section 3002 of the Consolidated Farm and Rural Development Act)''.

(p) Section 1101(d)(2)(A) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8711(d)(2)(A)) is amended by striking ''section 355(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(e))'' and inserting ''section 3002 of the Consolidated Farm and Rural Development Act)''.

(q) Section 1302(d)(2)(A) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8752(d)(2)(A)) is amended by striking ''section 355(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(e))'' 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. 6613(g)) is amended by striking ''section 304(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''.

(s) Section 226B(a)(1) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6934(a)(1)) is amended by striking ''section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a))'' and inserting ''section 3002 of the Consolidated Farm and Rural Development Act''.

(t) Section 196(i)(3)(B) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333(i)(3)(B)) is amended by striking ''subtitle C of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961 et seq.)'' and inserting ''chapter 3 of subtitle A of the Consolidated Farm and Rural Development Act''.

(u) Section 9009(a)(1) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8109(a)(1)) is amended by striking ''section 343(a)(13)(A) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)(13)(A))'' and inserting ''section 3002 of the Consolidated Farm and Rural Development Act''.

(v) Section 9011(c)(2)(B)(v) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8111(c)(2)(B)(v)) is amended by striking subclause (I)and inserting the following:

''(I) beginning farmers (as defined in accordance with section 3002 of the Consolidated Farm and Rural Development Act); or''.

(w) Section 7(b)(2)(B) of the Small Business Act (15 U.S.C. 636(b)(2)(B)) is amended by striking ''section 321 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961)'' and inserting ''section 3301 of the Consolidated Farm and Rural Development Act''.

(x) Section 8(b)(5)(B)(iii)(III)(bb) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)(5)(B)(iii)(III)(bb)) is amended by striking ''section 355(e)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C.A. § 2003(e)(1))'' and inserting ''section 3002 of the Consolidated Farm and Rural Development Act)''.

(y) Section 10(b)(3) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2106(b)(3)) is amended in the last sentence by striking ''set out in the first clause of section 306(a)(7) of the Consolidated Farm and Rural Development Act'' and inserting ''given the term in section 3002 of the Consolidated Farm and Rural Development Act''.

(z) Section 1201(a)(2) of the Food Security Act of 1985 (16 U.S.C. 3801(a)(2)) is amended by striking ''section 343(a)(8) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)(8))'' and inserting ''section 3002 of the Consolidated Farm and Rural Development Act''.

(aa) Section 1238(2) of the Food Security Act of 1985 (16 U.S.C. 3838(2)) is amended by striking ''section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a))'' and inserting ''section 3002 of the Consolidated Farm and Rural Development Act''.

(bb) Section 5 of Public Law 91–229 (25 U.S.C. 492) is amended by striking ''section 307(a)(3)(B) of the Consolidated Farmers Home Administration Act of 1961, as amended, and to the provisions of subtitle D of that Act except sections 340, 341, 342, and 343'' and inserting ''3105(b)(2) of the Consolidated Farm and Rural Development Act''.

(cc) Section 6(c) of Public Law 91–229 (25 U.S.C. 493(c)) is amended by striking ''section 333B of the Consolidated Farm and Rural Development Act (7 U.S.C. 1983b)'' and inserting ''subtitle H of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6991 et seq.)''.

(dd) Section 181(a)(2)(B)(ii) of the Internal Revenue Code of 1986 is amended by striking ''section 2009aa–1 of title 7, United States Code'' and inserting ''section 3801 of the Consolidated Farm and Rural Development Act''.

(ee) Section 515(b)(3) of the Housing Act of 1949 (42 U.S.C. 1485(b)(3)) is amended by striking ''all the provisions of section 309 and the second and third sentences of section 308 of the Consolidated Farmers Home Administration Act of 1961, including the authority in section 309(f)(1) of that Act'' and inserting ''section 3401 of the Consolidated Farm and Rural Development Act''.

(ff) Section 517(b) of the Housing Act of 1949 (42 U.S.C. 1487(b)) is amended in the third sentence by striking ''(7 U.S.C. 1929)'' and inserting ''under section 3401 of the Consolidated Farm and Rural Development Act''.

(gg) Section 3(8) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3122(8)) is amended—

(1) by striking subparagraph (B) and inserting the following:

''(B) the Delta 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 chapter 5 of subtitle B of the Consolidated Farm and Rural Development Act.''.

(hh) Section 310(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5153(a)) is amended by striking paragraph (4) and inserting the following:

''(4) Chapter 1 of subtitle B of the Consolidated Farm and Rural Development Act.''.

(ii) Section 582(d)(1) of the National Flood Insurance Reform Act of 1994 (42 U.S.C. 5154a(d)(1)) is amended by striking ''section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a))'' and inserting ''section 3301(b) of the Consolidated Farm and Rural Development Act''.

(jj) Section 213(c)(1) of the Biomass Energy and Alcohol Fuels Act of 1980 (42 U.S.C. 8813(c)(1)) is amended in the first sentence by striking ''section 309 of the Consolidated Farm and Rural Development Act or the Rural Development Insurance Fund in section 309A of such Act'' and inserting ''under section 3401 of the Consolidated Farm and Rural Development Act or the Rural Development Insurance Fund under section 3704 of that Act''.

(kk) Section 1323(b)(2) of the Food Security Act of 1985 (Public Law 99–198; 7 U.S.C. 1932 note) is amended—

(1) in subparagraph (A), by inserting ''and'' at the end;

(2) in subparagraph (B), by striking ''; and'' at the end and inserting a period; and

(3) by striking subparagraph (C).

Subtitle B—Rural Electrification

SEC. 6101. DEFINITION OF RURAL AREA.

Section 13(3) of the Rural Electrification Act of 1936 (7 U.S.C. 913(A)) is amended by striking subparagraph (A) and inserting the following:

''(A) any area described in section 3002(28)(A)(i) of the Consolidated Farm and Rural Development Act; and''.

SEC. 6102. GUARANTEES FOR BONDS AND NOTES ISSUED FOR ELECTRIFICATION OR TELEPHONE PURPOSES.

Section 313A(f) of the Rural Electrification Act of 1936 (7 U.S.C. 940c–1(f)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 6103. EXPANSION OF 911 ACCESS.

Section 315(d) of the Rural Electrification Act of 1936 (7 U.S.C. 940e(d)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 6104. ACCESS TO BROADBAND TELECOMMUNICATIONS SERVICES IN RURAL AREAS.

Section 601 of the Rural Electrification Act of 1936 (7 U.S.C. 950bb) is amended—

(1) in subsection (a), by striking ''loans and'' and inserting ''grants, loans, and'';

(2) in subsection (b), by striking paragraph (3) and inserting the following:

''(3) RURAL AREA.—The term 'rural area' means any area described in section 3002 of the Consolidated Farm and Rural Development Act.'';

(3) in subsection (c)—

(A) in the subsection heading, by striking ''LOANS AND'' and inserting ''GRANTS, LOANS, AND'';

(B) in paragraph (1), by inserting ''make grants and'' after ''Secretary shall'';

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

''(2) PRIORITY.—

''(A) IN GENERAL.—In making grants, loans, or loan guarantees under paragraph (1), the Secretary shall—

''(i) establish not less than 2, and not more than 4, evaluation periods for each fiscal year to compare grant, loan, and loan guarantee applications and to prioritize grants, loans, and loan guarantees to all or part of rural communities that do not have residential broadband service that meets the minimum acceptable level of broadband service established under subsection (e);

''(ii) give the highest priority to applicants 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), as—

''(I) certified by the affected community, city, county, or designee; or

''(II) demonstrated on—

''(aa) the broadband map of the affected State if the map contains address-level data; or

''(bb) the National Broadband Map if address-level data is unavailable; and

''(iii) provide equal consideration to all qualified applicants, including those that have not previously received grants, loans, or loan guarantees under paragraph (1).

''(B) OTHER.—After giving priority to the applicants described in subparagraph (A), the Secretary shall then give priority to projects that serve rural communities—

''(i) with a population of less than 20,000 permanent residents;

''(ii) experiencing outmigration;

''(iii) with a high percentage of low-income residents; and

''(iv) that are isolated from other significant population centers.''; and

(D) by adding at the end the following:

''(3) GRANT AMOUNTS.—

''(A) ELIGIBILITY.—To be eligible for a grant under this section, the project that is the subject of the grant shall be carried out in a rural area.

''(B) MAXIMUM.—Except as provided in subparagraph (D), the amount of any grant made 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 combinations of stakeholders, including—

''(I) State, local, and tribal governments;

''(II) nonprofit institutions;

''(III) institutions of higher education;

''(IV) private entities; and

''(V) philanthropic organizations; and

''(v) targeted funding to provide the minimum acceptable level of broadband service established under subsection (e) in all or part of an unserved community that is below that minimum acceptable level of broadband service.

''(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) in paragraph (1)(A)—

(i) in the matter preceding clause (i), by striking ''loan or'' and inserting ''grant, loan, or'';

(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);'';

(iii) in clause (ii), by striking ''a loan application'' and inserting ''an application''; and

(iv) in clause (iii)—

(I) by striking ''the loan application'' and inserting ''the application''; and

(II) by striking ''proceeds from the loan made or guaranteed under this section are'' and inserting ''assistance under this section is'';

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i)—

(aa) by striking ''the proceeds of a 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 service provider'' and inserting ''are unserved or have service levels below the minimum acceptable level of broadband service established under subsection (e)''; and

(III) in clause (ii), by striking ''3'' and inserting ''2'';

(ii) by striking subparagraph (B) and inserting the following:

''(B) ADJUSTMENTS.—

''(i) INCREASE.—The Secretary may increase the household percentage requirement under subparagraph (A)(i) if—

''(I) more than 25 percent of the costs of the project are funded by grants made under this section; or

''(II) the proposed service territory includes 1 or more communities with a population in excess of 20,000.

''(ii) REDUCTION.—The Secretary may reduce the household percentage requirement under subparagraph (A)(i)—

''(I) to not less than 15 percent, if the proposed service territory does not have a population in excess of 5,000 people; or

''(II) to not less than 18 percent, if the proposed service territory does not have a population in excess of 7,500 people.''; and

(iii) in subparagraph (C)—

(I) in the subparagraph heading, by striking ''3'' and inserting ''2''; and

(II) in clause (i), by inserting ''the minimum acceptable level of broadband service established under subsection (e) in'' after ''service to'';

(C) in paragraph (3)—

(i) in subparagraph (A), by striking ''loan or'' and inserting ''grant, loan, or''; and

(ii) in subparagraph (B), by adding at the end the following:

''(iii) INFORMATION.—Information submitted under this subparagraph shall be—

''(I) certified by the affected community, city, county, or designee; and

''(II) demonstrated on—

''(aa) the broadband map of the affected State if the map contains address-level data; or

''(bb) 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 ''loan or'' and inserting ''grant, loan, or''; and

(iii) by adding at the end the following:

''(B) PILOT PROGRAMS.—The Secretary may carry out pilot programs in conjunction with interested entities described in subparagraph (A) (which may be in partnership with other entities, as determined appropriate by the Secretary) to address areas 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 (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''; and

(H) by adding at the end the following:

''(8) TRANSPARENCY AND REPORTING.—The Secretary—

''(A) shall require any entity receiving assistance under this section to submit quarterly, in a format specified by the Secretary, a report that describes—

''(i) the use by the entity of the assistance, including new equipment and capacity enhancements that support high-speed broadband access 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) the progress towards fulfilling the objectives for which the assistance was granted, including—

''(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 price of broadband service;

''(IV) any changes in broadband service adoption rates, including new subscribers generated from demand-side projects; and

''(V) any other metrics the Secretary determines to be appropriate;

''(B) shall maintain a fully searchable database, accessible on the Internet at no cost to the public, that contains, at a minimum—

''(i) a list of each entity that has applied for assistance under this section;

''(ii) a description of each application, including the status of each application;

''(iii) for each entity receiving assistance under this section—

''(I) the name of the entity;

''(II) the type of assistance being received;

''(III) the purpose for which the entity is receiving the assistance; and

''(IV) each quarterly report submitted under subparagraph (A); and

''(iv) such other information as is sufficient to allow the public to understand and monitor assistance provided under this section;

''(C) shall, in addition to other authority under applicable law, establish written procedures for all broadband programs administered by the Secretary that, to the maximum extent practicable—

''(i) recover funds from loan defaults;

''(ii)(I) 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—

''(aa) each applicant;

''(bb) the amount and type of support requested by each applicant; and

''(II) a list of the census block groups or proposed service territory, in a manner specified by the Secretary, that the applicant proposes to service;

''(ii) provide not less than 15 days for broadband service providers to voluntarily submit information about the broadband services that the providers offer in the groups or tracts listed under clause (i)(II) so that the Secretary may assess whether the applications submitted meet the eligibility requirements under this section; and

''(iii) if no broadband service provider submits information under clause (ii), consider the number of providers in the group or tract to be established by reference to—

''(I) the most current National Broadband Map of the National Telecommunications and Information Administration; or

''(II) any other data regarding the availability of broadband service that the Secretary may collect or obtain through reasonable efforts; and

''(E) may establish additional reporting and information requirements for any recipient of any assistance under this section so as to ensure compliance with this section.'';

(5) in subsection (e)—

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

(B) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—Subject to paragraph (2), for purposes of this section, the minimum acceptable level of broadband service for a rural area shall be at least—

''(A) a 4-Mbps downstream transmission capacity; and

''(B) a 1-Mbps upstream transmission capacity.

''(2) ADJUSTMENTS.—

''(A) IN GENERAL.—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 high quality, 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 transmission rates for fixed broadband service and mobile broadband service.'';

(6) in subsection (f), by striking ''make a loan or loan guarantee'' and inserting ''provide assistance'';

(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 comparable terms necessary to achieve the financial feasibility and long-term sustainability of the project.'';

(8) in subsection (j)—

(A) in the matter preceding paragraph (1), by striking ''loan and loan guarantee'';

(B) in paragraph (1)—

(i) by inserting ''grants and'' after ''number of''; and

(ii) by inserting '', including any loan terms or conditions for which the Secretary provided additional assistance to unserved areas'' before the semicolon at the end;

(C) in paragraph (2)—

(i) in subparagraph (A), by striking ''loan''; and

(ii) in subparagraph (B), by striking ''loans 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''; 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 facility 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.''; and

(9) by redesignating subsections (k) and (l) as subsections (l) and (m), respectively;

(10) by inserting after subsection (j) 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 that indicates the location of new broadband service that is being provided or upgraded within the service territory supported by the grant, loan, or loan guarantee—

''(A) for purposes of inclusion in the semi-annual updates to the National Broadband Map that is managed by the National Telecommunications and Information Administration (referred to in this subsection as the 'Administration'); and

''(B) not later than 30 days after the earlier of—

''(i) the date of completion of any project milestone established by the Secretary; or

''(ii) the date of completion of the project.

''(2) ADDRESS-LEVEL DATA.—Effective beginning on the date the Administration receives data described in paragraph (1), the Administration shall use only address-level broadband buildout data for the National Broadband Map.

''(3) CORRECTIONS.—

''(A) IN GENERAL.—The Secretary shall submit to the Administration any correction 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 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.—If the Secretary has submitted a correction to the Administration under subparagraph (A), but the National Broadband Map has not been updated to reflect the correct 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''; and

(ii) by striking ''2012'' and inserting ''2018''; and

(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''; 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.''; and

(12) in subsection (m) (as redesignated by paragraph (9))—

(A) by striking ''loan or'' and inserting ''grant, loan, or''; and

(B) by striking ''2012'' and inserting ''2018''.

Subtitle C—Miscellaneous

SEC. 6201. DISTANCE LEARNING AND TELEMEDICINE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 2335A of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 950aaa–5) 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) DEFINITIONS.—In this section:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) any public power district, public utility district, or similar entity, or any electric cooperative described in section 501(c)(12) or 1381(a)(2) of the Internal Revenue Code of 1986, that borrowed and repaid, prepaid, or is paying an electric 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 borrower of the Rural Utility Service, as determined under section 1710.101 of title 7, Code of Federal Regulations (or a successor regulation).

''(2) ENERGY EFFICIENCY MEASURES.—The term 'energy efficiency measures' means, for or at property served by an eligible entity, structural improvements and investments in cost-effective, 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.

''(4) SECRETARY.—The term 'Secretary' means the Secretary of Agriculture, acting through the Administrator of the Rural Utilities Service.

''(c) LOANS TO 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) REQUIREMENTS.—

''(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 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 subparagraph (A)(i) to account for newly available efficiency technologies.

''(C) EXISTING ENERGY EFFICIENCY PROGRAMS.—An eligible entity that, at any time before the date that is 60 days after the date of enactment of this section, has established an energy efficiency program for qualified consumers may use an existing list of energy efficiency measures, implementation plan, or measurement and verification system of that program to satisfy the requirements of subparagraph (A) if the Secretary determines the list, plan, or systems are consistent with the purposes of this section.

''(3) NO INTEREST.—A loan under this subsection shall bear no interest.

''(4) REPAYMENT.—With respect to a loan under paragraph (1)—

''(A) the term shall not exceed 20 years from the date on which the loan is closed; and

''(B) except as provided in paragraph (6), the repayment of each advance shall be amortized for a period not to exceed 10 years.

''(5) 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.

''(6) 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).

''(C) REPAYMENT.—Repayment of the special advance—

''(i) shall be required during the 10-year period beginning on the date on which the special advance is made; and

''(ii) at the election of the eligible entity, may be deferred to the end of the 10-year period.

''(7) 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 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, that 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) CONTRACT FOR MEASUREMENT AND VERIFICATION, TRAINING, AND TECHNICAL ASSISTANCE.—

''(1) IN GENERAL.—Not later than 90 days after the date of enactment of this section, the Secretary—

''(A) shall establish a plan for measurement and verification, training, and technical assistance of the program; and

''(B) may enter into 1 or more contracts with a qualified entity for the purposes of—

''(i) providing measurement and verification activities; and

''(ii) developing a program to provide technical assistance and training to the employees of eligible entities to carry out this section.

''(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.

''(f) 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 eligible entities that—

''(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 efficiency loans 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 80,000 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.

''(3) DEADLINE FOR IMPLEMENTATION.—To the maximum extent practicable, the Secretary shall enter into agreements described in paragraph (1) by not later than 90 days after the date of enactment of this section.

''(4) EFFECT ON AVAILABILITY OF LOANS NATIONALLY.—Nothing in this subsection shall delay the availability of loans to eligible entities on a national basis beginning not later than 180 days after the date of enactment of this section.

''(5) ADDITIONAL DEMONSTRATION PROJECT AUTHORITY.—

''(A) IN GENERAL.—The Secretary may conduct demonstration projects in addition to the project required by paragraph (1).

''(B) INAPPLICABILITY OF CERTAIN CRITERIA.—The additional demonstration projects may be carried out without regard to subparagraphs (D), (F), or (G) of paragraph (2).

''(g) ADDITIONAL AUTHORITY.—The authority provided in this section is in addition to any other authority of the Secretary to offer loans under any other law.

''(h) EFFECTIVE PERIOD.—Subject to the availability of funds and except as otherwise provided in this section, the loans and other expenditures required to be made under this section shall be available until expended, with the Secretary authorized to make new loans as loans are repaid.

''(i) REGULATIONS.—

''(1) IN GENERAL.—Except as otherwise provided in this subsection, not later than 180 days after the date of enactment of this section, the Secretary shall promulgate such regulations as are necessary to implement this section.

''(2) PROCEDURE.—The promulgation of the regulations and administration of this section shall be made without regard to—

''(A) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), 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').

''(3) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

''(4) INTERIM REGULATIONS.—Notwithstanding paragraphs (1) and (2), to the extent regulations are necessary to carry out any provision of this section, the Secretary shall implement such regulations through the promulgation of an interim rule.''.

SEC. 6203. 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 section 6029 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 1955).

(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) INCLUSIONS.—The study shall include an examination of—

(1) the importance of freight transportation, including rail, truck, and barge, to—

(A) the delivery of equipment, seed, fertilizer, and other products important to the development 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 electricity for rural areas;

(E) the location of grain elevators, ethanol plants, and other facilities;

(F) the development of manufacturing facilities in rural areas; and

(G) the vitality and economic development of rural communities;

(2) the sufficiency in rural areas of transportation capacity, the sufficiency of competition in the transportation system, the reliability of transportation services, and the reasonableness of transportation rates;

(3) the sufficiency of facility investment in rural areas necessary for efficient and cost-effective transportation; and

(4) 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).

SEC. 6205. AGRICULTURAL TRANSPORTATION POLICY.

Section 203 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1622) is amended by

striking subsection (j) and inserting the following:

''(j) 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 that may establish freight rail transportation policy affecting agriculture and rural America.''.

TITLE VII—RESEARCH, EXTENSION, AND RELATED MATTERS

Subtitle A—National Agricultural Research, Extension, and Teaching Policy Act of 1977

SEC. 7101. NATIONAL AGRICULTURAL RESEARCH, EXTENSION, EDUCATION, AND ECONOMICS ADVISORY BOARD.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 1408(h) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123(h)) is amended by striking ''2012'' and inserting ''2018''.

(b) DUTIES OF NATIONAL AGRICULTURAL RESEARCH, EXTENSION, 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, extension, education, and economics, and make recommendations to the Secretary based on that consultation.''.

SEC. 7102. SPECIALTY CROP COMMITTEE.

Section 1408A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123a) is amended—

(1) in subsection (b)—

(A) by 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 crop 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 SPECIALTY CROP INDUSTRY.—In studying the scope and effectiveness of programs under subsection (a), the specialty crops committee shall consult on an ongoing basis with diverse sectors of the specialty crop industry.''; and

(5) in subsection (f) (as redesignated 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. 3151a) 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 the United States that operates a veterinary clinic providing veterinary services—

''(i) in a rural area, as defined in section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)); and

''(ii) in response to a veterinarian shortage situation;

''(B) a State, national, allied, or regional veterinary organization or specialty board recognized by the American Veterinary Medical Association;

''(C) a college or school 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 Education;

''(F) a State agricultural experiment station; and

''(G) a State, local, or tribal government agency.

''(2) VETERINARIAN 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 a program to make 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.

''(d) USE OF GRANTS TO RELIEVE VETERINARIAN SHORTAGE SITUATIONS AND SUPPORT VETERINARY SERVICES.—A qualified entity may use funds provided by grants under this section to relieve 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 in which a portion of the facilities will address education or extension needs.

''(2) To promote recruitment (including for programs in secondary schools), placement, and retention of veterinarians, 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 subsection (d)(1) shall be subject to an 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 remedies 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 wavier 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.

''(f) COST-SHARING REQUIREMENTS.—

''(1) RECIPIENT SHARE.—Subject to paragraph (2), to be eligible to receive a grant under this section, a qualified entity shall provide matching non-Federal funds, 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 requirements of paragraph (1) may be reduced or waived.

''(g) PROHIBITION ON USE OF GRANT FUNDS FOR CONSTRUCTION.—Funds made available for grants under this section may not be used—

''(1) to construct a new building or facility; or

''(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.

''(i) 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 1417(m) 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 all that follows and inserting the following: ''section—

''(1) $60,000,000 for each of fiscal years 1990 through 2013; and

''(2) $40,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 7105. AGRICULTURAL AND FOOD POLICY RESEARCH CENTERS.

Section 1419A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3155) is amended—

(1) in the section heading, by inserting ''**AGRICULTURAL AND FOOD**'' before ''**POLICY**'';

(2) in subsection (a), in the matter preceding paragraph (1)—

(A) by striking ''Secretary may'' and inserting ''Secretary shall, acting through the Office of the Chief Economist,''; and

(B) by inserting ''with a history of providing unbiased, nonpartisan economic analysis to Congress'' after ''subsection (b)'';

(3) in subsection (b), by striking ''other research institutions'' and all that follows through ''shall be eligible'' and inserting ''other public research institutions and organizations shall be eligible'';

(4) in subsection (c)—

(A) in the matter preceding paragraph (1), by inserting '', with preference given to policy research centers having extensive databases, models, and demonstrated experience in providing Congress with agricultural market projections, rural development analysis, agricultural policy analysis, and baseline projections at the farm, multiregional, national, and international levels,'' after ''with this section''; and

(B) in paragraph (2) by inserting ''applied'' after ''theoretical''; and

(5) by striking subsection (d) and inserting the following: ''

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for fiscal year 2012 and each fiscal year thereafter.''.

SEC. 7106. EDUCATION GRANTS TO ALASKA NATIVE SERVING INSTITUTIONS AND NATIVE HAWAIIAN SERVING INSTITUTIONS.

Section 1419B of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3156) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''(or grants without regard to any requirement for competition)''; and

(B) in paragraph (3), by striking ''2012'' and inserting ''2018''; and

(2) in subsection (b)(1), by striking ''(or grants without regard to any requirement for competition)''; and

(3) in paragraph (3), by striking ''2012'' and inserting ''2018''.

SEC. 7107. NUTRITION EDUCATION PROGRAM.

Section 1425(f) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3175(f)) 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. 3195) 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).''.

SEC. 7109. GRANTS TO UPGRADE AGRICULTURAL AND FOOD SCIENCES FACILITIES AT 1890 LAND-GRANT COLLEGES, INCLUDING TUSKEGEE UNIVERSITY.

Section 1447(b) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222b(b)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 7110. GRANTS TO UPGRADE AGRICULTURAL AND FOOD SCIENCES FACILITIES AND EQUIPMENT AT INSULAR AREA LAND-GRANT INSTITUTIONS.

Section 1447B(d) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222b–2(d)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 7111. HISPANIC-SERVING INSTITUTIONS.

Section 1455(c) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3241(c)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 7112. COMPETITIVE GRANTS FOR INTERNATIONAL AGRICULTURAL SCIENCE AND EDUCATION PROGRAMS.

Section 1459A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3292b) 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 1999 through 2013; and

''(2) $5,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 7113. UNIVERSITY RESEARCH.

Section 1463 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3311) is amended in each of subsections (a) and (b) by striking ''2012'' each place it appears and inserting ''2018''.

SEC. 7114. EXTENSION SERVICE.

Section 1464 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3312) is amended by striking ''2012'' and inserting ''2018''.

SEC. 7115. SUPPLEMENTAL AND ALTERNATIVE CROPS.

(a) AUTHORIZATION OF APPROPRIATIONS AND TERMINATION.—Section 1473D of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3319d) is amended—

(1) in subsection (a), by striking ''2012'' and inserting ''2018''; and

(2) by adding at the end the following:

''(e) 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) $1,000,000 for each of fiscal years 2014 through 2018.''.

(b) COMPETITIVE GRANTS.—Section 1473D(c)(1) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3319d(c)(1)) is amended by striking ''use such research funding, special or competitive grants, or other means, as the Secretary determines,'' and inserting ''make competitive grants''.

SEC. 7116. CAPACITY BUILDING GRANTS FOR NLGCA INSTITUTIONS.

Section 1473F(b) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3319i(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. 3322(b)) is amended in the matter preceding paragraph (1) by inserting ''competitive'' before ''grants''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1477 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3324) is amended to read as follows:

''SEC. 1477. 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) $5,000,000 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. 3336(a)) is amended by striking ''subtitle'' and all that follows and inserting the following: ''subtitle—

''(1) $10,000,000 for each of fiscal years 1991 through 2013; and

''(2) $2,000,000 for each of fiscal years 2014 through 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. 3351(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.''.

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. 3362(a)) is amended by striking ''or noncompetitive''.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 1490(f) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3362(f)) is amended by

striking ''section'' and all that follows and inserting the following: ''section—

''(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: ''to carry out this section—

''(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 ''$40,000,000 for each of fiscal years 2014 through 2018'' after ''chapter''.

SEC. 7202. INTEGRATED MANAGEMENT SYSTEMS.

Section 1627 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 through the National Institute of Food and Agriculture $20,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 7203. SUSTAINABLE AGRICULTURE TECHNOLOGY DEVELOPMENT AND TRANSFER 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 are 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 ''subtitle'' and all that follows and inserting the following: ''subtitle—

''(1) 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. 5925) is amended—

(1) in the first sentence of subsection (a), by striking ''subsections (e) through (i) of''; (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 subsection (d), 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 for any fiscal year in connection with each'' and inserting the following:

''(B) COSTS.—The Secretary may not incur costs in excess of $1,000 for any fiscal year in connection with a'';

(3) in subsection (e)—

(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), (40), (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 carrying out or enhancing research to improve 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);

(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 needs of the pulse crop industry by developing and disseminating science-based tools and information, including—

''(A) research in health and nutrition, such as—

''(i) identifying global dietary patterns of pulse crops in relation to population health;

''(ii) researching pulse crop diets and the ability of the 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 genetic components to enhance 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-dense food product 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.

''(C) PRIORITIES.—In making grants under this subsection, the Secretary shall provide a higher priority to projects that—

''(i) are multistate, multiinstitutional, and multidisciplinary; and

''(ii) include explicit mechanisms to communicate results to the pulse crop industry and the public.

''(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $25,000,000 for each of fiscal years 2014 through 2018.

''(g) TRAINING COORDINATION FOR FOOD AND AGRICULTURE PROTECTION.—

''(1) IN GENERAL.—The Secretary shall make grants and enter into contracts or cooperative agreements with eligible entities described in paragraph (2) for the purposes of establishing a Comprehensive Food Safety Training Network.

''(2) ELIGIBILITY.—

''(A) IN GENERAL.—For purposes of this subsection, an eligible entity is a multiinstitutional consortium that includes—

''(i) a nonprofit institution that provides administering 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.

''(3) DUTIES OF ELIGIBLE ENTITY.—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 protection of the United States food supply, including, at a minimum—

''(A) developing curricula and a training network to provide basic, technical, management, and leadership training to regulatory and public health officials, producers, processors, and other agrifood 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 instructor 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 (Public Law 111–353; 124 Stat. 3885), 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.'';

(6) in subsection (h), by striking ''2012'' each place it appears and inserting ''2018'';

(7) by redesignating subsection (j) as subsection (i); and

(8) in subsection (i) (as so redesignated), by striking ''2012'' and inserting ''2018''.

SEC. 7208. 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—

(1) in subsection (a)—

(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 ''of organic agricultural production and methods to producers, processors, and rural communities'';

(D) in paragraph (5), by inserting ''and researching solutions to'' after ''identifying''; and

(E) in paragraph (6), by striking ''and marketing'' and inserting '', marketing, and food safety'';

(2) by striking subsection (e);

(3) by redesignating subsection (f) as subsection (e); and

(4) in paragraph (1) of subsection (e) (as so redesignated)—

(A) in the heading, by striking ''FOR FISCAL YEARS 2008 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''; and

(D) by adding at the end the following:

''(C) $16,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 7209. FARM BUSINESS MANAGEMENT.

Section 1672D(d) 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: ''to carry out this section—

''(1) such sums as are necessary for fiscal year 2013; and

''(2) $5,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 7210. REGIONAL CENTERS OF EXCELLENCE.

Subtitle H of the Food, Agriculture, Conservation, and Trade Act of 1990 is amended by inserting after section 1672D (7 U.S.C. 5925) the following:

''SEC. 1673. REGIONAL CENTERS OF EXCELLENCE.

''(a) ESTABLISHMENT.—The Secretary may prioritize regional centers of excellence established for specific agricultural commodities for the receipt of funding.

''(b) COMPOSITION.—A regional center of excellence shall be composed of 1 or more colleges and universities (including land-grant institutions, schools of forestry, schools of veterinary medicine, or NLGCA Institutions (as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103))) that provide financial support to the regional center of excellence.

''(c) CRITERIA FOR REGIONAL CENTERS OF EXCELLENCE.—The criteria for consideration to be a regional center of excellence shall include efforts—

''(1) to ensure coordination and cost-effectiveness by reducing unnecessarily duplicative efforts regarding research, teaching, and extension;

''(2) to leverage available resources by using public/private partnerships among agricultural industry groups, institutions of higher education, and the Federal Government;

''(3) to implement teaching initiatives to increase awareness and effectively disseminate solutions to target audiences through extension activities;

''(4) to increase the economic returns to rural communities by identifying, attracting, and directing funds to high-priority agricultural issues; and

''(5) to improve teaching capacity and infrastructure at colleges and universities (including land-grant institutions, schools of forestry, and schools of veterinary medicine, and NLGCA Institutions).

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 7211. ASSISTIVE TECHNOLOGY PROGRAM FOR FARMERS WITH DISABILITIES.

Section 1680(c)(1) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5933(c)(1)) is amended—

(1) by striking ''is'' and inserting ''are''; and

(2) by striking ''section'' and all that follows and inserting the following: ''section—

''(A) $6,000,000 for each of fiscal years 1999 through 2013; and

''(B) $5,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 7212. NATIONAL RURAL INFORMATION CENTER CLEARINGHOUSE.

Section 2381(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 3125b(e)) is amended by striking ''2012'' and inserting ''2018''.

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

SEC. 7301. RELEVANCE AND MERIT OF AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION FUNDED BY THE DEPARTMENT.

Section 103(a)(2) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7613(a)(2)) is amended—

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

''(2) RELEVANCE AND MERIT REVIEW OF RESEARCH, EXTENSION, AND EDUCATION GRANTS.—'';

(2) in subparagraph (A)—

(A) by inserting ''relevance and'' before ''merit''; and

(B) by striking ''extension or education'' and inserting, ''research, extension, or education''; and

(3) in subparagraph (B) by inserting ''on a continuous basis'' after ''procedures''.

SEC. 7302. 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)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 7303. SUPPORT FOR RESEARCH REGARDING DISEASES OF WHEAT, TRITICALE, AND BARLEY CAUSED BY FUSARIUM GRAMINEARUM OR BY TILLETIA INDICA.

Section 408(e) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7628(e)) is amended by striking ''such sums as may be necessary for each of fiscal years 1999 through 2012'' and inserting ''$10,000,000 for each of fiscal years 2014 through 2018''.

SEC. 7304. 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 ''section such sums as are necessary'' and all that follows and inserting the following: ''section—

''(1) such sums as are necessary for each of fiscal years 2008 through 2013; and

''(2) $3,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 7305. SPECIALTY CROP RESEARCH INITIATIVE.

Section 412 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7632) is amended—

(1) in subsection (b)(3), by inserting ''handling and processing,'' after ''production efficiency,'';

(2) in subsection (e)—

(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 1408A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123a) during the peer and merit review process.''; and

(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.''; and

(3) in subsection (h), by striking paragraph (3) and inserting the following:

''(3) SUBSEQUENT FUNDING.—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. 7306. FOOD ANIMAL RESIDUE AVOIDANCE DATABASE PROGRAM.

Section 604(e) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7642(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. 7653(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, and extension programs, and agricultural stakeholders throughout the United States;

''(2) to increase the effectiveness of providing 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 ACT.

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''; and

(2) by striking ''Act'' and all that follows and inserting the following: ''Act—

''(1) such sums as are necessary for each of fiscal years 1991 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) Aaniiih 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) Ilisagvik 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) Leech Lake Tribal College.

''(20) Little Big Horn College.

''(21) Little Priest Tribal College.

''(22) Navajo Technical College.

''(23) Nebraska Indian Community College.

''(24) Northwest Indian College.

''(25) Oglala 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)(ii), by striking ''of such Act as added by section 534(b)(1) of this part'' and inserting ''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

(B) in subsection (b), in the first sentence 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 second sentence by inserting ''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)(1) 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 at least 1 other 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) other land-grant college or university (exclusive of another 1994 Institution);

''(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).''.

(e) EFFECTIVE DATE.—The amendments made by subsections (a), (b), and (d)(2) take effect on October 1, 2013.

SEC. 7403. RESEARCH FACILITIES ACT.

Section 6(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. 450i) is amended—

(1) in subsection (b)(11)(A), in the matter preceding clause (i), by striking ''2012'' and inserting ''2018''; and

(2) by adding at the end the following:

''(l) 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 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 PILOT PROGRAM UNDER DEPARTMENT OF AGRICULTURE REORGANIZATION ACT OF 1994.

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. 1671 note; Public Law 95–306) 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. 2809) 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 7405 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''; 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).''; and

(2) by redesignating subsection (h) as subsection (i);

(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 (i) to make grants to States, on a competitive basis, which States shall use the grants 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 ''FOR 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''; 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.'';

(B) in paragraph (2)—

(i) in the heading, by striking ''FOR FISCAL YEARS 2009 THROUGH 2012''; and

(ii) striking ''2012'' and inserting ''2018'';

(C) 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''; and

(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) $15,000,000 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) 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: ''are authorized to be appropriated to carry out this section—

''(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: ''section—

''(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. GRAZINGLANDS 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 7506 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7614c) is amended—

(1) in subsection (a)—

(A) by striking ''(a) DEFINITION OF COMPETITIVE PROGRAMS.—In this section, the term''; and inserting the following:

''(a) DEFINITIONS.—In this section:

''(1) COMPETITIVE PROGRAMS.—The term''; and

(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(f)(1) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6971(f)(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, restriction, 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 or the Agricultural Research Service, the location and staff years of the program;

''(C) the proposed funding levels to be allocated to, 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 1672B(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925b(a));

''(iv) each grant awarded under section 412(b) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7632(b)); and

''(v) each grant awarded under 7405(c)(1) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3319f(c)(1)); or

''(D) any other information the Secretary determines will increase congressional oversight with respect to covered 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);

''(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. 7631); or

''(E) section 7405 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3319f).

''(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 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)); or

''(iv) the private sector; and

''(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 7525 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 5937) 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 2014 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 ''at Cornell University''; and

(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 ''gasification'' and inserting ''bioproducts''; 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 paragraph (2)''; and

(5) in subsection (g), by striking ''2012'' and inserting ''2018''.

(b) CONFORMING 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 (c)(1)(C)(i)''; and

(2) in paragraph (2), by striking ''subsection (d)(1)'' and inserting ''subsection (d)''.

Subtitle F—Miscellaneous

SEC. 7601. FOUNDATION FOR FOOD AND AGRICULTURE RESEARCH.

(a) DEFINITIONS.—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) ESTABLISHMENT.—

(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) agriculture systems and technology; and

(G) agriculture economics and rural communities; and

(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 to, or enter into contracts, memoranda of understanding, or cooperative agreements with, scientists and entities, which may include agricultural research agencies in the Department, 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 7504 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7614a);

(D) facilitate technology transfer and release of information and data gathered from the activities of the Foundation to the agricultural research community;

(E) promote and encourage the development of the next generation of agricultural research scientists; and

(F) carry out such other activities as the Board determines to be consistent with the purposes of the Foundation.

(2) AUTHORITY.—Subject to paragraph (3), the Foundation shall be the sole entity responsible for carrying out the duties enumerated in this subsection.

(3) RELATIONSHIP TO OTHER ACTIVITIES.—The activities described in paragraph (1) shall be supplemental to any other activities at the Department and shall not preempt any authority or responsibility of the Department under another provision of law.

(e) BOARD OF DIRECTORS.—

(1) ESTABLISHMENT.—The Foundation shall be governed by a Board of Directors.

(2) COMPOSITION.—

(A) IN GENERAL.—The Board shall be composed of appointed and ex-officio, nonvoting members.

(B) EX-OFFICIO MEMBERS.—The ex-officio members of the Board shall be the following individuals or designees:

(i) The Secretary.

(ii) The Under Secretary of Agriculture for Research, Education, and Economics.

(iii) The Administrator of the Agricultural Research Service.

(iv) The Director of the National Institute of Food and Agriculture.

(v) The Director of the National Science Foundation.

(C) APPOINTED MEMBERS.—

(i) IN GENERAL.—The ex-officio members of the Board under subparagraph (B) shall, by majority vote, appoint to the Board 15 individuals, of whom—

(I) 8 shall be selected from a list of candidates to be provided by the National Academy of Sciences; and

(II) 7 shall be selected from lists of candidates provided by industry.

(ii) REQUIREMENTS.—

(I) EXPERTISE.—The ex-officio members shall ensure that a majority of the members of the Board have actual experience in agricultural research and, to the extent practicable, represent diverse sectors of agriculture.

(II) LIMITATION.—No employee of the Federal Government may serve as an appointed member of the Board under this subparagraph.

(III) NOT FEDERAL EMPLOYMENT.—Appointment to the Board under this subparagraph shall not constitute Federal employment.

(iii) AUTHORITY.—All appointed members of the Board shall be voting members.

(D) CHAIR.—The Board shall, from among the members of the Board, designate an individual to serve as Chair of the Board.

(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).

(4) DUTIES.—

(A) 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.

(B) ESTABLISHMENT OF BYLAWS.—In establishing bylaws under subparagraph (A)(i), the Board shall ensure that the bylaws do not—

(i) reflect unfavorably on the ability of the Foundation to carry out the duties 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 clause (i), the individual appointed to fill the resulting vacancy shall be appointed for the remainder of the term of the predecessor of the individual.

(iii) TRANSITION.—A 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 but may 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.

(f) ADMINISTRATION.—

(1) EXECUTIVE DIRECTOR.—

(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.

(2) 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 funds, gifts, grants, devises, or bequests of real or personal property made to the Foundation, including such support from private entities;

(iv) prescribe the manner in which—

(I) real or personal property of the Foundation is acquired, held, and transferred;

(II) general operations of the Foundation are to be conducted; and

(III) the privileges granted to the Board by law are exercised and enjoyed;

(v) with the consent of the applicable executive department or independent agency, use the information, services, and facilities of the department or agency in carrying out this section;

(vi) enter into contracts with public and private organizations for the writing, editing, printing, and publishing of books and other material;

(vii) hold, administer, invest, and spend any gift, devise, or bequest of real or personal property made to the Foundation;

(viii) enter into such contracts, leases, cooperative agreements, and other transactions as the Board considers appropriate to conduct the activities of the Foundation;

(ix) modify or consent to the modification of any contract or agreement to which the Foundation is a party or in which the Foundation has an interest;

(x) take such action as may be necessary to obtain patents and licenses for devices and procedures developed by the Foundation and employees of the Foundation;

(xi) sue and be sued in the corporate name of the Foundation, and complain and defend in courts of competent jurisdiction;

(xii) appoint other groups of advisors as may be determined necessary to carry out the functions of the Foundation; and

(xiii) exercise such other incidental powers as are necessary to carry out the duties and functions of the Foundation in accordance with this section.

(B) LIMITATION.—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.

(3) RECORDS.—

(A) AUDITS.—The Foundation 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.—

(I) IN GENERAL.—Not later than 5 months following the end of each fiscal year, the Foundation shall publish a report for the preceding fiscal year that includes—

(aa) a description of Foundation activities, including accomplishments; and

(bb) a comprehensive statement of the operations and financial condition of the Foundation.

(II) FINANCIAL CONDITION.—Each report under subclause (I) shall include a description of all gifts or grants to the Foundation 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.

(III) AVAILABILITY.—The Foundation 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 individual.

(IV) PUBLIC MEETING.—The Board shall hold an annual public meeting to summarize the activities of the Foundation.

(ii) GRANT REPORTING.—Any recipient of a grant under subsection (d)(1)(A) shall provide the Foundation with a report at the conclusion of any research or studies conducted the describes the results of the research or studies, including any data generated.

(4) INTEGRITY.—

(A) IN GENERAL.—To ensure integrity in the operations of the Foundation, the Board shall develop and enforce procedures relating to standards of conduct, financial disclosure statements, conflict of interest (including recusal and waiver rules), audits, and any other matters determined appropriate by the Board.

(B) FINANCIAL CONFLICTS OF INTEREST.—Any individual who is an officer, employee, or member of the Board is prohibited from any participation in deliberations by the Foundation of a matter that would directly or predictably affect any financial interest of—

(i) the individual;

(ii) a relative (as defined in section 109 of the Ethics in Government Act of 1978 (5 U.S.C. App.)) of that individual; or

(iii) a business organization or other entity in which the individual has an interest, including an organization or other entity with which the individual is negotiating employment.

(5) INTELLECTUAL PROPERTY.—The Board shall adopt written standards to govern ownership of any intellectual property rights derived from the collaborative efforts of the Foundation.

(6) 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.

(g) 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 remain 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.

(2) SEPARATION OF FUNDS.—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).

SEC. 7602. OBJECTIVE AND SCHOLARLY AGRICULTURAL AND FOOD LAW RESEARCH AND INFORMATION.

(a) FINDINGS.—Congress finds that—

(1) the farms, ranches, and forests of the United States are impacted by a complex and rapidly evolving web of international, Federal, State, and local laws (including regulations);

(2) objective, scholarly, and authoritative agricultural and food law research and information helps the farm, ranch, and forestry community contribute to the strength of the United States through improved conservation, environmental protection, job creation, economic development, renewable energy production, outdoor recreational opportunities, and increased local and regional supplies of food, fiber, and fuel; and

(3) the vast agricultural community of the United States, including farmers, ranchers, foresters, attorneys, policymakers, and extension personnel, need access to agricultural and food law research and information provided by an objective, scholarly, and neutral source.

(b) PARTNERSHIPS.—The Secretary, acting through the National Agricultural Library, shall support the dissemination of objective, scholarly, and authoritative agricultural and food law research and information by entering into partnerships with institutions of higher education that have expertise in agricultural and food law research and information.

(c) 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.

TITLE VIII—FORESTRY

Subtitle A—Repeal of Certain Forestry Programs

SEC. 8001. FOREST LAND ENHANCEMENT PROGRAM.

(a) REPEAL.—Section 4 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103) is repealed.

(b) CONFORMING AMENDMENT.—Section 8002 of the Farm Security and Rural Investment Act of 2002 (Public Law 107–171; 16 U.S.C. 2103 note) is amended by striking subsection (a).

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2013.

SEC. 8002. WATERSHED FORESTRY ASSISTANCE PROGRAM.

(a) REPEAL.—Section 6 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103b) is repealed.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

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 repealed.

SEC. 8004. HISPANIC-SERVING INSTITUTION AGRICULTURAL LAND NATIONAL RESOURCES LEADERSHIP PROGRAM.

(a) REPEAL.—Section 8402 of the Food, Conservation, and Energy Act of 2008 (16 U.S.C. 1649a) is repealed.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

SEC. 8005. TRIBAL WATERSHED FORESTRY ASSISTANCE PROGRAM.

(a) REPEAL.—Section 303 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6542) is repealed.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

Subtitle B—Reauthorization of Cooperative Forestry Assistance Act of 1978 Programs

SEC. 8101. STATE-WIDE ASSESSMENT AND STRATEGIES FOR FOREST RESOURCES.

Section 2A(f)(1) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101a(f)(1)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 8102. 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. 8103. FOREST LEGACY PROGRAM.

Section 7 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103c) is amended by striking subsection (m) and inserting the following:

''(m) FUNDING.—

''(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 to carry out this section, 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. 2103d) 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.''.

SEC. 8105. URBAN AND COMMUNITY FORESTRY ASSISTANCE.

Section 9(i) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2105(i)) is amended by striking ''such sums as may be necessary for each fiscal year thereafter'' and inserting ''$50,000,000 for each of fiscal years 2014 through 2018''.

Subtitle C—Reauthorization of Other Forestry-related Laws

SEC. 8201. RURAL REVITALIZATION TECHNOLOGIES.

Section 2371(d)(2) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 6601(d)(2)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 8202. OFFICE OF INTERNATIONAL FORESTRY.

Section 2405 of the Global Climate Change Prevention Act of 1990 (7 U.S.C. 6704) is amended by striking subsection (d) and inserting the following:

''(d) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated—

''(1) such sums as are necessary for each of fiscal years 1996 through 2013; and

''(2) $10,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 8203. INSECT INFESTATIONS AND RELATED DISEASES.

(a) FINDINGS AND PURPOSES.—Section 401 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6551) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (3) through (12) as paragraphs (4) through (13), respectively; and

(B) 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, Montana, Nevada, New Mexico, Oregon, and South Dakota;

''(B) reaching epidemic populations and severely impacting over 41,000,000 acres in western forests; and

''(C) deteriorating forest health in national forests and, when combined with drought, disease, and storm damage, is resulting in extreme fire hazards in national forests across the Western United States and endangering the economic stability of surrounding adjacent communities, ranches, and parks;''; and

(2) in subsection (b)—

(A) in paragraph (2), by striking ''and'' at the end;

(B) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(4) to provide for designation of treatment areas pursuant to section 405.''.

(b) DESIGNATION OF TREATMENT AREAS.—Title IV of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6551 et seq.) is amended—

(1) by redesignating sections 405 and 406 (16 U.S.C. 6555, 6556) as sections 406 and 407, respectively; and

(2) by inserting after section 404 (16 U.S.C. 6554) the following:

''SEC. 405. DESIGNATION OF TREATMENT AREAS.

''(a) DESIGNATION OF TREATMENT AREAS.—Not later than 60 days after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, the Secretary shall designate treatment areas on at least 1 national forest in each State, if requested by the Governor of the State, that the Secretary determines, based on annual forest health surveys, are experiencing declining forest health due to insect or disease infestation.

''(b) TREATMENT OF AREAS.—The Secretary may carry out treatments to address the insect or disease infestation in the areas designated under subsection (a) in accordance with sections 104, 105, 106, and 401.

''(c) 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.''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 407 of the Healthy Forests Restoration Act of 2003 (as redesignated by subsection (b)(1)) is amended by striking ''2008'' and inserting ''2018''.

SEC. 8204. STEWARDSHIP END RESULT CONTRACTING PROJECTS.

(a) IN GENERAL.—Title VI of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591) is amended by adding at the end the following:

''SEC. 602. STEWARDSHIP END RESULT CONTRACTING PROJECTS.

''(a) DEFINITIONS.—In this section:

''(1) CHIEF.—The term 'Chief' means the Chief of the Forest Service.

''(2) 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) LAND MANAGEMENT GOALS.—The land management goals of a project under subsection (b) may include—

''(1) road and trail maintenance or obliteration to restore or maintain water quality;

''(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.

''(d) AGREEMENTS OR CONTRACTS.—

''(1) PROCUREMENT PROCEDURE.—A source for performance of 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.

''(2) 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.

''(3) 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 3903 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.

''(4) OFFSETS.—

''(A) IN GENERAL.—The Chief and the Director may apply the value of timber or other forest products removed as an offset against the cost of services received under the agreement or contract described in subsection (b).

''(B) METHODS OF APPRAISAL.—The value of timber or other forest products used as an 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.

''(5) RELATION TO OTHER LAWS.—Notwithstanding subsections (d) and (g) of section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a), the Chief may enter into an agreement or contract under subsection (b).

''(6) CONTRACTING OFFICER.—Notwithstanding any other provision of law, the Secretary or the Secretary of the Interior may

determine the appropriate contracting officer to enter into and administer an agreement or contract under subsection (b).

''(e) RECEIPTS.—

''(1) IN GENERAL.—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)—

''(A) 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 resources 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

''(2) and the Act of June 30, 1914 (16 U.S.C. 498).

''(g) PERFORMANCE AND PAYMENT GUARANTEES.—

''(1) IN GENERAL.—The Chief and the Director may require performance and payment bonds under sections 28.103–2 and 28.103–3 of the Federal Acquisition Regulation, in an amount that the contracting officer considers sufficient to protect the investment in receipts by the Federal Government generated by the contractor from the estimated value of the forest products to be removed under a 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—

''(A) collect 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 accesses 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.

''(i) 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—

''(1) 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. 2104 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. 6572(e)(3)) is amended—

(1) in subparagraph (C), by striking ''subparagraphs (A) and (B)'' and inserting ''clauses (i) and (ii)'';

(2) by redesignating subparagraphs (A) through (C) as clauses (i) through (iii), respectively, and indenting appropriately; and

(3) by striking ''In the case of'' and inserting the following:

''(A) DEFINITION OF ACREAGE OWNED BY INDIAN TRIBES.—In this paragraph, the term 'acreage owned by Indian tribes' includes—

''(i) land that is held in trust by the United States for Indian tribes or individual Indians;

''(ii) land, the title to which is held by Indian tribes or individual Indians subject to Federal restrictions against alienation or encumbrance;

''(iii) land that is subject to rights of use, occupancy, and benefit of certain Indian tribes;

''(iv) land that is held in fee title by an Indian tribe; or

''(v) land that is owned by a native corporation formed under section 17 of the Act of June 18, 1934 (commonly known as the 'Indian Reorganization Act') (25 U.S.C. 477) or section 8 of the Alaska Native Claims Settlement Act (43 U.S.C. 1607); or

''(vi) a combination of 1 or more types of land described in clauses (i) through (v).

''(B) ENROLLMENT OF ACREAGE.—In the case of''.

(b) CHANGE IN FUNDING SOURCE FOR HEALTHY FORESTS RESERVE PROGRAM.—Section 508 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6578) is amended—

(1) in subsection (a), by striking ''IN GENERAL'' and inserting ''FISCAL YEARS 2009 THROUGH 2013'';

(2) by redesignating subsection (b) as subsection (d); and

(3) by inserting after subsection (a) the following:

''(b) FISCAL YEARS 2014 THROUGH 2018.—There is authorized to be appropriated to the Secretary of Agriculture to carry out this section $9,750,000 for each of fiscal years 2014 through 2018.

''(c) ADDITIONAL SOURCE OF FUNDS.—In addition to funds appropriated pursuant to the authorization of appropriations in subsection (b) for a fiscal year, the Secretary may use such amount of the funds appropriated for that fiscal year to carry out the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590a et seq.) as the Secretary determines necessary to cover the cost of technical assistance, management, and enforcement responsibilities for land enrolled in the healthy forests reserve program pursuant to subsections (a) and (b) of section 504.''.

Subtitle D—Miscellaneous Provisions

SEC. 8301. MCINTIRE-STENNIS COOPERATIVE FORESTRY ACT.

(a) 1890 WAIVERS.—Section 4 of Public Law 87–788 (commonly known as the ''McIntire-Stennis Cooperative Forestry Act'') (16 U.S.C. 582a–3) is amended by inserting ''The matching funds requirement shall not be applicable to eligible 1890 Institutions (as defined in section 2 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7601)) if the allocation is below $200,000.'' before ''The Secretary is authorized'' in the second sentence.

(b) PARTICIPATION.—Section 8 of Public Law 87–788 (commonly known as the ''McIntire-Stennis Cooperative Forestry Act'') (16 U.S.C. 582a–7) is amended by inserting 'the Federated States of Micronesia, American Samoa, the Northern Mariana Islands, the District of Columbia,' before 'and Guam''.

(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. 1642(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 organization, procedures, and funding needed to achieve each of the following:

(1) Complete the transition to a fully annualized forest inventory program and include 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 biomass supplies 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 on demonstrated need.

(5) Improve the timeliness of the timber product output program and accessibility of the annualized information on that database.

(6) Foster greater cooperation among the forest inventory and analysis program, research station leaders, and State foresters and other users of information from the forest inventory and analysis.

(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 through increased understanding, in partnership with other Federal agencies, of the over 10 million family forest owners, their demographics, and the barriers to forest stewardship.

(11) Implement procedures to improve the statistical precision of estimates at the sub-State level.

(c) 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 Committee 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 redesignating 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)(i)—

(i) in subclause (I), by striking ''and'' at the end;

(ii) in subclause (II)(bb), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(III) establish 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 subparagraph (B)—

(I) in clause (v), by inserting ''as determined to be necessary by the Secretary based on the availability of data,'' before ''provide information'';

(II) by redesignating 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, procuring, 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) REQUIRED DESIGNATIONS.—Not later than 1 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 subparagraph (A).''; 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) by redesignating subsections (d), (e), (f), (g), and (h) as subsections (e), (f), (g), (i), and (j), respectively;

(4) by inserting after subsection (c) the following:

''(d) OUTREACH, EDUCATION, AND PROMOTION.—

''(1) IN GENERAL.—The Secretary may engage in outreach, educational, and promotional activities intended to increase knowledge, awareness, and benefits of biobased products.

''(2) AUTHORIZED ACTIVITIES.—In carrying out this subsection, the Secretary may—

''(A) conduct consumer education and outreach (including consumer and awareness surveys);

''(B) conduct outreach to and support for State and local governments interested in implementing biobased purchasing programs;

''(C) partner with industry and nonprofit groups to produce educational and outreach materials and conduct educational and outreach events;

''(D) sponsor special conferences and events to bring together buyers and sellers of biobased products; and

''(E) support pilot and demonstration projects.'';

(5) in subsection (h) (as redesignated by paragraph (3))—

(A) in paragraph (2)—

(i) in the matter preceding subparagraph (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; and

(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:

''(3) 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—

''(i) the quantity of biobased products sold;

''(ii) the value of the biobased products;

''(iii) the quantity of jobs created;

''(iv) the quantity of petroleum displaced;

''(v) other environmental benefits; and

''(vi) areas in which the use or manufacturing of biobased products could be 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 COORDINATION.—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 for which an application is submitted for the program;

''(2) expedite the approval of innovative products resulting from technology developed by the Forest Products Laboratory or partners of the Laboratory; and

''(3) provide appropriate technical assistance to applicants, as determined by the Secretary.''; and

(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:

''(3) FISCAL YEARS 2014 THROUGH 2018.—There is authorized to be appropriated to carry out this section $2,000,000 for each of fiscal years 2014 through 2018.

''(4) MANDATORY FUNDING FOR FISCAL YEARS 2014 THROUGH 2018.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section $3,000,000 for each of fiscal years 2014 through 2018.''.

(b) CONFORMING AMENDMENT.—Section 944(c)(2)(A) of the Energy Policy Act of 2005 (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 ''**BIOREFINERY**'';

(B) in subsection (a), in the matter preceding paragraph (1), by inserting ''renewable chemicals, and biobased product manufacturing'' after ''advanced biofuels,'';

(C) in subsection (b)—

(i) by redesignating 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''; 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 manufacturing facilities.''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on October 1, 2013.

(b) FUNDING.—Section 9003(h) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8103(h)) is amended—

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

''(1) MANDATORY FUNDING.—

''(A) IN GENERAL.—Subject to subparagraph (B), of 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—

''(i) $100,000,000 for fiscal year 2013; and

''(ii) $58,000,000 for each of fiscal years 2014 and 2015.

''(B) BIOBASED PRODUCT MANUFACTURING.—Of the total amount of funds made available for the period of fiscal years 2013 through 2015 under subparagraph (A), the Secretary use for the cost of loan guarantees under this section not more than $25,000,000 to promote biobased product manufacturing.''; and

(2) in paragraph (2), by striking ''2013'' and inserting ''2018''.

SEC. 9004. REPEAL OF REPOWERING ASSISTANCE PROGRAM AND TRANSFER OF REMAINING FUNDS.

(a) REPEAL.—Subject to 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 9004 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8104) 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 systems 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) a council (as defined in section 1528 of the Agriculture and Food Act of 1981 (16 U.S.C. 3451)); and''; and

(B) in subsection (c)—

(i) in paragraph (1)(A), 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 subparagraph (A) and inserting the following:

''(A) GRANTS.—The amount of a grant under this subsection shall not exceed the lesser of—

''(i) $500,000; and

''(ii) 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 $80,000.

''(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 $80,000 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 2013'' after ''FUNDING''; and

(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 $20,000,000 for each of fiscal years 2014 through 2018.

''(5) MANDATORY FUNDING FOR FISCAL YEARS 2013 THROUGH 2018.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section $48,200,000 for each of fiscal years 2014 through 2018.''.

SEC. 9008. BIOMASS RESEARCH AND DEVELOPMENT.

Section 9008(h) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8108(h)) 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''; and

(3) by adding at the end the following:

''(3) FISCAL YEARS 2014 THROUGH 2018.—There is authorized to be appropriated to carry out this section $30,000,000 for each of fiscal years 2014 through 2018.

''(4) MANDATORY FUNDING FOR FISCAL YEARS 2014 THROUGH 2018.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section $26,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 9009. FEEDSTOCK FLEXIBILITY PROGRAM FOR BIOENERGY PRODUCERS.

Section 9010(b) 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 (2)(A), by striking ''2013'' and inserting ''2018''.

SEC. 9010. BIOMASS CROP ASSISTANCE PROGRAM.

Section 9011 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8111) is amended to read as follows:

''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 I 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 Forestry 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.);

''(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 I 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—

''(I) directly from—

''(aa) National Forest System;

''(bb) Bureau of Land Management land;

''(cc) non-Federal land; or

''(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;

''(II) in 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 byproduct of a preventative treatment that is removed to reduce hazardous fuel 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) EXCLUSIONS.—The term 'eligible material' does not include—

''(i) material that is whole grain from any crop that is eligible to receive payments under title I of the Agriculture Reform, Food, and Jobs Act of 2013 or an amendment made by that title, including—

''(I) barley, corn, grain sorghum, oats, rice, or wheat;

''(II) honey;

''(III) mohair;

''(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; and

''(X) wool and cotton boll fiber;

''(ii) 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) any woody eligible 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' has the meaning given the term in section 2501(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(e)).

''(b) ESTABLISHMENT AND PURPOSE.—The Secretary shall establish and administer a Biomass Crop Assistance Program to—

''(1) support the establishment and production of eligible crops for conversion to bioenergy in selected BCAP project areas; and

''(2) assist agricultural and forest land owners and operators with the collection, harvest, storage, and transportation of eligible material for use in a biomass conversion facility.

''(c) BCAP PROJECT AREA.—

''(1) IN GENERAL.—The Secretary shall provide financial assistance to a producer of an eligible crop in a BCAP project area.

''(2) SELECTION OF PROJECT AREAS.—

''(A) IN GENERAL.—To be considered for selection as a BCAP project area, a project sponsor shall submit to the Secretary a proposal that, at a minimum, includes—

''(i) a description of the eligible land and eligible crops of each producer that will participate in the proposed BCAP project area;

''(ii) a letter of commitment from a biomass conversion facility that the facility will use the eligible crops intended to be produced in the proposed BCAP project area;

''(iii) evidence that the biomass conversion facility has sufficient equity available, as determined by the Secretary, if the biomass conversion facility is not operational at the time the proposal is submitted to the Secretary; and

''(iv) any other information about the biomass conversion facility or proposed biomass conversion facility that the Secretary determines necessary for the Secretary to be reasonably assured that the plant will be in operation by the date on which the eligible crops are ready for harvest.

''(B) BCAP PROJECT AREA SELECTION CRITERIA.—In selecting BCAP project areas, the Secretary shall consider—

''(i) the volume of the eligible crops proposed to be produced in the proposed BCAP project area and the probability that those crops will be used for the purposes of the BCAP;

''(ii) the volume of renewable biomass projected to be available from sources other than the eligible crops grown on contract acres;

''(iii) the anticipated economic impact in the proposed BCAP project area;

''(iv) the opportunity for producers and local investors to participate in the ownership of the biomass conversion facility in the proposed BCAP project area;

''(v) the participation rate by—

''(I) beginning farmers or ranchers (as defined in accordance with section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a))); or

''(II) socially disadvantaged farmers or ranchers;

''(vi) the impact on soil, water, and related resources;

''(vii) the variety in biomass production approaches within a project area, including (as appropriate)—

''(I) agronomic conditions;

''(II) harvest and postharvest practices; and

''(III) monoculture and polyculture crop mixes;

''(viii) the range of eligible crops among project areas; and

''(ix) any additional information that the Secretary determines to be necessary.

''(3) 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) an agreement to make available to the Secretary, or to an institution of higher education or other entity designated by the Secretary, such information as the Secretary considers to be appropriate to promote the production of eligible crops and the development of biomass conversion technology;

''(ii) compliance with the highly erodible land conservation requirements of subtitle B of title XII of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.) and the wetland conservation requirements of subtitle C of title XII of that Act (16 U.S.C. 3821 et seq.);

''(iii) the implementation of (as determined by the Secretary)—

''(I) a conservation plan;

''(II) a forest stewardship plan; or

''(III) a plan that is equivalent to a conservation or forest stewardship plan; and

''(iv) any additional requirements that Secretary determines to be necessary.

''(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.

''(4) RELATIONSHIP TO OTHER PROGRAMS.—In carrying out this subsection, the Secretary shall provide for the preservation of cropland base and yield history applicable to the land enrolled in a BCAP contract.

''(5) PAYMENTS.—

''(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.—

''(i) 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 perennial crop covered by the contract but not to exceed $500 per acre, including—

''(I) the cost of seeds and stock for perennials;

''(II) the cost of planting the perennial crop, as determined by the Secretary; and

''(III) in the case of nonindustrial private forestland, the costs of site preparation and tree planting.

''(ii) SOCIALLY DISADVANTAGED FARMERS OR RANCHERS.—In the case of socially disadvantaged farmers or ranchers, the costs of establishment may not exceed $750 per acre.

''(C) AMOUNT OF ANNUAL PAYMENTS.—

''(i) IN GENERAL.—Subject to clause (ii), the amount of an annual payment under this subsection shall be determined by the Secretary.

''(ii) 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 production 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);

''(IV) the producer violates a term of the contract; or

''(V) the Secretary determines a reduction is necessary to carry out this section.

''(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.

''(d) ASSISTANCE WITH COLLECTION, HARVEST, STORAGE, AND TRANSPORTATION.—

''(1) IN GENERAL.—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.

''(2) PAYMENTS.—

''(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 an annual 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.

''(e) 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 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.

''(f) FUNDING.—

''(1) IN GENERAL.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section $38,600,000 for each of fiscal years 2014 through 2018.

''(2) 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 to make collection, harvest, transportation, and storage payments under subsection (d)(2).''.

SEC. 9011. REPEAL 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 or discounts relating 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''; and

(3) by adding at the end the following:

''(C) grants of up to $50,000 to biomass consumer cooperatives for the purpose of establishing or expanding biomass consumer cooperatives that will provide consumers with services or discounts relating to—

''(i) the purchase of biomass heating systems;

''(ii) biomass heating products, including wood chips, wood pellets, and advanced biofuels; or

''(iii) 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)(C) shall contribute an amount of non-Federal funds (which may include State, local, and nonprofit funds and membership dues) toward the establishment or expansion of a biomass consumer cooperative that is at least equal to 50 percent of the amount of Federal funds 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 STUDY.

Section 9003 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2096) is repealed.

TITLE X—HORTICULTURE

SEC. 10001. SPECIALTY CROPS MARKET NEWS ALLOCATION.

Section 10107(b) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 1622b(b)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 10002. REPEAL OF GRANT PROGRAM TO IMPROVE MOVEMENT OF SPECIALTY CROPS.

Section 10403 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 1622c) is repealed.

SEC. 10003. FARMERS MARKET AND LOCAL FOOD PROMOTION 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'' before the period at 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, community-supported agriculture programs, agritourism activities, and other direct producer-to-consumer market opportunities; and

''(B) 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);

(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 market opportunities for small and mid-sized farm 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 ''MANDATORY FUNDING'';

(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);

(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.''; and

(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.

''(6) 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.

''(7) 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 PROGRAM EVALUATION.

(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, at a minimum—

(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 or on 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 Farmers' Market and Local Food Promotion Program established under section 6 of the Farmer-to-Consumer Direct Marketing Act

of 1976 (7 U.S.C. 3005), including the percentage of projects funded in comparison to applicants and the types of eligible entities receiving funds;

(C) the ability 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 facilitate, 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 redevelopment 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.

(a) ORGANIC PRODUCTION AND MARKET DATA INITIATIVES.—Section 7407 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 5925c) is amended—

(1) in subsection (c)—

(A) in the matter preceding paragraph (1), by inserting ''and annually thereafter'' after ''this subsection'';

(B) in paragraph (1), by striking ''and'' at the end;

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

(D) by inserting after paragraph (1) the following:

''(2) describes how data collection agencies (such as the Agricultural Marketing Service and the National Agricultural Statistics Service) are coordinating with data user agencies (such as the Risk Management Agency) to ensure that data collected under this section can be used by data user agencies, including by the Risk Management Agency to offer price elections for all organic crops; and''; and

(2) in subsection (d)—

(A) by striking paragraph (3);

(B) by redesignating paragraph (2) as paragraph (3);

(C) by inserting after paragraph (1) the following:

''(2) MANDATORY FUNDING.—In addition to any funds available under paragraph (1), of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section $5,000,000, to remain available until expended.''; and

(D) in paragraph (3) (as redesignated by subparagraph (B))—

(i) in the heading, by striking ''FOR FISCAL YEARS 2008 THROUGH 2012'';

(ii) by striking ''paragraph (1)'' and inserting ''paragraphs (1) and (2)''; and

(iii) by striking ''2012'' and inserting ''2018''.

(b) MODERNIZATION AND TECHNOLOGY UPGRADE FOR NATIONAL ORGANIC PROGRAM.—Section 2123 of the Organic Foods Production Act of 1990 (7 U.S.C. 6522) is amended—

(1) in subsection (b)—

(A) in paragraph (5), by striking ''and'' at the end;

(B) by redesignating paragraph (6) as paragraph (7); and

(C) by inserting after paragraph (5) the following:

''(6) $15,000,000 for each of fiscal years 2014 through 2018; and''; and

(2) by adding at the end the following:

''(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 year 2014, to remain available until expended.

''(d) 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 commodity research and promotion programs adequately reflect the priorities of all members of the applicable orders; and

''(2) includes an assessment of the feasibility of establishing an organic research and promotion program, including any current barriers to establishment and challenges related to implementation.''.

SEC. 10006. FOOD SAFETY EDUCATION INITIATIVES.

Section 10105(c) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7655a(c)) is amended by striking ''2012'' and inserting ''2018''.

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 redesignating 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' (referred to 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 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 NLGCA 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.''.

(b) FUNDING.—Subsection (f) of section 420 of the Plant Protection Act (7 U.S.C. 7721) (as redesignated by subsection (a)(1)) is amended—

(1) in paragraph (3), by striking ''and'' at the end;

(2) in paragraph (4), by striking ''and each fiscal year thereafter.'' and inserting a semicolon; and

(3) by adding at the end the following:

''(5) $60,000,000 for each of fiscal years 2014 through 2017; and

''(6) $65,000,000 for fiscal year 2018 and each fiscal year thereafter.''.

(c) REPEAL OF EXISTING PROVISION.—Section 10202 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7761) is repealed.

(d) CLARIFICATION OF USE OF FUNDS FOR TECHNICAL ASSISTANCE.—Section 420 of the Plant Protection Act (7 U.S.C. 7721) (as amended by subsection (a)) is amended by adding at the end the following:

''(g) RELATIONSHIP TO OTHER LAW.—The use of Commodity Credit Corporation funds under this section to provide technical assistance shall not be considered an allotment or fund transfer from the Commodity Credit Corporation for purposes of the limit on expenditures for technical assistance imposed by section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i).''.

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 (j)'' and inserting ''subsection (l)''; and

(B) by striking ''2012'' and inserting ''2018'';

(2) by striking subsection (b) and inserting the following:

''(b) GRANTS BASED ON VALUE AND ACREAGE.—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 (l) 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 (l);

(4) by inserting after subsection (i) the following:

''(j) 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 may allocate for grants under 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) $4,000,000 for fiscal year 2017; and

''(E) $5,000,000 for fiscal year 2018.

''(k) ADMINISTRATION.—

''(1) DEPARTMENT.—The Secretary of Agriculture may not use more than 3 percent of the funds made available to carry out this section for a fiscal year for administrative expenses.

''(2) STATES.—A State receiving a grant under this section may not use more than 8 percent of the funds received under the grant for a fiscal year for administrative expenses.''; and

(5) in subsection (l) (as redesignated by paragraph (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''; 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 producers, handlers, and certifying agents, required to report information to the Secretary under this title shall maintain, and make available to the Secretary on the 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—

''(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) CONFIDENTIALITY.—

''(1) IN GENERAL.—Subject to paragraph (2), and except as otherwise directed by the Secretary or the Attorney General for enforcement purposes, no officer, employee, or agent of the United States shall make available to the public information, statistics, or documents obtained from or made available by any person under this title, other than in a manner that ensures that confidentiality is preserved regarding the identity of persons, including parties to a contract, and proprietary business information.

''(2) ALLEGED VIOLATORS AND NATURE OF ACTIONS.—The Secretary may release the name of the alleged violator and the nature of the actions triggering an order, suspension, or revocation under subsection (e).

''(c) INVESTIGATION.—

''(1) IN GENERAL.—The Secretary may take such investigative actions as the Secretary considers to be necessary to carry out this title—

''(A) to verify the accuracy of any information reported or made available under this title; and

''(B) to determine, with regard to actions, practices, or information required under this title, whether a person covered by this title has committed, or will commit, a violation of any provision of this title, including an order or regulation promulgated by the Secretary.

''(2) INVESTIGATIVE POWERS.—The Secretary may administer oaths and affirmations, subpoena witnesses, compel attendance of witnesses, take evidence, and require the production of any books, papers, and documents that are relevant to the investigation.

''(d) UNLAWFUL ACT.—It shall be unlawful and a violation of this title for any person covered by this title—

''(1) to fail or refuse 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

''(C) a suspension or revocation of the accreditation of a certifying agent; or

''(3) to sell, or attempt to sell, a product that is represented as being organically produced under this title if in fact the product has been produced or handled by an operation that is not yet a certified organic producer or handler under this title.

''(e) ENFORCEMENT.—

''(1) ORDER.—The Secretary may issue an order to stop the sale of an agricultural product that is labeled or otherwise represented as being organically produced—

''(A) until the product can be verified—

''(i) as meeting the national and State standards for organic production and handling as provided in sections 2105 through 2114;

''(ii) as having been produced or handled without the use of a prohibited substance listed under section 2118; and

''(iii) as being produced and handled by a certified organic operation; and

''(B) if a person has committed an unlawful act with respect to the product under subsection (d).

''(2) CERTIFICATION OR ACCREDITATION.—

''(A) SUSPENSION.—

''(i) IN GENERAL.—The Secretary may suspend the organic certification of a producer or handler, or accreditation of a certifying agent, for a period not to exceed 30 days, and may renew the suspension for an additional period, under the circumstances described in clause (ii).

''(ii) ACTIONS TRIGGERING SUSPENSION.—The Secretary may take the suspension or renewal actions described in clause (i), if the Secretary has reason to believe that a person producing or handling an agricultural product, or a certifying agent, has violated or is violating any provision of this title, including an order or regulation promulgated under this title.

''(iii) CONTINUATION OF SUSPENSION THROUGH APPEAL.—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 of the person or of the accreditation of the certifying agent, covered by this title, after an expedited administrative appeal under section 2121 has been completed.

''(B) REVOCATION.—After notice and opportunity for an administrative appeal under section 2121, if a violation described in subparagraph (A)(ii) is determined to have occurred and is an unlawful act under subsection (d), the Secretary shall revoke the organic certification of the producer or handler, or the accreditation of the certifying agent.

''(3) VIOLATION OF ORDER OR REVOCATION.—A person who violates an order to stop the sale of a product as an organically produced product under paragraph (1), or a revocation of certification or accreditation under paragraph (2)(B), shall be subject to 1 or more of the penalties provided in subsections (a) and (b) of section 2120.

''(f) APPEAL.—

''(1) IN GENERAL.—An order under subsection (e)(1), or a revocation of certification or accreditation under subsection (e)(2)(B) shall be final and conclusive unless the affected person files an appeal of the order—

''(A) first, to the administrative appeals process established under section 2121(a); and

''(B) second, if the affected person so elects, to a United States district court as provided in section 2121(b) not later than 30 days after the date of the determination under subparagraph (A).

''(2) STANDARD.—An order under subsection (e)(1), or a revocation of certification or accreditation under subsection (e)(2)(B), shall be set aside only if the order, or the revocation of certification or accreditation, is not supported by substantial evidence.

''(g) NONCOMPLIANCE.—

''(1) IN GENERAL.—If a person covered by this title fails to obey an order, or a revocation of certification or accreditation, described in subsection (f)(2) after the order or revocation has become final and conclusive 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, or the revocation of certification or accreditation.

''(2) ENFORCEMENT.—If the court determines that the order or revocation was lawfully made and duly served and that the person violated the order or revocation, the court shall enforce the order or revocation.

''(3) CIVIL PENALTY.—If the court finds that the person violated the order or revocation, the person shall be subject to a civil penalty of not more than $10,000 for each offense.''.

SEC. 10010. REPORT ON HONEY.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with affected stakeholders, shall submit to the Commissioner of Food and Drugs a report describing how an appropriate Federal standard for the identity of honey would promote honesty and fair dealing and would be in the interest of consumers, 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, including any current industry amendments 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.—Section 508(c) of the Federal Crop Insurance Act (7 U.S.C. 1508(c)) is amended by striking paragraph (3) and inserting the following:

''(3) YIELD AND LOSS BASIS OPTIONS.—A producer shall have the option of purchasing additional coverage based on—

''(A)(i) an individual yield and loss basis; or

''(ii) an area yield and loss basis;

''(B) an individual yield and loss basis, supplemented with coverage based on an area yield and loss basis to cover all or a part of the deductible under the individual yield and loss policy, as authorized in paragraph (4)(C); or

''(C) a margin basis alone or in combination with—

''(i) individual yield and loss coverage; or

''(ii) area yield and loss coverage.''.

(b) LEVEL OF COVERAGE.—Section 508(c) of the Federal Crop Insurance Act (7 U.S.C.

1508(c)) is amended by striking paragraph (4) and inserting the following:

''(4) LEVEL OF COVERAGE.—

''(A) DOLLAR DENOMINATION AND PERCENTAGE OF YIELD.—Except as provided in subparagraph (C), the level of coverage—

''(i) 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 catastrophic risk and additional coverage in terms of dollar coverage (within the allowable limits of coverage provided in this paragraph).

''(C) SUPPLEMENTAL COVERAGE OPTION.—

''(i) 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 the 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 coverage 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 adding at the end the following:

''(H) In the case of the supplemental coverage option authorized in subsection (c)(4)(C), the amount shall be equal to the sum of—

''(i) 70 percent of the additional premium associated with the coverage; and

''(ii) the amount determined under subsection (c)(4)(C)(v)(II) for the coverage to cover operating and administrative expenses.''.

(d) CONFORMING AMENDMENT.—Section 508(k)(4)(F) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(4)(F)) is amended by inserting ''or authorized under subsection (c)(4)(C)'' after ''of this subparagraph''.

(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 yield and loss basis, not later than for the 2013 crop year.

SEC. 11002. PREMIUM AMOUNTS FOR CATASTROPHIC RISK PROTECTION.

Section 508(d)(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 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.''.

SEC. 11003. PERMANENT ENTERPRISE UNIT.

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 GENERAL.—The Corporation may pay a portion of the premiums for plans or policies of insurance for which the insurable unit is defined on a whole farm or enterprise unit basis that is higher than would otherwise be paid in accordance with paragraph (2).''.

SEC. 11004. ENTERPRISE UNITS FOR IRRIGATED AND NONIRRIGATED CROPS.

Section 508(e)(5) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)(5)) is amended by adding at the end the following:

''(D) NONIRRIGATED CROPS.—Beginning with the 2013 crop year, the Corporation shall make available separate enterprise units for irrigated and nonirrigated acreages of crops in counties.''.

SEC. 11005. DATA COLLECTION.

Section 508(g)(2) of the Federal Crop Insurance Act (7 U.S.C. 1508(g)(2)) is amended by adding at the end the following:

''(E) SOURCES OF YIELD DATA.—To determine yields under this paragraph, the Corporation—

''(i) shall use county data collected by the Risk Management Agency or the National Agricultural Statistics Service, or both; or

''(ii) if sufficient county data is not available, may use other data considered appropriate by the Secretary.''.

SEC. 11006. ADJUSTMENT IN ACTUAL PRODUCTION HISTORY TO ESTABLISH INSURABLE YIELDS.

Section 508(g)(4)(B) of the Federal Crop Insurance Act (7 U.S.C. 1508(g)(4)(B)) is amended—

(1) in the matter preceding clause (i), by inserting ''for the 2012 crop year or any prior crop year, or 70 percent of the applicable transitional yield for the 2013 or any subsequent crop year,'' after ''transitional yield''; and

(2) in clause (ii), by striking ''60 percent of the applicable transitional yield'' and inserting ''the applicable percentage of the transitional yield described in this subparagraph''.

SEC. 11007. SUBMISSION AND REVIEW OF POLICIES.

Section 508(h)(1) of the Federal Crop Insurance Act (7 U.S.C. 1508(h)(1)) is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;

(2) by striking ''(1) IN GENERAL.—'' and inserting the following:

''(1) SUBMISSION AND REVIEW OF POLICIES.—

''(A) SUBMISSIONS.—In addition''; and

(3) by adding at the end the following:

''(B) REVIEW.—The Corporation shall review any policy developed under section 522(c) or any pilot program developed under section 523 and submit the policy or program to the Board under this subsection if the Corporation, at the sole discretion of the Corporation, finds that the policy or program—

''(i) will likely result in a viable and marketable policy consistent with this subsection;

''(ii) would provide crop insurance coverage in a significantly improved form; and

''(iii) adequately protects the interests of producers.''.

SEC. 11008. BOARD REVIEW AND APPROVAL.

(a) REVIEW AND APPROVAL BY THE BOARD.—Section 508(h) of the Federal Crop Insurance Act (7 U.S.C. 1508(h)) is amended by striking paragraph (3) and inserting the following:

''(3) REVIEW AND APPROVAL BY THE BOARD.—

''(A) IN GENERAL.—A policy, plan of insurance, or other material submitted to the Board under this subsection shall be reviewed by the Board and shall be approved by the Board for reinsurance and for sale by approved insurance providers to producers at actuarially appropriate rates and under appropriate terms and conditions if the Board, at the sole discretion of the Board, determines that—

''(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.

''(B) PRIORITIES.—

''(i) ESTABLISHMENT.—The Board, at the sole discretion of the Board, may—

''(I) annually establish priorities under this subsection that specify types of submissions needed to fulfill the portfolio of policies or plans of insurance to be reviewed and approved under this subsection; and

''(II) make the priorities available on the website of the Corporation.

''(ii) PROCESS.—

''(I) IN GENERAL.—Policies or plans of insurance that satisfy the priorities established by the Board under this subsection shall be considered by the Board for approval prior to other submissions.

''(II) CONSIDERATIONS.—In approving policies or plans of insurance, the Board shall—

''(aa) consider providing the highest priorities for policies or plans of insurance that address underserved commodities, including commodities for which there is no insurance; and

''(bb) consider providing the highest priorities 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 purposes of this subtitle.''.

SEC. 11009. CONSULTATION.

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:

''(E) CONSULTATION.—

''(i) REQUIREMENT.—As part of the feasibility and research associated with the development of a policy or other material conducted prior to making a 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 commodities 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 BY THE BOARD.—In evaluating whether the interests of producers are adequately protected pursuant to paragraph (3) with respect to an 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 RENEGOTIATION OF THE STANDARD REINSURANCE AGREEMENT.

Section 508(k)(8) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(8)) is amended by adding 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—

''(I) to the maximum extent practicable, shall be budget neutral; and

''(II) in no event, may significantly depart from budget neutrality.

''(ii) USE OF SAVINGS.—To the extent that any budget savings is realized in the renegotiation of a Standard Reinsurance Agreement under subparagraph (A)(ii), and the savings are determined not to be a significant departure from budget neutrality under clause (i), the savings shall be used for programs administered or managed by the Risk Management Agency.''.

SEC. 11011. STACKED INCOME PROTECTION PLAN FOR PRODUCERS OF UPLAND COTTON.

(a) AVAILABILITY OF STACKED INCOME PROTECTION PLAN.—The Federal Crop Insurance Act is amended by inserting after section 508A (7 U.S.C. 1508a) the following:

''SEC. 508B. STACKED INCOME PROTECTION PLAN FOR PRODUCERS OF UPLAND COTTON.

''(a) AVAILABILITY.—Beginning not later than the 2013 crop of upland cotton, if practicable, the Corporation shall make available to producers of maximum eligible acres of upland cotton an additional policy (to be known as the 'Stacked Income Protection Plan'), which shall provide coverage consistent with the Group Risk Income Protection Plan (and the associated Harvest Revenue Option Endorsement) offered by the Corporation for the 2011 crop year.

''(b) REQUIRED TERMS.—The Corporation may modify the Stacked Income Protection Plan on a program-wide basis, except that the Stacked Income Protection Plan shall comply with the following requirements:

''(1)(A) Provide coverage for revenue loss of not more than 30 percent of expected county revenue, specified in increments of 5 percent.

''(B) The deductible is the minimum percent of revenue loss at which indemnities are triggered under the plan, not to be less than 10 percent of the expected county revenue.

''(C) Once the deductible is met, any losses in excess of the deductible will be paid up to the coverage selected by the producer.

''(2) Be offered to producers of upland cotton in all counties with upland cotton production—

''(A) at a county-wide level to the fullest extent practicable; or

''(B) in counties that lack sufficient data, on the basis of such larger geographical area as the Corporation determines to provide sufficient data for purposes of providing the coverage.

''(3) Be purchased in addition to any other individual or area coverage in effect on the producer's acreage or as a stand-alone policy, except that if a producer has an individual or area coverage for the same acreage, the maximum coverage available under the Stacked Income Protection Plan shall not exceed the deductible for the individual or area coverage.

''(4) Establish coverage based on—

''(A) an expected price that is the expected price established under existing Group Risk Income Protection or area wide policy offered by the Corporation for the applicable county (or area) and crop year; and

''(B) an expected county yield that is the higher of—

''(i) the expected county yield established for the existing area-wide plans offered by the Corporation for the applicable county (or area) and crop year (or, in geographic areas where area-wide plans are not offered, an expected yield determined in a manner consistent with those of area-wide plans); or

''(ii)(I) the average of the applicable yield data for the county (or area) for the most recent 5 years, excluding the highest and lowest observations, from the Risk Management Agency or the National Agricultural Statistics, or both; or

''(II) if sufficient county data is not available, such other data considered appropriate by the Secretary.

''(5) Use a multiplier factor to establish maximum protection per acre (referred to as a 'protection factor') of not more than 120 percent.

''(6) Pay an indemnity based on the amount that the expected county revenue exceeds the actual county revenue, as applied to the individual coverage of the producer. Indemnities under the Stacked Income Protection Plan shall not include or overlap the amount of the deductible selected under paragraph (1).

''(7) To the maximum extent practicable, in all counties for which data are available, establish separate coverage for irrigated and nonirrigated practices.

''(8) Notwithstanding section 508(d), include a premium that—

''(A) is sufficient to cover anticipated losses and a reasonable reserve; and

''(B) includes an amount for operating and administrative expenses established in accordance with section 508(k)(4)(F).

''(c) RELATION TO OTHER COVERAGES.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the Stacked Income Protection Plan is in addition to all other coverages available to producers of upland cotton.

''(2) LIMITATION.—Acreage of upland cotton insured under the Supplemental Coverage Option shall not be eligible for the Stacked Income Protection Plan.

''(d) PAYMENT OF PORTION OF PREMIUM BY CORPORATION.—Subject to section 508(e)(4), the amount of premium paid by the Corporation for all qualifying coverage levels of the Stacked Income Protection Plan shall be—

''(1) 80 percent of the amount of the premium established under subsection (b)(8)(A) for the coverage level selected; and

''(2) the amount determined under subsection (b)(8)(B) to cover administrative and operating expenses.''.

(b) CONFORMING AMENDMENT.—Section 508(k)(4)(F) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(4)(F)) (as amended by section 11001(d)) is amended by inserting ''or under section 508B'' after ''subsection (c)(4)(C)''.

SEC. 11012. PEANUT REVENUE CROP INSURANCE.

The Federal Crop Insurance Act is amended by inserting after section 508B (as added by section 11011(a)) the following:

''SEC. 508C. PEANUT REVENUE CROP INSURANCE.

''(a) IN GENERAL.—Effective beginning with the 2013 crop year, the Risk Management Agency and the Corporation shall make available to producers of peanuts a revenue crop insurance program for peanuts.

''(b) EFFECTIVE PRICE.—

''(1) IN GENERAL.—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.

''(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 correct distortions.

''(B) ADMINISTRATION.—If an adjustment is made under subparagraph (A), the Risk Management Agency and the Corporation shall—

''(i) make the adjustment in an open and transparent manner; and

''(ii) 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 reasons for the adjustment.''.

SEC. 11013. AUTHORITY TO CORRECT ERRORS.

Section 515(c) of the Federal Crop Insurance Act (7 U.S.C. 1515(c)) is amended—

(1) in the first sentence, by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary'';

(2) in the second sentence, by striking ''Beginning with'' and inserting the following:

''(2) FREQUENCY.—Beginning with''; and

(3) by adding at the end the following:

''(3) CORRECTIONS.—

''(A) IN GENERAL.—The Corporation shall establish procedures that allow an agent and approved insurance provider within a reasonable 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 subtitle to ensure that the eligibility information is consistent with the information reported by the producer to the Farm Service Agency.

''(B) LIMITATION.—In accordance with the procedures of the Corporation, procedures under subparagraph (A) may include any subsequent correction to the eligibility information described in that subparagraph 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. 1515) 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 subtitle.

''(B) REQUIREMENT.—

''(i) IN GENERAL.—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 maximize data sharing and promote the purposes 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.''; and

(2) in subsection (k), by striking paragraph (1) and inserting the following:

''(1) INFORMATION TECHNOLOGY.—

''(A) IN GENERAL.—For purposes of subsection (j)(1), the Corporation may use, from amounts made available from the insurance fund established under section 516(c), not more than—

''(i)(I) for fiscal year 2014, $25,000,000; and

''(II) for each of fiscal years 2015 through 2018, $10,000,000; or

''(ii) if the Acreage Crop Reporting Streamlining Initiative (ACRSI) project is substantially completed by September 30, 2013, not more than $15,000,000 for each of fiscal years 2015 through 2018.

''(B) NOTIFICATION.—Not later than July 1, 2013, 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 the status of the substantial completion of the Acreage Crop Reporting Streamlining Initiative (ACRSI) project.''.

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.—

''(i) 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 making of the payments, if, after consideration of the reviewer reports described in subparagraph (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);

''(II) at the sole discretion of the Board, the concept, if developed into a policy and approved by the Board, would provide crop insurance coverage—

''(aa) in a significantly improved form or that addresses a unique need of agricultural producers;

''(bb) to a crop or region not traditionally served by the Federal crop insurance program; or

''(cc) in a form that addresses a recognized flaw or problem in the program;

''(III) the applicant agrees to provide such reports as the Corporation determines are necessary to monitor the development effort;

''(IV) the proposed budget and timetable are reasonable, as determined by the Board; and

''(V) the concept proposal meets any other requirements that the Board determines appropriate.

''(ii) WAIVER.—The Board may waive the 50-percent limitation and, upon request of the submitter after the submitter has begun research and development activities, the Board may approve an additional 25 percent advance payment to the submitter for 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 underserved by the Federal crop insurance program, including specialty crops;

''(II) the submitter is making satisfactory progress towards developing a viable and marketable policy or plan of insurance consistent with section 508(h); and

''(III) the submitter does not have sufficient financial resources to complete the development of the submission into a viable and marketable policy or plan of insurance consistent with section 508(h).''.

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:

''(18) WHOLE FARM DIVERSIFIED RISK MANAGEMENT INSURANCE PLAN.—

''(A) IN GENERAL.—The Corporation shall conduct activities or enter into contracts to carry out research and development to develop a whole farm risk management insurance plan, with a liability limitation of $1,500,000, that allows a diversified crop or livestock producer the option to qualify for an indemnity if actual gross farm revenue is below 85 percent of the average gross farm revenue or the expected gross farm revenue that can reasonably be expected of the producer, as determined by the Corporation.

''(B) ELIGIBLE PRODUCERS.—The Corporation shall permit producers (including direct-to-consumer marketers, and producers servicing local and regional and farm identity-preserved markets) who produce multiple agricultural commodities, including specialty crops, industrial crops, livestock, and aquaculture products, to participate in the plan in lieu of any other plan under this subtitle.

''(C) DIVERSIFICATION.—The Corporation may provide diversification-based additional coverage payment rates, premium discounts, or other enhanced benefits in recognition of the risk management benefits of crop and livestock diversification strategies for producers that grow multiple crops or that may have income from the production of livestock that uses a crop grown on the farm.

''(D) MARKET READINESS.—The Corporation may include coverage for the value of any packing, packaging, or any other similar on-farm activity the Corporation determines to be the minimum required in order to remove the commodity from the field.

''(E) REPORT.—Not later than 2 years 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 and feasibility of the research and development conducted under this paragraph, including an analysis of potential adverse market distortions.''.

SEC. 11017. STUDY OF FOOD SAFETY INSURANCE.

Section 522(c) of the Federal Crop Insurance Act (7 U.S.C. 1522(c)) (as amended by section 11016) is amended by adding at the end the following:

''(19) STUDY OF FOOD SAFETY INSURANCE.—

''(A) IN GENERAL.—The Corporation shall offer to enter into a contract with 1 or more qualified entities to conduct a study to determine whether offering policies that provide coverage for specialty crops from food safety and contamination issues would benefit agricultural producers.

''(B) SUBJECT.—The study described in subparagraph (A) shall evaluate policies and plans of insurance coverage that provide protection for production or revenue impacted by food safety concerns including, at a minimum, government, retail, or national consumer group announcements of a health advisory, removal, or recall related to a contamination concern.

''(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 subparagraph (A).''.

SEC. 11018. CROP INSURANCE FOR LIVESTOCK.

Section 522(c) of the Federal Crop Insurance Act (as amended by section 11016) is amended by adding at the end the following:

''(19) STUDY ON SWINE CATASTROPHIC DISEASE PROGRAM.—

''(A) IN GENERAL.—The Corporation shall contract with a qualified person to conduct a study to determine the feasibility of insuring swine producers for a catastrophic event.

''(B) REPORT.—Not later than 1 year after the date of the 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 subparagraph (A).''.

SEC. 11019. MARGIN COVERAGE FOR CATFISH.

Section 522(c) of the Federal Crop Insurance Act (as amended by section 11017) is amended by adding at the end the following:

''(20) MARGIN COVERAGE FOR CATFISH.—

''(A) IN GENERAL.—The Corporation shall offer to enter into a contract with a qualified entity to conduct research and development regarding a policy to insure producers against reduction in the margin between the market value of catfish and selected costs incurred in the production of catfish.

''(B) ELIGIBILITY.—Eligibility for the policy described in subparagraph (A) shall be limited to freshwater species of catfish that are propagated and reared in controlled or selected environments.

''(C) IMPLEMENTATION.—The Board shall review the policy described in subparagraph (B) under subsection 508(h) and approve the policy if the Board finds that the policy—

''(i) will likely result in a viable and marketable policy consistent with this subsection;

''(ii) would provide crop insurance coverage in a significantly improved form;

''(iii) adequately protects the interests of producers; and

''(iv) the proposed policy meets other requirements of this subtitle determined appropriate by the Board.''.

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 CATASTROPHIC DISEASE PROGRAM.—

''(A) DEFINITION OF POULTRY.—In this paragraph, the term 'poultry' has the meaning given the term in section 2(a) of the Packers and Stockyards Act, 1921 (7 U.S.C. 182(a)).

''(B) AUTHORITY.—The Corporation shall offer to enter into 1 or more contracts with qualified entities to carry out—

''(i) a study to determine the feasibility of insuring commercial poultry production against business disruptions caused by integrator bankruptcy; and

''(ii) a study to determine the feasibility of insuring poultry producers 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; and

''(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. 11021. CROP INSURANCE FOR ORGANIC CROPS.

(a) IN GENERAL.—Section 508(c)(6) of the Federal Crop Insurance Act (7 U.S.C. 1508(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 national organic 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 numbers 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 redesignating paragraphs (11) through (20) as paragraphs (10) through (19), respectively.

SEC. 11022. RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—Section 522(c) of the Federal Crop Insurance Act (7 U.S.C. 1522(c)) is amended—

(1) in the subsection heading, by striking ''Contracting'';

(2) in paragraph (1), in the matter preceding subparagraph (A), by striking ''may enter into contracts to carry out research and development to'' and inserting ''may conduct activities or enter into contracts to carry out research and development to maintain or improve existing policies or develop new policies to'';

(3) in paragraph (2)—

(A) in subparagraph (A), by inserting ''conduct research and development or'' after ''The Corporation may''; and

(B) by striking subparagraph (B) and inserting the following:

''(B) CONSULTATION.—Before conducting research and development or entering into a contract under subparagraph (A), the Corporation shall follow the consultation requirements described in section 508(h)(4)(E).'';

(4) in paragraph (5), by inserting ''after expert review in accordance with section 505(e) and procedures of the Board'' after ''approved by the Board''; and

(5) in paragraph (6), by striking ''a pasture, range, and forage program'' and inserting ''policies that increase participation by producers of underserved agricultural commodities, including sweet sorghum, sorghum for biomass, specialty crops, sugarcane, and dedicated energy crops''.

(b) FUNDING.—Section 522(e) of the Federal Crop Insurance Act (7 U.S.C. 1522(e)) is amended—

(1) in paragraph (2)—

(A) by striking ''(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 to''; and

(C) in subparagraph (B), by inserting ''conduct research and development and'' after ''for the fiscal year to'';

(2) in paragraph (3), in the matter preceding subparagraph (A), by striking ''to provide either reimbursement payments or contract payments''; and

(3) by striking paragraph (4).

SEC. 11023. PILOT PROGRAMS.

Section 523(a) of the Federal Crop Insurance Act (7 U.S.C. 1523(a)) is amended—

(1) in paragraph (1), by inserting '', at the sole discretion of the Corporation,'' after ''may''; and

(2) by striking paragraph (5).

SEC. 11024. INDEX-BASED WEATHER INSURANCE PILOT PROGRAM.

Section 523(a)(2) of the Federal Crop Insurance Act (7 U.S.C. 1523(a)(2)) is amended—

(1) by striking ''Under'' inserting the following:

''(A) IN GENERAL.—Under''; and

(2) by adding at the end the following:

''(B) INDEX-BASED WEATHER INSURANCE PILOT PROGRAM.—

''(i) 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 (including specialty crops) to purchase an index-based weather insurance product from a private insurance company, subject to the requirements of this subparagraph.

''(ii) PAYMENT OF PREMIUM.—

''(I) 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 under this subtitle, as determined by the Corporation.

''(II) CONDITION.—The premium assistance under subclause (I) shall not exceed 60 percent of the estimated premium amount, based on expected losses, representative operating expenses, and representative profit margins, as determined by the Corporation.

''(iii) 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 to administer the pilot program under this subparagraph that—

''(I) require each applicable private insurance company 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 companies exclusive rights over the private insurance offered under this subparagraph, including rating of 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 clause (iii); and

''(III) contain such other requirements as the Corporation determines to be necessary to ensure that—

''(aa) the interests of producers are protected; and

''(bb) the program operates in an actuarially sound manner.

''(v) FUNDING.—Of the funds of the Corporation, the Corporation shall use to carry out this subparagraph $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. 1502(b)) is amended—

(1) by redesignating paragraphs (6) through (9) as paragraphs (7) through (10), respectively; and

(2) by inserting after paragraph (5) the following:

''(6) 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. 5925f).''.

(b) PARTNERSHIPS FOR RISK MANAGEMENT FOR PRODUCERS OF SPECIALTY CROPS AND UNDERSERVED AGRICULTURAL COMMODITIES.—

Section 522(d)(3)(F) of the Federal Crop Insurance Act (7 U.S.C. 1522(d)(3)(F)) is amended by inserting ''farm financial benchmarking,'' after ''management,''.

(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 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 sharecropper 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:

''(8) 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.''; and

(3) in subsection (g)—

(A) in paragraph (2)(B)—

(i) in clause (i), by striking ''or'' at the end;

(ii) in clause (ii)(III), by striking the period at the end and inserting ''; or''; and

(iii) by adding at the end the following:

''(iii) 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, for any acreage obtained by the beginning farmer or rancher, a yield that is the higher of—

''(I) the actual production history of the previous producer of the crop or livestock on the acreage determined under subparagraph (A); or

''(II) a yield of the producer, as determined in clause (i).''; and

(B) in paragraph (4)(B)(ii) (as amended by section 11006)—

(i) by inserting ''(I)'' after ''(ii)'';

(ii) by striking the period at the end and inserting ''; or''; and

(iii) by adding at the end the following:

''(II) in the case of beginning farmers or ranchers, replace 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 as follows:

''(A) Provision of organic certification cost share assistance pursuant to section 10606 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 an activity described in clause (i) or (ii), including farm financial benchmarking, as determined by the Secretary.

''(C) Provision of agricultural management assistance grants to producers in States in which there has been traditionally, and continues 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—

''(I) watershed management structures; or

''(II) irrigation structures;

''(ii) planting trees to form windbreaks or to improve water quality; and

''(iii) mitigating financial risk through production or marketing diversification or resource conservation practices, including—

''(I) soil erosion control;

''(II) integrated pest management;

''(III) organic farming; or

''(IV) 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 1001(5) of the Food Security Act (7 U.S.C. 1308(5))) (as in existence before the amendment made by section 1603(b) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 1730)) under paragraph (1) for any year may not exceed $50,000.

''(3) FUNDING.—

''(A) IN GENERAL.—The Secretary shall carry out this subsection through the Commodity Credit Corporation.

''(B) FUNDING.—For each of fiscal years 2014 through 2018, the Commodity Credit Corporation shall make available to carry out this subsection $23,000,000.

''(C) 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—

''(i) 50 percent to carry out paragraph (1)(A);

''(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(o) of the Federal Crop Insurance Act (7 U.S.C. 1508(o)) is amended—

(1) in paragraph (1)(B), by inserting '', or the producer cannot substantiate that the ground has ever been tilled,'' after ''tilled'';

(2) 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);

''(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. 1308).''; and

(3) by striking paragraph (3) and inserting the following:

''(3) ADMINISTRATION.—

''(A) IN GENERAL.—During the first 4 crop years of planting on native sod acreage by a producer described in paragraph (2)—

''(i) paragraph (2) shall apply to 65 percent of the applicable transitional yield; 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 not 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 subparagraph (A)(ii), by inserting '', or the producer cannot substantiate that the ground has ever been tilled,'' after ''tilled'';

(2) in subparagraph (B)(i), 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. 1308).''; and

(3) by striking subparagraph (C) and inserting the following:

''(C) ADMINISTRATION.—

''(i) IN GENERAL.—During the first 4 crop years of planting on native sod acreage by a producer described in subparagraph (B)—

''(I) subparagraph (B) shall apply to 65 percent of the applicable transitional yield; and

''(II) the crop insurance premium subsidy provided for the producer under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) shall be 50 percentage points less than the premium subsidy that would otherwise apply.

''(ii) YIELD SUBSTITUTION.—During the period native sod acreage is covered by this paragraph, a producer may not substitute yields for the native sod acreage.''.

(c) CROPLAND 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 cropland acreage in each county and State, and the change in cropland acreage from the preceding year in each county and State, beginning with calendar year 2000 and including that 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, 2018, 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. 11029. TECHNICAL AMENDMENTS.

Section 508(b) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)) is amended—

(1) by striking paragraph (7); and

(2) by redesignating paragraphs (8) through (11) as paragraphs (7) through (10), respectively.

SEC. 11030. GREATER ACCESSIBILITY FOR CROP INSURANCE.

(a) FINDINGS.—Congress finds that—

(1) due to changes in commodity and other agricultural programs made by the Agriculture Reform, 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 Farm Service Agency will reduce the services available to assist agricultural producers in understanding crop insurance.

(b) REQUIREMENT FOR USE OF PLAIN LANGUAGE.—

(1) IN GENERAL.—In issuing regulations and guidance relating to plans and policies of crop insurance, the Risk Management Agency and the Federal Crop Insurance Corporation shall, to the greatest extent practicable, use plain language, as required under Executive Orders 12866 (5 U.S.C. 601 note; relating to regulatory planning and review) and 12988 (28 U.S.C. 519 note; relating to civil justice reform).

(2) REPORT.—Not later than 180 days after the date of enactment of this Act, 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 efforts of the Secretary to accelerate compliance with the Executive Orders described in paragraph (1).

(c) WEBSITE.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the approved insurance providers (as defined in section 502(b) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)), shall improve the existing Internet website through which agricultural producers in any State may identify crop insurance options in that State.

(2) REQUIREMENTS.—The website described in paragraph (1) shall—

(A) provide answers in an easily accessible 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.

(d) ADMINISTRATION.—Nothing in this section authorizes the Risk Management Agency to sell a crop insurance policy or plan of insurance.

SEC. 11031. GAO CROP INSURANCE FRAUD REPORT.

Section 515(d) of the Federal Crop Insurance Act (7 U.S.C. 1515(d)) is amended by adding at the end the following:

''(6) GAO CROP INSURANCE FRAUD REPORT.—As soon as practicable after the date of enactment of this paragraph, the Comptroller General of the United States shall conduct, and submit to Congress a report describing the results of, a study regarding fraudulent claims filed, and benefits provided, under this subtitle.''.

SEC. 11032. LIMITATION ON PREMIUM SUBSIDY BASED ON AVERAGE ADJUSTED GROSS INCOME.

Section 508(e) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)) (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.—

''(A) DEFINITION OF AVERAGE ADJUSTED GROSS INCOME.—In this paragraph, the term 'average adjusted gross income' has the meaning given the term in section 1001D(a) of the Food Security Act of 1985 (7 U.S.C. 1308–3a(a)).

''(B) LIMITATION.—Notwithstanding any other provision of this subtitle and beginning with the 2014 reinsurance year, in the case of any producer that is a 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.

''(C) APPLICATION.—

''(i) 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 level 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 impact 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.

''(ii) 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.''.

TITLE 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.—Section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279) is amended—

(1) in the section heading, by inserting ''**AND VETERAN FARMERS AND RANCHERS**'' after ''**RANCHERS**'';

(2) in subsection (a)—

(A) in paragraph (2)(B)(i), by inserting ''and veteran farmers or ranchers'' after ''ranchers''; and

(B) in paragraph (4)—

(i) in subparagraph (A)—

(I) in the heading, by striking ''FISCAL YEARS 2009 THROUGH 2012'' and inserting ''MANDATORY FUNDING'';

(II) in clause (i), by striking ''and'' at the end;

(III) in clause (ii), by striking the period at the end and inserting ''; and''; and

(IV) by adding at the end the following:

''(iii) $5,000,000 for each of fiscal years 2014 through 2018.''; and

(ii) by striking subparagraph (B) and inserting the following:

''(B) 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.'';

(3) in subsection (b)(2), by inserting ''or veteran farmers and ranchers'' after ''socially disadvantaged farmers and ranchers''; and

(4) in subsection (c)—

(A) in paragraph (1)(A), by inserting ''veteran farmers or ranchers and'' before ''members''; and

(B) in paragraph (2)(A), by inserting ''veteran farmers or ranchers and'' before ''members''.

(b) DEFINITION OF VETERAN FARMER OR RANCHER.—Section 2501(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(e)) is amended by adding at the end the following:

''(7) VETERAN FARMER OR RANCHER.—The term 'veteran farmer or rancher' means a farmer or rancher who served in the active military, naval, or air service, and who was discharged or released from the service under conditions other than dishonorable.''.

SEC. 12002. OFFICE OF ADVOCACY AND OUTREACH.

Section 226B(f)(3) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6934(f)(3)) is amended to read as follows:

''(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection—

''(A) such sums as are necessary for each of fiscal years 2009 through 2013; and

''(B) $2,000,000 for each of fiscal years 2014 through 2018.''.

Subtitle B—Livestock

SEC. 12101. WILDLIFE RESERVOIR ZOONOTIC DISEASE INITIATIVE.

Title IV of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7621 et seq.) is amended by adding at the end the following:

''SEC. 413. WILDLIFE RESERVOIR ZOONOTIC DISEASE INITIATIVE.

''(a) DEFINITION OF COVERED DISEASE.—In this section, the term 'covered disease' means a zoonotic disease affecting domestic livestock that is transmitted primarily from wildlife.

''(b) ESTABLISHMENT.—There is established within the Department a wildlife reservoir zoonotic disease initiative to provide assistance through Coordinated Agricultural Project grants for research and development of surveillance methods, vaccines, vaccination delivery systems, or diagnostic tests for covered diseases.

''(c) COVERED DISEASE.—

''(1) IN GENERAL.—To be eligible for a grant under this section, an eligible entity shall conduct research and development of surveillance methods, vaccines, vaccination delivery systems, or diagnostic tests for covered diseases in—

''(A) a wildlife reservoir in the United States; or

''(B) domestic livestock or wildlife presenting a potential concern to public health.

''(2) PRIORITY.—In making 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. 5925).

''(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 set such other 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 to carry out this section $7,000,000 for each of fiscal years 2014 through 2018.

''(2) ALLOCATION.—Of the amount made available for a fiscal year under paragraph (1), the Secretary shall use not less than 30 percent of the amount for the fiscal year to carry out activities under each of subparagraphs (A) and (B) of subsection (c)(2).''.

SEC. 12102. TRICHINAE CERTIFICATION PROGRAM.

Section 10405(d)(1) of the Animal Health Protection Act (7 U.S.C. 8304(d)(1)) is amended in subparagraphs (A) and (B) by striking ''2012'' each place it appears and inserting ''2018''.

SEC. 12103. NATIONAL AQUATIC ANIMAL HEALTH PLAN.

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.—Subtitle 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 purposes 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 the mission of which is 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 fiscal year 2014, to remain available until expended.''.

(b) CONFORMING AMENDMENT.—Section 374 of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008j) (as in existence on the day before the date of enactment of this Act) is—

(1) amended in subsection (e)—

(A) in paragraph (3)(D), by striking ''3 percent'' and inserting ''10 percent''; and

(B) by striking paragraph (6); and

(2) redesignated as section 210 of the Agricultural Marketing Act of 1946; and

(3) moved so as to appear at the end of subtitle A of that Act (as amended by subsection (a)).

SEC. 12105. FERAL SWINE ERADICATION PILOT PROGRAM.

(a) IN GENERAL.—To eradicate or control the threat feral swine pose to the domestic swine population, the entire livestock industry, and the destruction of crops and natural plant communities and native habitats, 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-KIND CONTRIBUTIONS.—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.

(e) LIMITATION ON ADMINISTRATIVE EXPENSES.—Not more than 10 percent of financial assistance provided by the Secretary under this section may be used for administrative expenses.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $2,000,000 for each of fiscal years 2014 through 2018.

Subtitle C—Other Miscellaneous Provisions

SEC. 12201. MILITARY VETERANS AGRICULTURAL LIAISON.

(a) IN GENERAL.—Subtitle A of the Department of Agriculture Reorganization Act of 1994 is amended by inserting after section 218 (7 U.S.C. 6918) the following:

''SEC. 219. MILITARY VETERANS AGRICULTURAL LIAISON.

''(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 career;

''(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.''.

(b) CONFORMING AMENDMENTS.—Section 296(b) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 7014(b)) (as amended by section 4206(b)) is amended—

(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.—

''(i) 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) RESTRICTION.—Any information disclosed to a State 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. 12203. GRANTS TO IMPROVE SUPPLY, STABILITY, SAFETY, AND TRAINING OF AGRICULTURAL LABOR FORCE.

Section 14204(d) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 2008q–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 the following:

''(1) IN GENERAL.—

''(A) COVERAGES.—In the case of an eligible crop described in paragraph (2), the Secretary of Agriculture shall operate a noninsured crop disaster assistance program to provide coverages based on individual yields (other than for value-loss crops) equivalent to—

''(i) catastrophic risk protection available under section 508(b) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)); or

''(ii) additional coverage available 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 subparagraph (A)—

(I) in the matter before clause (i), by striking ''(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;

(III) by redesignating clause (ii) as clause (iii); and

(IV) by inserting after clause (i) the following:

''(ii) for which additional coverage under subsections (c) and (h) of section 508 of that Act (7 U.S.C. 1508) is not available; and''; and

(ii) in subparagraph (B)—

(I) by inserting ''(except ferns)'' after ''floricultural'';

(II) by inserting ''(except ferns)'' after ''ornamental nursery''; and

(III) by striking ''(including ornamental fish)'' and inserting ''(including ornamental fish, but excluding tropical fish)'';

(2) in subsection (d), by striking ''The Secretary'' and inserting ''Subject to subsection (l), the Secretary'';

(3) in subsection (k)(1)—

(A) in subparagraph (A), by striking ''$250'' and inserting ''$260''; and

(B) in subparagraph (B)—

(i) by striking ''$750'' and inserting ''$780''; and

(ii) by striking ''$1,875'' and inserting ''$1,950''; and

(4) by adding at the end the following:

''(l) PAYMENT EQUIVALENT TO ADDITIONAL COVERAGE.—

''(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 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 with 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, flood, 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;

''(II) the yield, as determined by the Secretary under subsection (e);

''(III) the coverage level elected by the producer;

''(IV) the average market price, as determined by the Secretary; and

''(ii) 5.25-percent premium fee.

''(3) LIMITED RESOURCE, BEGINNING, AND SOCIALLY DISADVANTAGED FARMERS.—The additional coverage made available under this subsection shall be available to limited resource, beginning, and socially disadvantaged producers, as determined by the Secretary, in exchange for a premium that is 50 percent of the premium determined for a producer under paragraph (2).

''(4) ADDITIONAL AVAILABILITY.—

''(A) IN GENERAL.—As soon as practicable after October 1, 2013, the Secretary shall make assistance available to producers of an otherwise eligible crop described in subsection (a)(2) that suffered losses—

''(i) to a 2012 annual fruit crop grown on a bush or tree; and

''(ii) 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 subparagraph (A) in an amount equivalent to assistance available under paragraph (1), less any fees not previously paid under paragraph (2).''.

(b) TERMINATION DATE.—

(1) IN GENERAL.—Effective October 1, 2018, subsection (a) and the amendments made by subsection (a) (other than the amendments made by clauses (i)(I) and (ii) of subsection (a)(1)(B)) are repealed

(2) ADMINISTRATION.—Effective October 1, 2018, section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (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)(1)(B)) had not been enacted.

SEC. 12205. REGIONAL ECONOMIC AND INFRASTRUCTURE DEVELOPMENT.

Section 15751 of title 40, United States Code, is amended—

(1) in subsection (a), by striking ''2012'' and inserting ''2018''; 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''; and

(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 any commercial airport 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 molting 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 all 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. 3125a note; Public Law 103–354) the following:

''SEC. 309. OFFICE OF TRIBAL RELATIONS.

''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)) (as amended by section 12201(b)) is amended—

(1) in paragraph (8), by striking ''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 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

Energy Act (7 U.S.C. 8701 et seq.), section 11016 of that Act (Public Law 110–246; 122 Stat. 2130) and the amendments made by that section are repealed.

(b) APPLICATION.—The Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) and the Federal Meat Inspection Act (21 U.S.C. 601 et seq.) shall be applied and administered as if section 11016 of the Food, Conservation, and Energy Act (Public Law 110–246; 122 Stat. 2130) and the amendments made by that section had not been enacted.

SEC. 12209. SENSE OF THE SENATE.

It is the sense of the Senate that nothing in this Act or an amendment made by this Act should manipulate prices or interfere with the free market.

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) Market promotion for maple syrup and maple-sap products.

(4) Encouragement of owners and operators of privately held land containing species of tree in the genus Acer—

(A) to initiate or expand maple-sugaring activities on the land; or

(B) to voluntarily make the land available, including by lease or other means, for access by the public for maple-sugaring 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-sugaring activities or maple syrup production that the State or tribal government anticipates will occur as a result of engaging in such activities.

(c) RELATIONSHIP TO OTHER LAWS.—Nothing in this section preempts a State or tribal government law, including any State or tribal government liability law.

(d) DEFINITION OF MAPLE SUGARING.—In this section, the term ''maple-sugaring'' means the collection of sap from any species of tree in the genus Acer for the purpose of boiling to produce food.

(e) REGULATIONS.—The Secretary of Agriculture shall promulgate such regulations as are necessary to carry out this section.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $20,000,000 for each of fiscal years 2012 through 2015.

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. 1490) is amended—

(1) by striking ''1990 or 2000 decennial census shall continue to be so classified until the receipt of data from the decennial census in the year 2010'' and inserting ''1990, 2000, or 2010 decennial census, and any area deemed to be a 'rural area' for purposes of this title under any other provision of law at any time during the period beginning January 1, 2000, and ending December 31, 2010, shall continue to be so classified until the receipt of data from the decennial census in the year 2020''; and

(2) by striking ''25,000'' and inserting ''35,000''.

SEC. 12212. PROHIBITION ON ATTENDING AN ANIMAL FIGHT OR CAUSING A MINOR TO ATTEND AN ANIMAL FIGHT; ENFORCEMENT OF ANIMAL FIGHTING PROVISIONS.

(a) 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)'';

(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 paragraph:

''(5) the term 'minor' means a person under the age of 18 years old.''.

(b) ENFORCEMENT OF ANIMAL FIGHTING PROHIBITIONS.—Section 49 of title 18, United States Code, is amended—

(1) by striking ''Whoever'' and inserting ''(a) IN GENERAL.—Whoever'';

(2) in subsection (a), as designated by paragraph (1) of this section, by striking ''subsection (a),'' and inserting ''subsection (a)(1),''; and

(3) by adding at the end the following new subsections:

''(b) ATTENDING AN ANIMAL FIGHTING VENTURE.—Whoever violates subsection (a)(2)(A) of section 26 of the Animal Welfare Act (7 U.S.C. 2156) shall be fined under this title, imprisoned for not more than 1 year, or both, for each violation.

''(c) CAUSING A MINOR TO ATTEND AN ANIMAL FIGHTING VENTURE.—Whoever violates subsection (a)(2)(B) of section 26 (7 U.S.C. 2156) of the Animal Welfare Act shall be fined under this title, imprisoned for not more than 3 years, or both, for each violation.''.

By Mr. LEAHY (for himself and Mr. GRASSLEY):

S. 42. A bill to provide anti-retaliation protections for antitrust whistleblowers; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, I am pleased to once again join with Senator GRASSLEY and today introduce the Criminal Antitrust Anti-Retaliation Act. This legislation, which is identical to our legislation from last Congress, will provide important protections to employees who come forward and disclose to law enforcement price fixing and other criminal antitrust behavior that harm consumers. This legislation is a continuation of the long partnership that I have had with Senator GRASSLEY on whistleblower issues.

Congress should encourage employees with information about criminal antitrust activity, such as price fixing, to report that information by offering meaningful protection to those who blow the whistle rather than leaving them vulnerable to reprisals. Throughout our history, whistleblowers have been instrumental in alerting the public, Congress, and law enforcement to wrongdoing in a variety of areas. These individuals take risks in stepping forward, and many times their actions result in important reforms and have even saved lives.

The legislation we are introducing today is based on recommendations from the Government Accountability Office, which interviewed key stakeholders in the antitrust community and found widespread support for anti-retaliatory protection in criminal antitrust cases. The provisions in this bill are modeled on the whistleblower protections that Senator GRASSLEY and I authored as part of the Sarbanes Oxley Act, and are narrowly tailored to ensure that whistleblowers are not provided with an economic incentive to bring forth false claims.

The antitrust laws protect consumers and serve to promote our free enterprise system. Our bipartisan bill will help to ensure that criminal violations of these laws do not go unreported. I urge the Senate to act quickly to pass this important 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:

S. 64

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 ''Criminal Antitrust Anti-Retaliation Act of 2013''.

SEC. 2. AMENDMENT TO ACPERA.

The Antitrust Criminal Penalty Enhancement and Reform Act of 2004 (Public Law 108–237; 15 U.S.C. 1 note) is amended by adding after section 215 the following:

''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, harass, or in any other manner discriminate against a whistleblower in the terms and conditions of employment because—

''(A) the whistleblower provided or caused to be provided to the person or the Federal Government information relating to—

''(i) any violation of, or any act or omission the whistleblower reasonably believes to be a violation of the antitrust laws; or

''(ii) any violation of, or any act or omission 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 an investigation by the Department of Justice of a potential violation of the antitrust laws; or

''(B) the whistleblower filed, caused to be filed, testified, participated in, or otherwise assisted an investigation or a proceeding filed or about to be filed (with any knowledge of the employer) relating to—

''(i) any violation of, or any act or omission the whistleblower reasonably believes to be a violation of the antitrust laws; or

''(ii) any violation of, or any act or omission 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 an investigation by the Department of Justice of a potential violation of the antitrust laws.

''(2) LIMITATION ON PROTECTIONS.—Paragraph (1) shall not apply to any whistleblower if—

''(A) the whistleblower planned and initiated a violation or attempted violation of the antitrust laws;

''(B) the whistleblower planned and initiated a violation or attempted violation of another criminal law in conjunction with a violation or attempted violation of the antitrust laws; or

''(C) the whistleblower planned and initiated an obstruction or attempted obstruction of an investigation by the Department of Justice of a violation of the antitrust laws.

''(3) DEFINITIONS.—In the section:

''(A) PERSON.—The term 'person' has the same meaning as in subsection (a) of the first section of the Clayton Act (15 U.S.C. 12(a)).

''(B) ANTITRUST LAWS.—The term 'antitrust laws' means section 1 or 3 of the Sherman Act (15 U.S.C. 1, 3) or similar State law.

''(C) WHISTLEBLOWER.—The term 'whistleblower' means an employee, contractor, subcontractor, or agent protected from discrimination under paragraph (1).

''(b) ENFORCEMENT ACTION.—

''(1) IN GENERAL.—A whistleblower who alleges discharge or other discrimination by any person in violation of subsection (a) may seek relief under subsection (c) by—

''(A) filing a complaint with the Secretary of Labor; or

''(B) if the Secretary has not issued a final decision within 180 days of the filing of the complaint and there is no showing that such delay is due to the bad faith of the claimant, bringing an action at law or equity for de novo review in the appropriate district court of the United States, which shall have jurisdiction over such an action without regard to the amount in controversy.

''(2) PROCEDURE.—

''(A) IN GENERAL.—A complaint filed with the Secretary of Labor under paragraph (1)(A) shall be governed under the rules and procedures set forth in section 42121(b)of title 49, United States Code.

''(B) EXCEPTION.—Notification made under section 42121(b)(1) of title 49, United States Code, shall be made to the person named in the complaint and to the employer.

''(C) BURDENS OF PROOF.—A complaint filed with the Secretary of Labor under paragraph (1) shall be governed by the legal burdens of proof set forth in section 42121(b) of title 49, United States Code.

''(D) STATUTE OF LIMITATIONS.—A complaint under paragraph (1)(A) shall be filed with the Secretary of Labor not later than 180 days after the date on which the violation occurs.

''(E) CIVIL ACTIONS TO ENFORCE.—If a person fails to comply with an order or preliminary order issued by the Secretary of Labor pursuant to the procedures in section 42121(b), the Secretary of Labor or the person on whose behalf the order was issued may bring a civil action to enforce the order in the district court of the United States for the judicial district in which the violation occurred.

''(c) REMEDIES.—

''(1) IN GENERAL.—A whistleblower prevailing in any action under subsection (b)(1) shall be entitled to all relief necessary to make the whistleblower whole.

''(2) COMPENSATORY DAMAGES.—Relief for any action under paragraph (1) shall include—

''(A) reinstatement with the same seniority status that the whistleblower would have had, but for the discrimination;

''(B) the amount of back pay, with interest; and

''(C) compensation for any special damages sustained as a result of the discrimination including litigation costs, expert witness fees, and reasonable attorney's fees.

''(d) RIGHTS RETAINED BY WHISTLEBLOWERS.—Nothing in this section shall be deemed to diminish the rights, privileges, or remedies of any whistleblower under any Federal or State law, or under any collective bargaining agreement.''.

By Mr. LEAHY (for Mr. CRAPO, Ms. MURKOWSKI, Ms. MIKULSKI, Ms. AYOTTE, Mr. COONS, Ms. COLLINS, Mr. DURBIN, Mr. BENNET, Ms. KLOBUCHAR, Mrs. SHAHEEN, Mrs. MCCASKILL, Mr. UDALL of Colorado, Mr. KIRK, Mrs. MURRAY, Ms. CANTWELL, and Mr. CASEY):

S. 47. A bill to reauthorize the Violence Against Women Act of 1994; read the first time.

Mr. LEAHY. Mr. President, on the first day for bill introductions this year I once again join with Senator CRAPO and a distinguished, bipartisan group of Senators to introduce the Violence Against Women Reauthorization Act of 2013. This life-saving legislation should be a top priority of the new 113th Congress. It is our hope that the Senate will act quickly to pass this strong, bipartisan bill to help all victims of domestic and sexual violence.

The Senate acted just 9 months ago to approve the Leahy-Crapo Violence Against Women Reauthorization Act of 2012 with 68 bipartisan votes. Despite our best efforts, the House did not join in our bipartisan efforts and enact that bill into law.

By now, the litany of VAWA's successes is familiar, but important. Since this historic legislation first passed in 1994, States have strengthened criminal rape statutes, and every State has made stalking a crime. The annual incidence of domestic violence has dropped more than 50 percent. We have helped to provide victims with critical services like housing and legal protection. Those are just a few highlights. We need to remember that behind those numbers are thousands of lives made immeasurably better.

Despite VAWA's success, there is a pressing need to update and strengthen its protections. The Center for Disease Control and Prevention's 2010 National Intimate Partner and Sexual Violence Survey found that one in four women has been the victim of severe physical domestic violence and one in five women has been raped in her lifetime. These numbers are almost too awful to contemplate.

Real life cases remind us that this reauthorization is long overdue. Last month, I read in the Burlington Free Press the story of Carmen Tarleton, a woman from Thetford, VT. Five years ago, Carmen's estranged husband broke into her home, beat her with a baseball bat, and poured industrial-strength lye on her, severely burning a great deal of her body and nearly blinding her. Her doctors said that she had suffered ''the most horrific injury a human being could suffer.'' Today, she is nearly blind, disfigured, and continues to experience pain from her injuries. Despite this, Carmen is courageously sharing her story.

Stories like this one remind us that every day that we do not pass legislation that will help to prevent horrific violence and assist victims, more people are suffering. Late last year while Congress failed to act on our bipartisan bill, we saw tragic domestic violence-related murder-suicides in Missouri and Colorado. We also learned of harrowing new accounts of sexual assaults on college campuses. These are just more examples of the kind of tragedies that unfold every day across the country.

The Leahy-Crapo bill would support the use of techniques proven to help identify high-risk cases and prevent domestic violence homicides. It would increase VAWA's focus on sexual assault and push colleges to strengthen their efforts to protect students from domestic and sexual violence.

This reauthorization will allow us to make real progress in addressing the horrifying epidemic of domestic violence in tribal communities, where one recent study found that almost three in five native women have been assaulted by their spouses or intimate partners. It will allow services to get to those in the LGBT community who have had trouble accessing services in the past.

Every VAWA reauthorization Congress has passed has taken steps to help immigrant victims of violence, who are often particularly vulnerable. Last year's bill included a modest increase in the number of U visas available to immigrant victims who help law enforcement, which is good for victims and for law enforcement. Unfortunately, that provision led to a technical objection from House Republican leaders. In the interest of making quick and decisive progress, we introduce the bill today without that provision in order to remove any excuse for House inaction. We have retained other important improvements for immigrant victims in the bill we introduce today as part of our commitment to ensuring that all victims are protected.

I still believe strongly in the U visa increase that was in last year's Leahy-Crapo bill. I authored that provision after hearing from law enforcement and the experts in the field. I think it is needed to encourage assistance to law enforcement and to protect immigrant women and I remain committed to enacting it and ensuring that the

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 SAFER 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, AYOTTE, COLLINS, COONS, DURBIN, BENNET, KLOBUCHAR, SHAHEEN, KIRK, CANTWELL, MURRAY, UDALL (CO), CASEY, and MCCASKILL, who join us as original cosponsors 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:

S. 47

To reauthorize the Violence Against Women Act of 1994.

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 ''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. Grants to encourage arrest policies and enforcement of protection orders.
Sec. 103. Legal assistance for victims.
Sec. 104. Consolidation of grants to support families in the justice system.
Sec. 105. Sex offender management.
Sec. 106. Court-appointed special advocate program.
Sec. 107. Criminal provision relating to stalking, including cyberstalking.
Sec. 108. Outreach and services to underserved 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. 202. Rural domestic violence, dating violence, sexual assault, stalking, and child abuse enforcement assistance.
Sec. 203. Training and services to end violence against women with disabilities 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 grant.
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—VIOLENCE 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 system's response to domestic violence, 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 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.
Sec. 803. Protection for children of VAWA self-petitioners.
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 marriage brokers.
Sec. 809. Eligibility of crime and trafficking victims in the Commonwealth of the Northern Mariana Islands to adjust status.
Sec. 810. Disclosure of information for national security purposes.

TITLE IX—SAFETY FOR INDIAN WOMEN

Sec. 901. Grants to Indian tribal governments.
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 backlogs.
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 database.
Sec. 1104. Federal victim assistants reauthorization.
Sec. 1105. Child abuse training programs for judicial personnel and practitioners reauthorization.

SEC. 3. UNIVERSAL DEFINITIONS AND GRANT CONDITIONS.

(a) DEFINITIONS.—Subsection (a) of section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)) is amended—

(1) by striking paragraphs (5), (17), (18), (23), (29), (33), (36), and (37);

(2) by redesignating—

(A) paragraphs (34) and (35) as paragraphs (41) and (42), respectively;

(B) paragraphs (30), (31), and (32) as paragraphs (36), (37), and (38), respectively;

(C) paragraphs (24) through (28) as paragraphs (30) through (34), 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 paragraphs (13) through (19), respectively;

(G) paragraphs (6), (7), (8), and (9) as paragraphs (8), (9), (10), and (11), respectively; and

(H) paragraphs (1), (2), (3), and (4) as paragraphs (2), (3), (4), and (5), respectively;

(3) by inserting before paragraph (2), as redesignated, the following:

''(1) ALASKA NATIVE VILLAGE.—The term 'Alaska Native village' has the same meaning given such term in the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).'';

(4) in paragraph (3), as redesignated, by striking ''serious harm.'' and inserting ''serious harm to an unemancipated minor.'';

(5) in paragraph (4), as redesignated, by striking ''The term'' through ''that—'' and inserting ''The term 'community-based organization' means a nonprofit, nongovernmental, or tribal organization that serves a specific geographic community that—'';

(6) by inserting after paragraph (5), as redesignated, the following:

''(6) CULTURALLY SPECIFIC.—The term 'culturally specific' means primarily directed toward racial and ethnic minority groups (as defined in section 1707(g) of the Public Health Service Act (42 U.S.C. 300u–6(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 communities.'';

(7) in paragraph (8), as redesignated, by inserting ''or intimate partner'' after ''former spouse'' and ''as a spouse'';

(8) by inserting after paragraph (11), as redesignated, the following:

''(12) HOMELESS.—The term 'homeless' has the meaning provided in section 41403(6).'';

(9) in paragraph (18), as redesignated, by inserting ''or Village Public Safety Officers'' after ''governmental victim services programs'';

(10) in paragraph (19), as redesignated, by inserting at the end the following:

''Intake or referral, by itself, does not constitute legal assistance.'';

(11) by inserting after paragraph (19), as redesignated, the following:

''(20) PERSONALLY IDENTIFYING INFORMATION OR PERSONAL INFORMATION.—The term 'personally identifying information' or 'personal information' means individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected, including—

''(A) a first and last name;

''(B) a home or other physical address;

''(C) contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number);

''(D) a social security number, driver license number, passport number, or student identification number; and

''(E) any other information, including date of birth, racial or ethnic background, or religious affiliation, that would serve to identify any individual.

''(21) POPULATION SPECIFIC ORGANIZATION.—The term 'population specific organization' means a nonprofit, nongovernmental organization that primarily serves members of a specific underserved population and has demonstrated experience and expertise providing targeted services to members of that specific underserved population.

''(22) POPULATION SPECIFIC SERVICES.—The term 'population specific services' means victim-centered services that address the safety, health, economic, legal, housing, workplace, immigration, confidentiality, or other needs of victims of domestic violence, dating violence, sexual assault, or stalking, and that are designed primarily for and are targeted to a specific underserved population.'';

(12) in paragraph (23), as redesignated, by striking ''services'' and inserting ''assistance'';

(13) by inserting after paragraph (24), as redesignated, the following:

''(25) RAPE CRISIS CENTER.—The term 'rape crisis center' means a nonprofit, nongovernmental, or tribal organization, or governmental entity in a State other than a Territory that provides intervention and related assistance, as specified in section 41601(b)(2)(C), to victims of sexual assault without regard to their age. In the case of a governmental entity, the entity may not be part of the criminal justice system (such as a law enforcement agency) and must be able to offer a comparable level of confidentiality as a nonprofit entity that provides similar victim services.'';

(14) in paragraph (26), as redesignated—

(A) in subparagraph (A), by striking ''or'' after the semicolon;

(B) in subparagraph (B), by striking the period and inserting ''; or''; and

(C) by inserting at the end the following:

''(C) any federally recognized Indian tribe.'';

(15) in paragraph (27), as redesignated—

(A) by striking ''52'' 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 proscribed 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 proscribed 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, Alaska 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 who face barriers in accessing and using victim services, and includes populations underserved because of geographic location, religion, sexual orientation, gender identity, underserved racial and ethnic 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) UNIT 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.''; and

(19) by inserting after paragraph (42), as redesignated, the following:

''(43) VICTIM SERVICE PROVIDER.—The term 'victim service provider' means a nonprofit, nongovernmental or tribal organization or rape crisis center, including a State or tribal coalition, that assists or advocates for domestic violence, dating violence, sexual assault, or stalking victims, including domestic violence shelters, faith-based organizations, and other organizations, with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.

''(44) VICTIM SERVICES OR SERVICES.—The terms 'victim services' and 'services' mean services provided to victims of domestic violence, dating violence, sexual assault, or stalking, including telephonic or web-based hotlines, legal advocacy, economic advocacy, emergency and transitional shelter, accompaniment and advocacy through medical, civil or criminal justice, immigration, 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 old.''.

(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 (2)—

(A) in subparagraph (B), by striking clauses (i) and (ii) and inserting the following:

''(i) disclose, reveal, or release any personally identifying information or individual information collected in connection with services requested, utilized, or denied through grantees' and subgrantees' programs, regardless of whether the information has been encoded, encrypted, hashed, or otherwise protected; or

''(ii) disclose, reveal, or release individual client information without the informed, written, reasonably time-limited consent of the person (or in the case of an unemancipated minor, the minor and the parent or guardian or in the case of legal incapacity, a court-appointed guardian) about whom information is sought, whether for this 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:

''(D) INFORMATION SHARING.—

''(i) Grantees and subgrantees may share—

''(I) nonpersonally identifying data in the aggregate regarding 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-generated information 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.

''(ii) 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 (F);

(D) by inserting after subparagraph (D) the following:

''(E) STATUTORILY MANDATED REPORTS OF ABUSE OR NEGLECT.—Nothing in this section prohibits a grantee or subgrantee from reporting suspected abuse or neglect, as those terms are defined and specifically mandated by the State or tribe involved.''; and

(E) by inserting after subparagraph (F), as redesignated, the following:

''(G) CONFIDENTIALITY ASSESSMENT AND ASSURANCES.—Grantees and subgrantees must document their compliance with the confidentiality and privacy provisions required under this section.'';

(2) by striking paragraph (3) and inserting the following:

''(3) APPROVED ACTIVITIES.—In carrying out the activities under this title, grantees and subgrantees may collaborate with or provide information to Federal, State, local, tribal, and territorial public officials and agencies to develop and implement policies and develop and promote State, local, or tribal legislation or model codes designed to reduce or eliminate domestic violence, dating violence, sexual assault, and stalking.'';

(3) in paragraph (7), by inserting at the end the following:

''Final reports of such evaluations shall be made available to the public via the agency's website.''; and

(4) by inserting after paragraph (11) the following:

''(12) 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. 3796gg–6(d)).

''(13) CIVIL RIGHTS.—

''(A) NONDISCRIMINATION.—No person in the United States shall, on the basis of actual or perceived race, color, religion, national origin, sex, gender identity (as defined in paragraph 249(c)(4) of title 18, United States Code), sexual orientation, or disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under 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. 1902), the Violence Against Women Act of 2000 (division B of Public Law 106–386; 114 Stat. 1491), 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 Reauthorization Act of 2013, and any other program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.

''(B) EXCEPTION.—If sex segregation or sex-specific programming is necessary to the essential operation of a program, nothing in this paragraph shall prevent any such program or activity from consideration of an individual's sex. In such circumstances, grantees may meet the requirements of this paragraph by providing comparable services to individuals who cannot be provided with the sex-segregated or sex-specific programming.

''(C) DISCRIMINATION.—The authority of the Attorney General and the Office of Justice Programs to enforce this paragraph shall be the same as it is under section 3789d of title 42, United States Code.

''(D) CONSTRUCTION.—Nothing contained in this paragraph shall be construed, interpreted, or applied to supplant, displace, preempt, or otherwise diminish the responsibilities and liabilities under other State or Federal civil rights law, whether statutory or common.

''(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 as defined by section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

''(15) CONFERRAL.—

''(A) IN GENERAL.—The Office on Violence Against Women shall establish a biennial conferral process with State and tribal coalitions and technical assistance providers who receive funding through grants administered by the Office on Violence Against Women and authorized by this Act, and other key stakeholders.

''(B) AREAS COVERED.—The areas of conferral under this paragraph shall include—

''(i) the administration of grants;

''(ii) unmet needs;

''(iii) promising practices in the field; and

''(iv) emerging trends.

''(C) INITIAL CONFERRAL.—The first conferral shall be initiated not later than 6 months after the date of enactment of the Violence Against Women Reauthorization Act of 2013.

''(D) REPORT.—Not later than 90 days after the conclusion of each conferral period, the Office on Violence Against Women shall publish a comprehensive report that—

''(i) summarizes the issues presented during conferral and what, if any, policies it intends to implement to address those issues;

''(ii) is 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 Representatives.

''(16) 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 grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

''(ii) DEFINITION.—In this paragraph, the term 'unresolved audit finding' 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 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 priority to eligible entities that did not have an unresolved audit finding during the 3 fiscal years prior to submitting an application for a grant under this Act.

''(v) 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 grants under paragraph (2), the Attorney General shall—

''(I) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

''(II) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

''(B) NONPROFIT ORGANIZATION REQUIREMENTS.—

''(i) DEFINITION.—For purposes of this paragraph and the grant programs described in this Act, 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.

''(ii) PROHIBITION.—The Attorney General may not award a grant under any grant program described in this Act to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

''(iii) 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 reasonableness for the compensation of its officers, directors, trustees 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 the information disclosed under this subsection available for public inspection.

''(C) CONFERENCE EXPENDITURES.—

''(i) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this Act may be used by the Attorney General, or by any individual or organization awarded discretionary funds through a cooperative agreement under this Act, to host or support any expenditure for conferences that uses more than $20,000 in Department funds, unless the Deputy Attorney General or such Assistant Attorney Generals, Directors, or principal deputies as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.

''(ii) WRITTEN APPROVAL.—Written approval under clause (i) 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.

''(iii) 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 approved conference expenditures referenced in this paragraph.

''(D) ANNUAL CERTIFICATION.—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—

''(i) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

''(ii) all mandatory exclusions required under subparagraph (A)(iii) have been issued;

''(iii) all reimbursements required under subparagraph (A)(v) have been made; and

''(iv) includes a list of any grant recipients excluded under subparagraph (A) from the previous year.''.

SEC. 4. 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 TOOLS TO COMBAT 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 1001(a)(18) (42 U.S.C. 3793(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) in the matter preceding paragraph (1)—

(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'';

(ii) by striking ''domestic violence and dating violence'' and inserting ''domestic violence, dating violence, and stalking''; and

(iii) by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking'';

(G) by striking paragraph (6) and redesignating paragraphs (7) through (14) as paragraphs (6) 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) in paragraph (7), as redesignated by subparagraph (G), by striking ''and dating violence'' and inserting ''dating violence, and stalking'';

(J) in paragraph (9), as redesignated by subparagraph (G), by striking ''domestic violence or sexual assault'' and inserting '' domestic violence, dating violence, sexual assault, or stalking'';

(K) in paragraph (12), as redesignated by subparagraph (G)—

(i) in subparagraph (A), by striking ''triage protocols to ensure that dangerous or potentially lethal 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

(ii) 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 ''paragraph (14)'' and inserting ''paragraph (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 victim service programs'' and inserting ''victim service providers'';

(B) in subsection (b)(6), 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 sexual 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 redesignating paragraph (3) as paragraph (4);

(iii) by inserting after paragraph (2), as amended by clause (i), the following:

''(3) grantees 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 Victims of Crime Act of 1984 (42 U.S.C. 10603) and section 393A of the Public Health Service Act (42 U.S.C. 280b–1b).'';

(iv) in paragraph (4), as redesignated by clause (ii)—

(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);

(III) by inserting after subparagraph (A), the following:

''(B) not less than 25 percent shall be allocated for prosecutors;''; and

(IV) in subparagraph (D) as redesignated by subclause (II) by striking ''for'' and inserting ''to''; and

(v) by adding at the end the following:

''(5) 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 paragraph (4) that meaningfully address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.'';

(D) by striking subsection (d) and inserting 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) proof of compliance with the requirements for paying fees and costs relating to domestic violence and protection order cases, described in section 2011 of this title;

''(4) proof of compliance with the requirements prohibiting polygraph examinations of victims of sexual assault, described in section 2013 of this title;

''(5) an implementation plan required under subsection (i); and

''(6) any other documentation that the Attorney General may require.'';

(E) in subsection (e)—

(i) in paragraph (2)—

(I) in subparagraph (A), by striking ''domestic violence and sexual assault'' and inserting ''domestic violence, dating violence, sexual assault, and stalking''; and

(II) in subparagraph (D), by striking ''linguistically and''; and

(ii) by adding at the end the following:

''(3) CONDITIONS.—In disbursing grants under this part, the Attorney General may impose reasonable conditions on grant awards to ensure that the States meet statutory, regulatory, and other program requirements.'';

(F) in subsection (f), 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 40002(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

(G) by adding at the end the following:

''(i) IMPLEMENTATION PLANS.—A State applying for a grant under this part shall—

''(1) 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,

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) documentation 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 minimum allocation for population specific services required under subsection (c)(4)(C);

''(F) a description of how the State plans to meet the regulations issued pursuant to subsection (e)(2);

''(G) goals and objectives for reducing domestic violence-related homicides within the State; and

''(H) any other information requested by the Attorney General.

''(j) REALLOCATION OF FUNDS.—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; or

''(2) the State does not receive sufficient eligible applications to award the full funding within the allocations in subsection (c)(4)'';

(4) in section 2010 (42 U.S.C. 3796gg–4)—

(A) in subsection (a), by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—A State, Indian tribal government, or unit of local government shall not be entitled to funds under this subchapter unless the State, Indian tribal government, unit of local government, or another governmental entity—

''(A) incurs the full out-of-pocket cost of forensic medical exams described in subsection (b) for victims of sexual assault; and

''(B) coordinates with health care providers in the region to notify victims of sexual assault of the availability of rape exams at no cost to the victims.'';

(B) in subsection (b)—

(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

(C) by amending subsection (d) to read as follows:

''(d) NONCOOPERATION.—

''(1) 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 3 years from the date of enactment of this Act to come into compliance with this section.''; and

(5) in section 2011(a)(1) (42 U.S.C. 3796gg–5(a)(1))—

(A) by inserting ''modification, enforcement, dismissal, withdrawal'' after ''registration,'' 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''.

SEC. 102. GRANTS TO ENCOURAGE ARREST POLICIES AND ENFORCEMENT OF PROTECTION ORDERS.

(a) IN GENERAL.—Part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh et seq.) is amended—

(1) in section 2101 (42 U.S.C. 3796hh)—

(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 cases'' and inserting ''data collection systems, and training in police departments to improve tracking of cases and classification of complaints'';

(iv) in paragraph (4), by inserting ''and provide the appropriate training and education about domestic violence, dating violence, sexual assault, and stalking'' after ''computer tracking 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, territorial, 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 (10), by striking ''nonprofit, non-governmental victim services organizations,'' and inserting ''victim service providers, staff from population specific organizations,''; and

(ix) by adding at the end the following:

''(14) To develop and implement training programs for prosecutors and other prosecution-related personnel regarding best practices to ensure offender accountability, victim 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 recognizing, investigating, and prosecuting instances of domestic violence, dating violence, sexual assault, and stalking against immigrant victims, including the appropriate use of applications for nonimmigrant status under subparagraphs (T) and (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)).

''(16) To develop and promote State, local, or tribal legislation and policies that enhance 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 examiners.

''(18) To develop, implement, or enhance Sexual Assault Response Teams or similar coordinated community responses to sexual assault.

''(19) To develop and strengthen policies, protocols, and training for law enforcement officers and prosecutors regarding the investigation and prosecution of sexual assault cases and the appropriate treatment of victims.

''(20) To provide human immunodeficiency virus testing programs, counseling, and prophylaxis 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 addressing such backlogs, including policies and protocols for notifying and involving victims.

''(22) To develop multidisciplinary high-risk teams focusing on reducing domestic violence and dating violence homicides by—

''(A) using evidence-based indicators to assess 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 including legal, housing, health care, and economic assistance.'';

(B) in subsection (c)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting ''except for a court,'' before ''certify''; and

(II) 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)—

(I) by striking ''spouses'' each place it appears and inserting ''parties''; and

(II) by striking ''spouse'' and inserting ''party'';

(iv) in paragraph (4)—

(I) by inserting '', dating violence, sexual assault, or stalking'' after ''felony domestic violence'';

(II) by inserting ''modification, enforcement, dismissal,'' after ''registration,'' each place it appears;

(III) by inserting ''dating violence,'' after ''victim of domestic violence,''; and

(IV) by striking ''and'' at the end;

(v) in paragraph (5)—

(I) in the matter preceding subparagraph (A), by striking '', not later than 3 years after January 5, 2006'';

(II) by inserting '', trial of, or sentencing for'' after ''investigation of'' each place it appears;

(III) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), and adjusting the margin accordingly;

(IV) in clause (ii), as redesignated by subclause (III) of this clause, by striking ''subparagraph (A)'' and inserting ''clause (i)''; and

(V) by striking the period at the end and inserting ''; and'';

(vi) by redesignating paragraphs (1) through (5), as amended by this subparagraph, as subparagraphs (A) through (E), respectively;

(vii) in the matter preceding subparagraph (A), as redesignated by clause (v) of this subparagraph—

(I) by striking the comma that immediately follows another comma; and

(II) by striking ''grantees are States'' and inserting the following: ''grantees are—

''(1) States''; and

(viii) by adding at the end the following:

''(2) a State, tribal, or territorial domestic violence or sexual assault coalition or a victim 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

local government meets the requirements under paragraph (1).'';

(C) in subsection (d)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting '', policy,'' after ''law''; and

(II) in subparagraph (A), by inserting ''and the defendant is in custody or has been served with the information or indictment'' before the semicolon; and

(ii) in paragraph (2), by striking ''it'' and inserting ''its''; and

(D) by adding at the end the following:

''(f) ALLOCATION FOR TRIBAL COALITIONS.—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. 3796gg).

''(g) ALLOCATION FOR SEXUAL ASSAULT.—Of the amounts appropriated for purposes of this part for each fiscal year, not less than 25 percent shall be available for projects that address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.''; and

(2) in section 2102(a) (42 U.S.C. 3796hh–1(a))—

(A) in paragraph (1), by inserting ''court,'' after ''tribal government,''; and

(B) in paragraph (4), by striking ''nonprofit, private sexual assault and domestic violence programs'' and inserting ''victim service providers and, as appropriate, population specific organizations''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1001(a)(19) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(19)) is amended—

(1) by striking ''$75,000,000'' and all that follows through ''2011.'' and inserting ''$73,000,000 for each of fiscal years 2014 through 2018.''; and

(2) by striking the period that immediately follows another period.

SEC. 103. LEGAL ASSISTANCE FOR VICTIMS.

Section 1201 of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg–6) is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking ''arising as a consequence of'' and inserting ''relating to or arising out of''; and

(B) in the second sentence, by inserting ''or arising out of'' after ''relating to'';

(2) in subsection (b)—

(A) in the heading, by inserting ''AND GRANT CONDITIONS'' after ''DEFINITIONS''; and

(B) by inserting ''and grant conditions'' after ''definitions'';

(3) in subsection (c)—

(A) in paragraph (1), by striking ''victims services organizations'' and inserting ''victim service providers''; and

(B) by striking paragraph (3) and inserting the following:

''(3) to implement, expand, and establish efforts and projects to provide competent, supervised pro bono legal assistance for victims of domestic violence, dating violence, sexual assault, or stalking, except that not more than 10 percent of the funds awarded under this section may be used for the purpose described in this paragraph.'';

(4) in subsection (d)—

(A) in paragraph (1), by striking ''this section has completed'' and all that follows and inserting the following: ''this section—''

''(A) has demonstrated expertise in providing legal assistance to victims of domestic violence, dating violence, sexual assault, or stalking in the targeted population; or

''(B)(i) is partnered with an entity or person that has demonstrated expertise described in subparagraph (A); and

''(ii) has completed, or will complete, training in connection with domestic violence, dating violence, stalking, or sexual assault and related legal issues, including training on evidence-based risk factors for domestic and dating violence homicide;''; and

(B) in paragraph (2), by striking ''stalking organization'' and inserting ''stalking victim service provider''; and

(5) in subsection (f) in paragraph (1), by striking ''this section'' and all that follows and inserting the following: ''this section $57,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 104. CONSOLIDATION OF GRANTS TO SUPPORT FAMILIES IN THE JUSTICE SYSTEM.

(a) IN GENERAL.—Title III of division B of the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386; 114 Stat. 1509) is amended by striking the section preceding section 1302 (42 U.S.C. 10420), as amended by section 306 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162; 119 Stat. 316), and inserting the following:

''SEC. 1301. GRANTS TO SUPPORT FAMILIES IN THE JUSTICE SYSTEM.

''(a) IN GENERAL.—The Attorney General may make grants to States, units of local government, courts (including juvenile courts), Indian tribal governments, nonprofit organizations, legal services providers, and victim services providers to improve the response of all aspects of the civil and criminal justice system to families with a history of domestic violence, dating violence, sexual assault, or stalking, or in cases involving allegations of child sexual abuse.

''(b) USE OF FUNDS.—A grant under this section may be used to—

''(1) provide supervised visitation and safe visitation exchange of children and youth by and between parents in situations involving domestic violence, dating violence, child sexual abuse, sexual assault, or stalking;

''(2) develop and promote State, local, and tribal legislation, policies, and best practices for improving civil and criminal court functions, responses, practices, and procedures in cases involving a history of domestic violence or sexual assault, or in cases involving allegations of child sexual abuse, including cases in which the victim proceeds pro se;

''(3) educate court-based and court-related personnel and court-appointed 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 the needs of victims, 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 violence, 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 programs, victim assistants, pro se victim assistance programs, or community-based supplementary services);

''(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 violence, sexual assault, and stalking;

''(6) provide civil legal assistance and advocacy 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—

''(i) that involve allegations of child sexual abuse;

''(ii) that relate to family matters, including civil protection orders, custody, and divorce; and

''(iii) in which the other parent is represented by counsel;

''(7) collect data and provide training and technical assistance, including developing State, local, and tribal model codes and policies, 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 proceeding pro se, or who are proceeding with the assistance of a legal advocate; and

''(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 (7) 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 populations;

''(C) the extent to which the applicant demonstrates cooperation and collaboration with nonprofit, nongovernmental entities in the local community with demonstrated histories of effective work on domestic violence, dating violence, sexual assault, or stalking, including State or tribal domestic violence coalitions, State or tribal sexual assault coalitions, local shelters, and programs for domestic violence and sexual assault victims; 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 judicial system's handling of family violence, child custody, child abuse and neglect, adoption, foster care, supervised visitation, divorce, and parentage.

''(d) APPLICANT REQUIREMENTS.—The Attorney 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 individuals for use of supervised visitation programs and services are based on the income of those individuals, unless otherwise provided by court order;

''(3) for a court-based program, certifies that victims of domestic violence, dating violence, sexual assault, or stalking are not charged fees or any other costs related to the

filing, petitioning, modifying, issuance, registration, enforcement, withdrawal, or dismissal of matters relating to the domestic violence, dating violence, sexual assault, or stalking;

''(4) demonstrates that adequate security measures, including adequate facilities, procedures, and personnel capable of preventing violence, and adequate standards are, or will be, in place (including the development of protocols or policies to ensure that confidential 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 applicant proposes to operate supervised visitation programs and services or safe visitation exchange;

''(5) certifies that the organizational policies of the applicant do not require mediation or counseling involving offenders and victims being physically present in the same place, in cases where domestic violence, dating 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, including 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, territorial, or local domestic violence, dating violence, sexual assault, or stalking victim service provider or coalition on the dynamics of domestic violence and sexual assault, including child sexual abuse, that includes training on how to review evidence of past abuse and the use of evidenced-based theories 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 fiscal years 2014 through 2018. Amounts appropriated pursuant to this subsection shall remain available until expended.

''(f) ALLOTMENT FOR INDIAN TRIBES.—

''(1) IN GENERAL.—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 3796gg–10 of this title.

''(2) APPLICABILITY OF PART.—The requirements of this section shall not apply to funds allocated for the program described in paragraph (1).''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Subtitle J of the Violence Against Women Act of 1994 (42 U.S.C. 14043 et seq.) is repealed.

SEC. 105. SEX OFFENDER MANAGEMENT.

Section 40152(c) of the Violence Against Women Act of 1994 (42 U.S.C. 13941) is amended by striking ''$5,000,000'' and all that follows and inserting ''$5,000,000 for each of fiscal 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 amended—

(1) in section 216 (42 U.S.C. 13012), by striking ''January 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 Programs''; and

(B) by adding at the end the following:

''(e) REPORTING.—An organization that receives a grant under this section for a fiscal year shall submit to the Administrator a report regarding the use of the grant for the fiscal year, including a discussion of outcome performance measures (which shall be established by the Administrator) to determine the effectiveness of the programs of the organization in meeting the needs of children in the child welfare system.''; and

(3) in section 219(a) (42 U.S.C. 13014(a)), by striking ''fiscal years 2007 through 2011'' and inserting ''fiscal years 2014 through 2018''.

SEC. 107. CRIMINAL PROVISION RELATING TO STALKING, INCLUDING CYBERSTALKING.

(a) INTERSTATE DOMESTIC VIOLENCE.—Section 2261(a)(1) of title 18, United States Code, is amended—

(1) by inserting ''is present'' after ''Indian Country or''; and

(2) by inserting ''or presence'' after ''as a result of such travel'';

(b) STALKING.—Section 2261A of title 18, United States Code, is amended to read as follows:

''§ 2261A. Stalking

''Whoever—

''(1) travels in interstate or foreign commerce or is present within the special maritime and territorial jurisdiction of the United States, or enters or leaves Indian country, with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, and in the course of, or as a result of, such travel or presence engages in conduct that—

''(A) places that person in reasonable fear of the death of, or serious bodily injury to—

''(i) that person;

''(ii) an immediate family member (as defined in section 115) of that person; 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, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, uses the mail, any interactive computer service or electronic communication service or electronic communication system of interstate commerce, or any other facility of interstate or foreign commerce to engage in a course of conduct that—

''(A) places that person in reasonable fear of the death of or serious bodily injury to a person described in clause (i), (ii), or (iii) of paragraph (1)(A); 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 paragraph (1)(A),

shall be punished as provided in section 2261(b) of this title.''.

(c) INTERSTATE VIOLATION OF PROTECTION ORDER.—Section 2262(a)(2) of title 18, United States Code, is amended by inserting ''is present'' after ''Indian Country or''.

SEC. 108. OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS GRANT.

Section 120 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045) is amended to read as follows:

''SEC. 120. GRANTS FOR OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS.

''(a) GRANTS AUTHORIZED.—

''(1) IN GENERAL.—Of the amounts appropriated under the grant programs identified in paragraph (2), the Attorney General shall take 2 percent of such appropriated amounts and combine them to award grants to eligible entities described in subsection (b) of this section to develop and implement outreach strategies targeted at adult or youth victims of domestic violence, dating violence, sexual assault, or stalking in underserved 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 underserved populations. The requirements of the grant programs identified in paragraph (2) shall not apply to this grant program.

''(2) PROGRAMS COVERED.—The programs covered by paragraph (1) are the programs carried out under the following provisions:

''(A) Section 2001 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Combat Violent Crimes Against Women).

''(B) Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program).

''(b) ELIGIBLE ENTITIES.—Eligible entities under this section are—

''(1) population specific organizations that have demonstrated experience and expertise in providing population specific services in the relevant underserved communities, or population specific organizations working in partnership with a victim service provider or domestic violence or sexual assault coalition;

''(2) victim service providers offering population specific services for a specific underserved population; or

''(3) victim service providers working in partnership with a national, State, tribal, or local organization that has demonstrated experience and expertise in providing population specific services in the relevant underserved 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 underserved populations, including—

''(1) identifying, building and strengthening partnerships with potential collaborators within underserved populations, Federal, State, tribal, territorial or local government entities, and public and private organizations;

''(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, using input from the targeted underserved population or populations;

''(3) identifying promising prevention, outreach and intervention strategies for victims from a targeted underserved population or populations; and

''(4) developing a plan, with the input of the targeted underserved population or populations, for implementing prevention, outreach 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 underserved populations, and evaluating the program.

''(d) IMPLEMENTATION GRANTS.—The Attorney General shall make grants to eligible entities for the purpose of providing or enhancing population specific outreach and services to adult and youth victims in one or more underserved populations, including—

''(1) working with Federal, State, tribal, territorial and local governments, agencies, and organizations to develop or enhance population specific services;

''(2) strengthening the capacity of underserved populations to provide population specific services;

''(3) strengthening the capacity of traditional victim service providers to provide population specific services;

''(4) strengthening the effectiveness of criminal and civil justice interventions by providing training for law enforcement, prosecutors, judges and other court personnel on domestic violence, dating violence, sexual assault, or stalking in underserved populations; or

''(5) working in cooperation with an underserved 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 from underserved 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 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925) shall apply.''.

SEC. 109. CULTURALLY SPECIFIC SERVICES GRANT.

Section 121 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045a) is amended—

(1) in the section heading, by striking ''**AND LINGUISTICALLY**'';

(2) by striking ''and linguistically'' each place it appears;

(3) by striking ''and linguistic'' each place it appears;

(4) by striking subsection (a)(2) and inserting:

''(2) PROGRAMS COVERED.—The programs covered by paragraph (1) are the programs carried out under the following provisions:

''(A) Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Encourage Arrest Policies and Enforcement of Protection Orders).

''(B) Section 14201 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg–6) (Legal Assistance for Victims).

''(C) Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) (Rural Domestic Violence, Dating Violence, Sexual Assault, Stalking, and Child Abuse Enforcement Assistance).

''(D) Section 40802 of the Violence Against Women Act of 1994 (42 U.S.C. 14041a) (Enhanced Training and Services to End Violence Against Women Later in Life).

''(E) Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg–7) (Education, Training, and Enhanced Services to End Violence Against and Abuse of Women with Disabilities).''; and

(5) in subsection (g), by striking ''linguistic and''.

TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 201. SEXUAL 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 and projects 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''; and

(D) by striking ''The District of Columbia shall be treated as a territory for purposes of calculating its allocation under the preceding formula.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 41601(f)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(f)(1)) is amended by striking ''$50,000,000 to remain available until expended for each of the fiscal years 2007 through 2011'' and inserting ''$40,000,000 to remain available until expended for each of fiscal years 2014 through 2018''.

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 (a)(1)(H), by inserting '', including sexual assault forensic examiners'' before the semicolon;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking ''victim advocacy groups'' and inserting ''victim service providers''; and

(ii) by inserting '', including developing multidisciplinary teams focusing on high risk cases with the goal of preventing domestic and dating violence homicides'' before the semicolon;

(B) in paragraph (2)—

(i) by striking ''and other long- and short-term assistance'' and inserting ''legal assistance, and other long-term and short-term victim and population specific services''; and

(ii) by striking ''and'' at the end;

(C) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(4) developing, enlarging, or strengthening programs addressing sexual assault, including sexual assault forensic examiner programs, Sexual Assault Response Teams, law enforcement training, and programs addressing rape kit backlogs.

''(5) developing programs and strategies that focus on the specific needs of victims of domestic violence, dating violence, sexual assault, and stalking who reside in remote rural and geographically isolated areas, including addressing the challenges posed by the lack of access to shelters and victims services, and limited law enforcement resources and training, and providing training and resources to Community Health Aides involved in the delivery of Indian Health Service programs.''; and

(3) in subsection (e)(1), by striking ''$55,000,000 for each of the fiscal years 2007 through 2011'' and inserting ''$50,000,000 for each of fiscal years 2014 through 2018''.

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. 3796gg–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''; and

(C) in paragraph (5), by striking ''victim services organizations'' and inserting ''victim service providers'';

(2) in subsection (c)(1)(D), by striking ''nonprofit and nongovernmental victim services organization, such as a State'' and inserting ''victim service provider, such as a State or tribal''; and

(3) in subsection (e), by striking ''$10,000,000 for each of the fiscal years 2007 through 2011'' and inserting ''$9,000,000 for each of fiscal years 2014 through 2018''.

SEC. 204. ENHANCED TRAINING AND SERVICES TO END ABUSE IN LATER 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

''SEC. 40801. ENHANCED TRAINING AND SERVICES TO END ABUSE IN LATER LIFE.

''(a) DEFINITIONS.—In this section—

''(1) the term 'exploitation' has the meaning given the term in section 2011 of the Social Security Act (42 U.S.C. 1397j);

''(2) the term 'later life', relating to an individual, means the individual is 50 years of age or older; and

''(3) 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, faith-based 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, or other community-based organizations in recognizing and addressing instances of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect; or

''(ii) conduct outreach activities and awareness campaigns to ensure that victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect receive appropriate assistance.

''(C) WAIVER.—The Attorney General may waive 1 or more of the activities described in subparagraph (A) upon making a determination that the activity would duplicate services available in the community.

''(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)(ii).

''(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; or

''(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 nonprofit program or government agency with demonstrated experience in assisting individuals in later life;

''(4) UNDERSERVED POPULATIONS.—In making grants under this section, the Attorney General shall give priority to proposals providing services to culturally specific and underserved populations.

''(5) AUTHORIZATION 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 GRANT.

Section 393A 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 '', territorial or tribal'' after ''crisis centers, State''; and

(B) in paragraph (6), by inserting ''and alcohol'' after ''about drugs''; and

(2) in subsection (c)—

(A) in paragraph (1), by striking ''$80,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$50,000,000 for each of fiscal years 2014 through 2018''; and

(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 minimum allocation of $35,000 shall be awarded in each fiscal year for each Territory. Any unused or remaining funds shall be allotted to each State, the District of Columbia, and Puerto Rico on the basis of population.''.

SEC. 302. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH.

Subtitle L of the Violence Against Women Act of 1994 is amended by striking sections 41201 through 41204 (42 U.S.C. 14043c through 14043c–3) and inserting the following:

''SEC. 41201. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH ('CHOOSE CHILDREN & YOUTH').

''(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 program purpose areas:

''(1) SERVICES TO ADVOCATE FOR AND RESPOND TO YOUTH.—To develop, expand, and strengthen victim-centered interventions and services that target youth who are victims of domestic violence, dating violence, sexual assault, and stalking. Services may include victim services, counseling, advocacy, mentoring, educational support, transportation, legal assistance in civil, criminal and administrative matters, such as family law cases, housing cases, child welfare proceedings, campus administrative proceedings, and civil protection order proceedings, services to address the co-occurrence of sex trafficking, population-specific services, and other activities that support youth in finding safety, stability, and justice and in addressing the emotional, cognitive, and physical effects of trauma. Funds may be used to—

''(A) assess and analyze currently available services for youth victims of domestic violence, dating violence, sexual assault, and stalking, determining relevant barriers to such services in a particular locality, and developing a community protocol to address such problems collaboratively;

''(B) develop and implement policies, practices, and procedures to effectively respond to domestic violence, dating violence, sexual assault, or stalking against youth; or

''(C) provide technical assistance and training to enhance the ability of school personnel, victim service providers, child protective service workers, staff of law enforcement agencies, prosecutors, court personnel, individuals who work in after school programs, medical personnel, social workers, mental health personnel, and workers in other programs that serve children and youth to improve their ability to appropriately respond to the needs of children and youth who are victims of domestic violence, dating violence, sexual assault, and stalking, and to properly refer such children, youth, and their families to appropriate services.

''(2) SUPPORTING YOUTH THROUGH EDUCATION AND PROTECTION.—To enable middle schools, high schools, and institutions of higher education 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, sexual assault, or stalking;

''(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, 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;

''(D) implement developmentally appropriate educational programming for students regarding domestic violence, dating violence, sexual assault, and stalking and the impact of such violence on youth; or

''(E) develop strategies to increase identification, support, referrals, and prevention programming for youth who are at high risk of domestic violence, dating violence, sexual assault, or stalking.

''(c) ELIGIBLE APPLICANTS.—

''(1) 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, including runaway or homeless youth affected by, victims of domestic violence, dating violence, sexual assault, or stalking;

''(B) a victim service provider that is partnered with an entity that has a demonstrated history of effective work addressing the needs of youth; or

''(C) 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 Dependents' Education Act of 1978, a group of schools, a school district, or an institution of higher education.

''(2) PARTNERSHIPS.—

''(A) EDUCATION.—To be eligible to receive a grant for the purposes described in subsection (b)(2), an entity described in paragraph (1) shall be partnered with 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 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 sex offender treatment programs with specialized knowledge and experience working with youth offenders; or

''(iv) any other agencies or nonprofit, nongovernmental organizations with the capacity to provide effective assistance to the adult, youth, and child victims served by the partnership.

''(d) GRANTEE REQUIREMENTS.—Applicants for grants under this section shall establish and implement policies, practices, and procedures that—

''(1) require and include appropriate referral systems for child and youth victims;

''(2) protect the confidentiality and privacy of child and youth victim information, particularly in the context of parental or 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 2014 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 under the program authorized by section 2015 of the Omnibus Crime Control and Safe Streets Act of 1968. The requirements of this section shall not apply to funds allocated under this paragraph.

''(h) PRIORITY.—The Attorney General shall prioritize grant applications 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 ''stalking on campuses, and'' and inserting ''stalking on campuses,'';

(ii) by striking ''crimes against women on'' and inserting ''crimes on''; and

(iii) by inserting '', and to develop and strengthen prevention education and awareness programs'' before the period; and

(B) in paragraph (2), by striking ''$500,000'' and inserting ''$300,000'';

(2) in subsection (b)—

(A) in paragraph (2)—

(i) by inserting '', strengthen,'' after ''To develop''; and

(ii) by inserting ''including the use of technology to commit these crimes,'' after ''sexual assault and stalking,'';

(B) in paragraph (4)—

(i) by inserting ''and population specific services'' after ''strengthen victim services programs'';

(ii) by striking ''entities carrying out'' and all that follows through ''stalking victim services programs'' and inserting ''victim service providers''; and

(iii) by inserting '', regardless of whether the services are provided by the institution or in coordination with community victim service providers'' before the period at the end; and

(C) by adding at the end the following:

''(9) To develop or adapt and provide developmental, culturally appropriate, and linguistically accessible print or electronic materials to address both prevention and intervention in domestic violence, dating violence, sexual violence, and stalking.

''(10) To develop or adapt population specific strategies and projects for victims of domestic violence, dating violence, sexual assault, and stalking from underserved populations on campus.'';

(3) in subsection (c)—

(A) in paragraph (2)—

(i) in subparagraph (B), by striking ''any non-profit'' and all that follows through ''victim services programs'' and inserting ''victim service providers'';

(ii) by redesignating subparagraphs (D) through (F) as subparagraphs (E) through (G), respectively; and

(iii) by inserting after subparagraph (C), the following:

''(D) describe how underserved populations in the campus community will be adequately served, including the provision of relevant population specific services;''; and

(B) in paragraph (3), by striking ''2007 through 2011'' and inserting ''2014 through 2018'';

(4) in subsection (d)—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by inserting after paragraph (2), the following:

''(3) GRANTEE MINIMUM REQUIREMENTS.—Each grantee shall comply with the following minimum requirements during the grant period:

''(A) The grantee shall create a coordinated community response including both organizations external to the institution and relevant divisions of the institution.

''(B) The grantee shall establish a mandatory prevention and education program on domestic violence, dating violence, sexual assault, and stalking for all incoming students.

''(C) The grantee shall train all campus law enforcement to respond effectively to domestic violence, dating violence, sexual assault, and stalking.

''(D) 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

(5) in subsection (e), by striking ''there are'' and all that follows through the period and inserting ''there is authorized to be appropriated $12,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 304. CAMPUS SEXUAL VIOLENCE, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING EDUCATION AND PREVENTION.

(a) IN GENERAL.—Section 485(f) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (C)(iii), by striking the period at the end and inserting '', when the victim of such crime elects or is unable to make such a report.''; and

(B) in subparagraph (F)—

(i) in clause (i)(VIII), by striking ''and'' after the semicolon;

(ii) in clause (ii)—

(I) by striking ''sexual orientation'' and inserting '' national origin, sexual orientation, gender identity,''; and

(II) by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(iii) of domestic violence, dating violence, and stalking incidents that were reported to campus security authorities or local police agencies.'';

(2) in paragraph (3), by inserting '', that withholds the names of victims as confidential,'' after ''that is timely'';

(3) in paragraph (6)(A)—

(A) by redesignating clauses (i), (ii), and (iii) as clauses (ii), (iii), and (iv), respectively;

(B) by inserting before clause (ii), as redesignated by subparagraph (A), the following:

''(i) The terms 'dating violence', 'domestic violence', and 'stalking' have the meaning given such terms in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).''; and

(C) by inserting after clause (iv), as redesignated by subparagraph (A), the following:

''(v) 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.'';

(4) in paragraph (7)—

(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.'' 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)).'';

(5) 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, which shall include—

''(I) primary prevention and awareness programs for all incoming students and new employees, which shall include—

''(aa) a statement that the institution of higher education prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking;

''(bb) the definition of domestic violence, dating violence, sexual assault, and stalking in the applicable jurisdiction;

''(cc) the definition of consent, in reference to sexual activity, in the applicable jurisdiction;

''(dd) safe and positive options for bystander intervention that may 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;

''(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 subclause (I).

''(ii) Possible sanctions or protective measures that such institution may impose following a final determination of an institutional disciplinary procedure regarding rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking.

''(iii) 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 domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protection order;

''(II) to whom the alleged offense should be reported;

''(III) options regarding law enforcement and campus authorities, including notification of the victim's option to—

''(aa) notify proper law enforcement authorities, including on-campus and local police;

''(bb) be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and

''(cc) decline to notify such authorities; 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 orders issued by a criminal, civil, or tribal court.

''(iv) Procedures for institutional disciplinary action in cases of alleged domestic violence, dating violence, sexual assault, or stalking, which shall include a clear statement that—

''(I) such proceedings shall—

''(aa) provide a prompt, fair, and impartial investigation and resolution; and

''(bb) be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability;

''(II) the accuser and the accused are entitled to the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice; and

''(III) both the accuser and the accused shall be simultaneously informed, in writing, of—

''(aa) the outcome of any institutional disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault, or stalking;

''(bb) the institution's procedures for the accused and the victim to appeal the results of the institutional disciplinary proceeding;

''(cc) of any change to the results that occurs prior to the time that such results become final; and

''(dd) when such results become final.

''(v) Information about how the institution will protect the confidentiality of victims, including how publicly-available recordkeeping will be accomplished without the inclusion of identifying information about the victim, to the extent permissible by law.

''(vi) Written notification of students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims both on-campus and in the community.

''(vii) 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 chooses to 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).'';

(6) in paragraph (9), by striking ''The Secretary'' and inserting ''The Secretary, in consultation with the Attorney General of the United States,'';

(7) by striking paragraph (16) and inserting the following:

''(16)(A) The Secretary shall seek the advice and counsel of the Attorney General of the United States concerning the development, and dissemination to institutions of higher education, of best practices information about campus safety and emergencies.

''(B) The Secretary shall seek the advice and counsel of the Attorney General of the United States and the Secretary of Health and Human Services concerning the development, and dissemination to institutions of higher education, of best practices information about preventing and responding to incidents of domestic violence, dating violence, sexual assault, and stalking, including elements of institutional policies that have proven successful based on evidence-based outcome measurements.''; and

(8) by striking paragraph (17) and inserting the following:

''(17) No officer, employee, or agent of an institution participating in any program under this title shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of this subsection.''.

(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. 1092(f)(1)) prepared by an institution of higher education 1 calendar year after the date of enactment of this Act, and each subsequent calendar year.

TITLE IV—VIOLENCE REDUCTION PRACTICES

SEC. 401. STUDY CONDUCTED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

Section 402(c) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 280b–4(c)) is amended by striking ''$2,000,000 for each of the fiscal years 2007 through 2011'' and inserting ''$1,000,000 for each of the fiscal years 2014 through 2018''.

SEC. 402. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION GRANTS.

(a) SMART PREVENTION.—Section 41303 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d–2) is amended to read as follows:

''SEC. 41303. 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 by taking a comprehensive approach that focuses on youth, children exposed to violence, and men as leaders and influencers of social norms.

''(b) USE OF FUNDS.—Funds provided under this section may be used for the following purposes:

''(1) TEEN DATING VIOLENCE AWARENESS AND PREVENTION.—To develop, maintain, or enhance programs that change attitudes and behaviors around the acceptability of domestic violence, dating violence, sexual assault, and stalking and provide education and skills training to young individuals and individuals who influence young individuals. The prevention program may use evidence-based, evidence-informed, or innovative strategies and practices focused on youth. Such a program should include—

''(A) age and developmentally-appropriate education on domestic violence, dating violence, sexual assault, stalking, and sexual coercion, as well as healthy relationship skills, in school, in the community, or in health care settings;

''(B) community-based collaboration and training for those with influence on youth, such as parents, teachers, coaches, healthcare providers, faith-leaders, older teens, and mentors;

''(C) education and outreach to change environmental factors contributing to domestic violence, dating violence, sexual assault, and stalking; and

''(D) policy development targeted to prevention, including school-based policies and protocols.

''(2) CHILDREN EXPOSED TO VIOLENCE AND ABUSE.—To develop, maintain or enhance programs designed to prevent future incidents of domestic violence, dating violence, sexual assault, and stalking by preventing, reducing and responding to children's exposure to violence in the home. Such programs may include—

''(A) providing services for children exposed to domestic violence, dating violence, sexual assault or stalking, including direct counseling or advocacy, and support for the non-abusing parent; and

''(B) training and coordination for educational, after-school, and childcare programs on how to safely and confidentially identify children and families experiencing domestic violence, dating violence, sexual assault, or stalking and properly refer children exposed and their families to services and violence prevention programs.

''(3) 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, and stalking by helping men to serve as role models and social influencers of other men and youth at the individual, school, community or statewide levels.

''(c) 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 expertise in the specific area for which they are applying for funds; or

''(2) a partnership between 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 Dependents' 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, university or health care clinic, faith-based organization, or other non-profit, nongovernmental organization with a demonstrated history of effective work addressing the needs of children exposed to domestic violence, dating violence, sexual assault, or stalking.

''(D) A nonprofit, nongovernmental entity providing services for runaway or homeless youth affected by domestic violence, dating violence, sexual assault, or stalking.

''(E) Healthcare entities eligible for reimbursement under title XVIII of the Social Security Act, including providers that target the special needs of children and youth.

''(F) Any other agencies, population-specific organizations, or nonprofit, nongovernmental organizations with the capacity to provide necessary expertise to meet the goals of the program; or

''(3) 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 Dependents' Education Act of 1978, a group of schools, a school district, or an institution of higher education.

''(d) GRANTEE REQUIREMENTS.—

''(1) IN GENERAL.—Applicants for grants under this section shall prepare and submit to the Director an application at such time, in such manner, and containing such information as the Director may require that demonstrates the capacity of the applicant and partnering organizations to undertake the project.

''(2) POLICIES AND PROCEDURES.—Applicants under this section shall establish and implement policies, practices, and procedures that—

''(A) include appropriate referral systems to direct any victim identified during program activities to highly qualified follow-up care;

''(B) protect the confidentiality and privacy of adult and youth victim information, particularly in the context of parental or third party involvement and consent, mandatory reporting duties, and working with other service providers;

''(C) ensure that all individuals providing prevention programming through a program funded under this section have completed or will complete sufficient training in connection with domestic violence, dating violence, sexual assault or stalking; and

''(D) document how prevention programs are coordinated with service programs in the community.

''(3) PREFERENCE.—In selecting grant recipients under this section, the Attorney General shall give preference to applicants that—

''(A) include outcome-based evaluation; and

''(B) identify any other community, school, or State-based efforts that are working on domestic violence, dating violence, sexual assault, or stalking prevention and explain how the grantee or partnership will add value, coordinate with other programs, and not duplicate existing efforts.

''(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 2014 through 2018. Amounts appropriated under this section may only be used for programs and activities described under this section.

''(g) ALLOTMENT.—

''(1) IN GENERAL.—Not less than 25 percent of the total amounts appropriated under this section in each fiscal year shall be used for each set of purposes described in paragraphs (1), (2), and (3) of subsection (b).

''(2) INDIAN TRIBES.—Not less than 10 percent of the total amounts appropriated under this section in each fiscal year shall be made available for grants to Indian tribes or tribal organizations. If an insufficient number of applications are received from Indian tribes or tribal organizations, such funds shall be allotted to other population-specific programs.''.

(b) REPEALS.—The following provisions are repealed:

(1) Sections 41304 and 41305 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d–3 and 14043d–4).

(2) Section 403 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045c).

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 SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) GRANTS.—Section 399P of the Public Health Service Act (42 U.S.C. 280g–4) is amended to read as follows:

''SEC. 399P. GRANTS TO STRENGTHEN THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

''(a) IN GENERAL.—The Secretary shall award grants for—

''(1) the development or enhancement and implementation of interdisciplinary training for health professionals, public health staff, and allied health professionals;

''(2) the development or enhancement and implementation of education programs for medical, nursing, dental, and other health profession students and residents to prevent and respond to domestic violence, dating violence, sexual assault, and stalking; and

''(3) the development or enhancement and implementation of comprehensive statewide strategies to improve the response of clinics, public health facilities, hospitals, and other health settings (including behavioral and mental health programs) to domestic violence, dating violence, sexual assault, and stalking.

''(b) USE OF FUNDS.—

''(1) REQUIRED USES.—Amounts provided under a grant under this section shall be used to—

''(A) fund interdisciplinary training and education programs under paragraphs (1) and (2) of subsection (a) that—

''(i) are designed to train medical, psychology, dental, social work, nursing, and other health profession students, interns, residents, fellows, or current health care providers to identify and provide health care services (including mental or behavioral health care services and referrals to appropriate community services) to individuals who are or who have been victims of domestic violence, dating violence, sexual assault, or stalking; and

''(ii) plan and develop culturally competent clinical training components for integration into approved internship, residency, and fellowship training or continuing medical or other health education training that address physical, mental, and behavioral health issues, including protective factors, related to domestic violence, dating violence, sexual assault, stalking, and other forms of violence and abuse, focus on reducing health disparities and preventing violence and abuse, and include the primacy of victim safety and confidentiality;

''(B) design and implement comprehensive strategies to improve the response of the health care system to domestic or sexual violence in clinical and public health settings, hospitals, clinics, and other health settings (including behavioral and mental health), under subsection (a)(3) through—

''(i) the implementation, dissemination, and evaluation of policies and procedures to guide health professionals and public health staff in identifying and responding to domestic violence, dating violence, sexual assault, and stalking, including strategies to ensure that health information is maintained in a manner that protects the patient's privacy and safety, and safely uses health information technology to improve documentation, identification, assessment, treatment, and follow-up care;

''(ii) the development of on-site access to services to address the safety, medical, and mental health needs of patients by increasing the capacity of existing health care professionals and public health staff to address domestic violence, dating violence, sexual assault, and stalking, or by contracting with or hiring domestic or sexual assault advocates to provide such services or to model other services appropriate to the geographic and cultural needs of a site;

''(iii) the development of measures and methods for the evaluation of the practice of identification, intervention, and documentation regarding victims of domestic violence, dating violence, sexual assault, and stalking, including the development and testing of quality improvement measurements, in accordance with the multi-stakeholder and quality measurement processes established under paragraphs (7) and (8) of section 1890(b) and section 1890A of the Social Security Act (42 U.S.C. 1395aaa(b)(7) and (8); 42 U.S.C. 1890A); and

''(iv) the provision of training and follow-up technical assistance to health care professionals, and public health staff, and allied health professionals to identify, assess, treat, and refer clients who are victims of domestic violence, dating violence, sexual assault, or stalking, including using tools and training materials already developed.

''(2) PERMISSIBLE USES.—

''(A) CHILD AND ELDER ABUSE.—To the extent consistent with the purpose of this section, a grantee may use amounts received under this section to address, as part of a comprehensive programmatic approach implemented under the grant, issues relating to child or elder abuse.

''(B) RURAL AREAS.—Grants funded under paragraphs (1) and (2) of subsection (a) may be used to offer to rural areas community-based training opportunities, which may include the use of distance learning networks and other available technologies needed to reach isolated rural areas, for medical, nursing, and other health profession students and residents on domestic violence, dating violence, sexual assault, stalking, and, as appropriate, other forms of violence and abuse.

''(C) OTHER USES.—Grants funded under subsection (a)(3) may be used for—

''(i) the development of training modules and policies that address the overlap of child abuse, domestic violence, dating violence, sexual assault, and stalking and elder abuse, as well as childhood exposure to domestic and sexual violence;

''(ii) the development, expansion, and implementation of sexual assault forensic medical examination or sexual assault nurse examiner programs;

''(iii) the inclusion of the health effects of lifetime exposure to violence and abuse as well as related protective factors and behavioral risk factors in health professional training schools including medical, dental, nursing, social work, and mental and behavioral health curricula, and allied health service training courses; or

''(iv) the integration of knowledge of domestic violence, dating violence, sexual assault, and stalking into health care accreditation and professional licensing examinations, such as medical, dental, social work,

and nursing boards, and where appropriate, other allied health exams.

''(c) REQUIREMENTS FOR GRANTEES.—

''(1) CONFIDENTIALITY AND SAFETY.—

''(A) IN GENERAL.—Grantees under this section shall ensure that all programs developed with grant funds address issues of confidentiality and patient safety and comply with applicable confidentiality and nondisclosure requirements under section 40002(b)(2) of the Violence Against Women Act of 1994 and the Family Violence Prevention and Services Act, and that faculty and staff associated with delivering educational components are fully trained in procedures that will protect 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 confidentially and security procedures, and provide documentation of such consultation.

''(B) ADVANCE NOTICE OF INFORMATION DISCLOSURE.—Grantees under this section shall provide to patients advance notice about any circumstances under which information may be disclosed, such as mandatory reporting laws, and shall give patients the option to receive information and referrals without affirmatively disclosing abuse.

''(2) LIMITATION ON ADMINISTRATIVE EXPENSES.—A grantee shall use not more than 10 percent of the amounts received under a grant under this section for administrative expenses.

''(3) APPLICATION.—

''(A) PREFERENCE.—In selecting grant recipients under this section, the Secretary shall give preference to applicants based on the strength of their evaluation strategies, with priority given to outcome based evaluations.

''(B) SUBSECTION (A)(1) AND (2) GRANTEES.—Applications for grants under paragraphs (1) and (2) of subsection (a) shall include—

''(i) documentation that the applicant represents a team of entities working collaboratively to strengthen the response of the health care system to domestic violence, dating violence, sexual assault, or stalking, and which includes at least one of each of—

''(I) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or other health field;

''(II) a health care facility or system; or

''(III) a government or nonprofit entity with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking; and

''(ii) strategies for the dissemination and sharing of curricula and other educational materials developed under the grant, if any, with other interested health professions schools and national resource repositories for materials on domestic violence, dating violence, sexual assault, and stalking.

''(C) SUBSECTION (A)(3) GRANTEES.—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 approach to patient care will be informed by an understanding of violence and abuse victimization and trauma-specific approaches that will be integrated into prevention, intervention, and treatment activities;

''(ii) strategies for the development and implementation of policies to prevent and address domestic violence, dating violence, sexual assault, and stalking over the lifespan in health care settings;

''(iii) a plan for consulting with State and tribal domestic violence or sexual assault coalitions, national nonprofit victim advocacy organizations, State or tribal law enforcement task forces (where appropriate), and population specific organizations with demonstrated expertise in domestic violence, dating violence, sexual assault, or stalking;

''(iv) with respect to an application for a grant under which the grantee will have contact with patients, a plan, developed in collaboration with local victim service providers, to respond appropriately to and make correct referrals for individuals who disclose that they are victims of domestic violence, dating violence, sexual assault, stalking, or other types of violence, and documentation provided by the grantee of an ongoing collaborative relationship with a local victim service provider; and

''(v) with respect to an application for a grant proposing to fund a program described in subsection (b)(2)(C)(ii), a certification that any sexual assault forensic medical examination and sexual assault nurse examiner programs supported with such grant funds will adhere to the guidelines set forth by the Attorney General.

''(d) ELIGIBLE ENTITIES.—

''(1) IN GENERAL.—To be eligible to receive funding under paragraph (1) or (2) of subsection (a), an entity shall be—

''(A) a nonprofit organization with a history of effective work in the field of training health professionals with an understanding of, and clinical skills pertinent to, domestic violence, dating violence, sexual assault, or stalking, and lifetime exposure to violence and abuse;

''(B) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or allied health;

''(C) a health care provider membership or professional organization, or a health care system; or

''(D) a State, tribal, territorial, or local entity.

''(2) SUBSECTION (A)(3) GRANTEES.—To be eligible to receive funding under subsection (a)(3), an entity shall be—

''(A) a State department (or other division) of health, a State, tribal, or territorial domestic violence or sexual assault coalition or victim service provider, or any other nonprofit, nongovernmental organization with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking, and health care, including physical or mental health care; or

''(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.

''(e) TECHNICAL ASSISTANCE.—

''(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may make grants or enter into contracts to provide technical assistance with respect to the planning, development, and operation of any program, activity or service carried out pursuant to this section. Not more than 8 percent of the funds appropriated under this section in each fiscal year may be used to fund technical assistance under this subsection.

''(2) AVAILABILITY OF MATERIALS.—The Secretary shall make publicly available materials developed by grantees under this section, including materials on training, best practices, and research and evaluation.

''(3) REPORTING.—The Secretary shall publish a biennial report on—

''(A) the distribution of funds under this section; and

''(B) the programs and activities supported by such funds.

''(f) RESEARCH AND EVALUATION.—

''(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may use not more than 20 percent to make a grant or enter into a contract for research and evaluation of—

''(A) grants awarded under this section; and

''(B) other training for health professionals and effective interventions in the health care setting that prevent domestic violence, dating violence, and sexual assault across the lifespan, prevent the health effects of such violence, and improve the safety and health of individuals who are currently being victimized.

''(2) RESEARCH.—Research authorized in paragraph (1) may include—

''(A) research on the effects of domestic violence, dating violence, sexual assault, and childhood exposure to domestic, dating or sexual violence on health behaviors, health conditions, and health status of individuals, families, and populations, including underserved populations;

''(B) research to determine effective health care interventions to respond to and prevent domestic violence, dating violence, sexual assault, and stalking;

''(C) research on the impact of domestic, dating and sexual violence, childhood exposure to such violence, and stalking on the health care system, health care utilization, health care costs, and health status; and

''(D) research on the impact of adverse childhood experiences on adult experience with domestic violence, dating violence, sexual assault, stalking, and adult health outcomes, including how to reduce or prevent the impact of adverse childhood experiences through the health care setting.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $10,000,000 for each of fiscal years 2014 through 2018.

''(h) DEFINITIONS.—Except as otherwise provided herein, the definitions provided for in section 40002 of the Violence Against Women Act of 1994 shall apply to this section.''.

(b) REPEALS.—The following provisions are repealed:

(1) Section 40297 of the Violence Against Women Act of 1994 (42 U.S.C. 13973).

(2) Section 758 of the Public Health Service Act (42 U.S.C. 294h).

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. 14043e et seq.) is amended—

(1) by inserting after the subtitle heading the following:

"CHAPTER 1—GRANT PROGRAMS";

(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 41403 (42 U.S.C. 14043e–2), in the matter preceding paragraph (1), by striking ''subtitle'' and inserting ''chapter''; and

(4) by adding at the end the following:

"CHAPTER 2—HOUSING RIGHTS

"SEC. 41411. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

''(a) DEFINITIONS.—In this chapter:

''(1) AFFILIATED INDIVIDUAL.—The term 'affiliated individual' means, with respect to an individual—

''(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 individual, tenant, or lawful occupant living in the household of that individual.

''(2) APPROPRIATE AGENCY.—The term 'appropriate agency' means, 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.

''(3) COVERED HOUSING PROGRAM.—The term 'covered housing program' means—

''(A) the program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q);

''(B) the program under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013);

''(C) the program under subtitle D of title VIII of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12901 et seq.);

''(D) the program under subtitle A of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 et seq.);

''(E) the program under subtitle A of title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12741 et seq.);

''(F) the program under paragraph (3) of section 221(d) of the National Housing Act (12 U.S.C. 1715l(d)) that bears interest at a rate determined under the proviso under paragraph (5) of such section 221(d);

''(G) the program under section 236 of the National Housing Act (12 U.S.C. 1715z–1);

''(H) the programs under sections 6 and 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f);

''(I) rural housing assistance provided under sections 514, 515, 516, 533, and 538 of the Housing Act of 1949 (42 U.S.C. 1484, 1485, 1486, 1490m, and 1490p–2); and

''(J) the low income housing tax credit program under section 42 of the Internal Revenue Code of 1986.

''(b) PROHIBITED BASIS FOR DENIAL OR TERMINATION OF ASSISTANCE OR EVICTION.—

''(1) IN GENERAL.—An applicant for or tenant of housing assisted under a covered housing program may not be denied admission to, denied assistance under, terminated from participation in, or evicted from the housing on the basis that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, if the applicant or tenant otherwise qualifies for admission, assistance, participation, or occupancy.

''(2) CONSTRUCTION OF LEASE TERMS.—An incident of actual or threatened domestic violence, dating violence, sexual assault, or stalking shall not be construed as—

''(A) a serious or repeated violation of a lease for housing assisted under a covered housing program by the victim or threatened victim of such incident; or

''(B) good cause for terminating the assistance, tenancy, or occupancy rights to housing assisted under a covered housing program of the victim or threatened victim of such incident.

''(3) TERMINATION ON THE BASIS OF CRIMINAL ACTIVITY.—

''(A) DENIAL OF ASSISTANCE, TENANCY, AND OCCUPANCY RIGHTS PROHIBITED.—No person may deny assistance, tenancy, or occupancy rights to housing assisted under a covered housing program to a tenant solely on the basis of criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking that is engaged in by a member of the household of the tenant or any guest or other person under the control of the tenant, if the tenant or an affiliated individual of the tenant is the victim or threatened victim of such domestic violence, dating violence, sexual assault, or stalking.

''(B) BIFURCATION.—

''(i) IN GENERAL.—Notwithstanding subparagraph (A), a public housing agency or owner or manager of housing assisted under a covered housing program may bifurcate a lease for the housing in order to evict, remove, or terminate assistance to any individual who is a tenant or lawful occupant of the housing and who engages in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or other individual, without evicting, removing, terminating assistance to, or otherwise penalizing a victim of such criminal activity who is also a tenant or lawful occupant of the housing.

''(ii) EFFECT OF EVICTION ON OTHER TENANTS.—If public housing agency or owner or manager of housing assisted under a covered housing program evicts, removes, or terminates assistance to an individual under clause (i), and the individual is the sole tenant eligible to receive assistance under a covered housing program, the public housing agency or owner or manager of housing assisted under the covered housing program shall provide any remaining tenant an opportunity to establish eligibility for the covered housing program. If a tenant described in the preceding sentence cannot establish eligibility, the public housing agency or owner or manager of the housing shall provide the tenant a reasonable time, as determined by the appropriate agency, to find new housing or to establish eligibility for housing under another covered housing program.

''(C) RULES OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed—

''(i) to limit the authority of a public housing agency or owner or manager of housing assisted under a covered housing program, when notified of a court order, to comply with a court order with respect to—

''(I) the rights of access to or control of property, including civil protection orders issued to protect a victim of domestic violence, dating violence, sexual assault, or stalking; or

''(II) the distribution or possession of property among members of a household in a case;

''(ii) to limit any otherwise available authority of a public housing agency or owner or manager of housing assisted under a covered housing program to evict or terminate assistance to a tenant for any violation of a lease not premised on the act of violence in question against the tenant or an affiliated person of the tenant, if the public housing agency or owner or manager does not subject an individual who is or has been a victim of domestic violence, dating violence, or stalking to a more demanding standard than other tenants in determining whether to evict or terminate;

''(iii) to limit the authority to terminate assistance to a tenant or evict a tenant from housing assisted under a covered housing program if a public housing agency or owner or manager of the housing can demonstrate that an actual and imminent threat to other tenants or individuals employed at or providing service to the property would be present if the assistance is not terminated or the tenant is not evicted; or

''(iv) to supersede any provision of any Federal, State, or local law that provides greater protection than this section for victims of domestic violence, dating violence, sexual assault, or stalking.

''(c) DOCUMENTATION.—

''(1) REQUEST FOR DOCUMENTATION.—If an applicant for, or tenant of, housing assisted under a covered housing program represents to a public housing agency or owner or manager of the housing that the individual is entitled to protection under subsection (b), the public housing agency or owner or manager may request, in writing, that the applicant or tenant submit to the public housing agency or owner or manager a form of documentation described in paragraph (3).

''(2) FAILURE TO PROVIDE CERTIFICATION.—

''(A) IN GENERAL.—If an applicant or tenant does not provide the documentation requested under paragraph (1) within 14 business days after the tenant receives a request in writing for such certification from a public housing agency or owner or manager of housing assisted under a covered housing program, nothing in this chapter may be construed to limit the authority of the public housing agency or owner or manager to—

''(i) deny admission by the applicant or tenant to the covered program;

''(ii) deny assistance under the covered program to the applicant or tenant;

''(iii) terminate the participation of the applicant or tenant in the covered program; or

''(iv) evict the applicant, the tenant, or a lawful occupant that commits violations of a lease.

''(B) EXTENSION.—A public housing agency or owner or manager of housing may extend the 14-day deadline under subparagraph (A) at its discretion.

''(3) FORM OF DOCUMENTATION.—A form of documentation described in this paragraph is—

''(A) a certification form approved by the appropriate agency that—

''(i) states that an applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking;

''(ii) states that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b); and

''(iii) includes the name of the individual who committed the domestic violence, dating violence, sexual assault, or stalking, if the name is known and safe to provide;

''(B) a document that—

''(i) is signed by—

''(I) an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional, or a mental health professional from whom an applicant or tenant has sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of the abuse; and

''(II) the applicant or tenant; and

''(ii) states under penalty of perjury that the individual described in clause (i)(I) believes that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b);

''(C) a record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency; or

''(D) at the discretion of a public housing agency or owner or manager of housing assisted under a covered housing program, a statement or other evidence provided by an applicant or tenant.

''(4) CONFIDENTIALITY.—Any information submitted to a public housing agency or owner or manager under this subsection, including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking shall be maintained in confidence by the public housing agency or owner or manager and may not be entered into any shared database or disclosed to any other entity or individual, except to the extent that the disclosure is—

''(A) requested or consented to by the individual in writing;

''(B) required for use in an eviction proceeding under subsection (b); or

''(C) otherwise required by applicable law.

''(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 public housing 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 (3).

''(8) PREEMPTION.—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.

''(d) NOTIFICATION.—

''(1) DEVELOPMENT.—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 applicant is denied residency in 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) with any notification of eviction or notification of termination of assistance; and

''(D) in multiple languages, consistent with guidance issued by the Secretary of Housing and Urban Development in accordance with Executive Order 13166 (42 U.S.C. 2000d–1 note; relating to access to services for persons with limited English proficiency).

''(e) EMERGENCY TRANSFERS.—Each appropriate agency shall adopt a model emergency transfer plan for use by public housing agencies and owners or managers of housing assisted under covered housing programs that—

''(1) allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to transfer to another available and safe dwelling unit assisted under a covered housing program if—

''(A) the tenant expressly requests the transfer; and

''(B)(i) the tenant reasonably believes that the tenant is threatened with imminent harm from further violence if the tenant remains within the same dwelling unit assisted under a covered housing program; or

''(ii) in the case of a tenant who is a victim of sexual assault, the sexual assault occurred on the premises during the 90 day period preceding the request for transfer; and

''(2) incorporates reasonable confidentiality measures to ensure that the public housing agency or owner or manager does not disclose the location of the dwelling unit of a tenant to a person that commits an act of domestic violence, dating violence, sexual assault, or stalking against the tenant.

''(f) POLICIES AND PROCEDURES 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(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)).

''(g) 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 redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(B) in subsection (l)—

(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. 1437f) is amended—

(A) in subsection (c), by striking paragraph (9);

(B) in subsection (d)(1)—

(i) in subparagraph (A), by striking ''and that an applicant or participant is or has been a victim of domestic violence, dating violence, or stalking is not an appropriate basis for denial of program assistance or for denial of admission if the applicant otherwise qualifies for assistance or admission''; and

(ii) in subparagraph (B)—

(I) in clause (ii), 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);

(D) in subsection (o)—

(i) in paragraph (6)(B), by striking the last sentence;

(ii) in paragraph (7)—

(I) in subparagraph (C), 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 shall not be good cause for terminating the tenancy or occupancy rights of the victim of such violence''; and

(II) in subparagraph (D), by striking ''; except that'' and all that follows through ''stalking.''; and

(iii) by striking paragraph (20); and

(E) by striking subsection (ee).

(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, 91, 880, 882, 883, 884, 886, 891, 903, 960, 966, 982, or 983 of title 24, Code of Federal Regulations, that—

(i) was issued under the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162; 119 Stat. 2960) or an 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

(C) 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 40299 (42 U.S.C. 13975)—

(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**'';

(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 (C);

(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

(iv) in subparagraph (C), as redesignated by clause (ii), by striking '' employment counseling,''; and

(D) in subsection (g)—

(i) in paragraph (1), by striking ''$40,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$35,000,000 for each of fiscal years 2014 through 2018''; and

(ii) in paragraph (3)—

(I) in subparagraph (A), by striking ''eligible'' and inserting ''qualified''; and

(II) by adding at the end the following:

''(D) 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) background checks 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 41404(i) (42 U.S.C. 14043e–3(i)), by striking ''$10,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$4,000,000 for each of fiscal years 2014 through 2018''; and

(2) in section 41405(g) (42 U.S.C. 14043e–4(g)), by striking ''$10,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$4,000,000 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.

Section 41501(e) of the Violence Against Women Act of 1994 (42 U.S.C. 14043f(e)) is amended by striking ''fiscal years 2007 through 2011'' and inserting ''fiscal years 2014 through 2018''.

TITLE VIII—PROTECTION OF BATTERED IMMIGRANTS

SEC. 801. U NONIMMIGRANT DEFINITION.

Section 101(a)(15)(U)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)(iii)) is amended by inserting ''stalking;'' after ''sexual exploitation;''.

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)(T)(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 reduce the adjudication and processing time, while ensuring the safe and competent processing, of an application described in paragraph (1) or a request for continued presence referred to in paragraph (4).

SEC. 803. PROTECTION FOR CHILDREN OF VAWA SELF-PETITIONERS.

Section 204(l)(2) of the Immigration and Nationality Act (8 U.S.C. 1154(l)(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 or other benefit specified in section 101(a)(51) as a VAWA self-petitioner; or''.

SEC. 804. PUBLIC CHARGE.

Section 212(a)(4) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(4)) 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 granted status under section 101(a)(15)(U)(i), and who was under 21 years of age on the date on which such parent petitioned for such status, shall continue to be classified as a child for purposes of section 101(a)(15)(U)(ii), if the alien attains 21 years of age after such parent's petition was filed but while it was pending.

''(B) PRINCIPAL ALIENS.—An alien described in clause (i) of section 101(a)(15)(U) shall continue to be treated as an alien described in clause (ii)(I) of such section if the alien attains 21 years of age after the alien's application for status under such clause (i) is filed but while it is pending.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if enacted as part of the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386; 114 Stat. 1464).

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 subparagraph (B), by striking ''(1), or'' and inserting ''(1); or'';

(3) in subparagraph (C), by striking the period at the end and inserting a semicolon and ''or''; and

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

''(D) the alien meets the requirements under section 204(a)(1)(A)(iii)(II)(aa)(BB) and following the marriage ceremony was battered by or subject to extreme cruelty perpetrated by the alien's intended spouse and was not at fault in failing to meet the requirements of paragraph (1).''.

(b) TECHNICAL CORRECTIONS.—Section 216(c)(4) of the Immigration and Nationality Act (8 U.S.C. 1186a(c)(4)), as amended by subsection (a), is further amended—

(1) in the matter preceding subparagraph (A), by striking ''The Attorney General, in the Attorney General's'' and inserting ''The Secretary of Homeland Security, in the Secretary's''; and

(2) in the undesignated paragraph at the end—

(A) in the first sentence, by striking ''Attorney General'' and inserting ''Secretary of Homeland Security'';

(B) in the second sentence, by striking ''Attorney General'' and inserting ''Secretary'';

(C) in the third sentence, by striking ''Attorney General.'' and inserting ''Secretary.''; and

(D) in the fourth sentence, by striking ''Attorney General'' and inserting ''Secretary''.

SEC. 807. PROTECTIONS FOR A FIANCÉE OR FIANCÉ 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)—

(A) in paragraph (1), by striking ''crime.'' 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)(i).'';

(B) in paragraph (2)(A), in the matter preceding clause (i)—

(i) by striking ''a consular officer'' and inserting ''the Secretary of Homeland Security''; and

(ii) by striking ''the officer'' and inserting ''the Secretary''; and

(C) in paragraph (3)(B)(i), by striking ''abuse, and stalking.'' and inserting ''abuse, stalking, or an attempt to commit any such crime.''; and

(2) in subsection (r)—

(A) in paragraph (1), by striking ''crime.'' and inserting ''crime described in paragraph (5)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in subsection (5)(B)(i).''; and

(B) by amending paragraph (4)(B)(ii) to read as follows:

''(ii) To notify the beneficiary as required by clause (i), the Secretary of Homeland Security shall provide such notice to the Secretary of State for inclusion in the mailing to the beneficiary described in section 833(a)(5)(A)(i) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(a)(5)(A)(i)).''; and

(3) in paragraph (5)(B)(i), by striking ''abuse, and stalking.'' and inserting ''abuse, stalking, or an attempt to commit any such crime.''.

(b) PROVISION OF INFORMATION TO K NONIMMIGRANTS.—Section 833 of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a) is amended—

(1) in subsection (a)(5)(A)—

(A) in clause (iii)—

(i) by striking ''State any'' and inserting ''State, for inclusion in the mailing described in clause (i), any''; and

(ii) by striking the last sentence; and

(B) by adding at the end the following:

''(iv) The Secretary of Homeland Security shall conduct a background check of the National Crime Information Center's Protection Order Database on each petitioner for a visa under subsection (d) or (r) of section 214 of the Immigration and Nationality Act (8 U.S.C. 1184). Any appropriate information obtained from such background check—

''(I) shall accompany the criminal background information provided by the Secretary of Homeland Security to the Secretary of State and shared by the Secretary of State with a beneficiary of a petition referred to in clause (iii); and

''(II) shall not be used or disclosed for any other purpose unless expressly authorized by law.

''(v) The Secretary of Homeland Security shall create a cover sheet or other mechanism to accompany the information required to be provided to an applicant for a visa under subsection (d) or (r) 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 (r)(4)(B) of such section 214, that calls to the applicant's attention—

''(I) whether the petitioner disclosed a protection order, a restraining order, or criminal history information on the visa petition;

''(II) the criminal background information and information about any protection order obtained by the Secretary of Homeland Security regarding the petitioner in the course of adjudicating the petition; and

''(III) whether the information the petitioner disclosed on the visa petition regarding any previous petitions filed under subsection (d) or (r) of such section 214 is consistent with the information in the multiple visa tracking database of the Department of Homeland Security, as described in subsection (r)(4)(A) of such section 214.''; and

(2) in subsection (b)(1)(A), by striking ''or'' after ''orders'' and inserting ''and''.

SEC. 808. REGULATION OF INTERNATIONAL MARRIAGE BROKERS.

(a) IMPLEMENTATION OF THE INTERNATIONAL MARRIAGE BROKER ACT OF 2005.—

(1) FINDINGS.—Congress finds the following:

(A) The International Marriage Broker Act of 2005 (subtitle D of Public Law 109–162; 119 Stat. 3066) has not been fully implemented with regard to investigating and prosecuting violations of the law, and for other purposes.

(B) Six years after Congress enacted the International Marriage Broker Act of 2005 to regulate the activities of the hundreds of for-profit international marriage brokers operating in the United States, the Attorney General has not determined which component of the Department of Justice will investigate and prosecute violations of such Act.

(2) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Attorney General shall submit to Congress a report that includes the following:

(A) The name of the component of the Department of Justice responsible for investigating and prosecuting violations of the International Marriage Broker Act of 2005 (subtitle D of Public Law 109–162; 119 Stat. 3066) and the amendments made by this Act.

(B) A description of the policies and procedures of the Attorney General for consultation with the Secretary of Homeland Security and the Secretary of State in investigating and prosecuting such violations.

(b) TECHNICAL CORRECTION.—Section 833(a)(2)(H) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(a)(2)(H)) is amended by striking ''Federal and State sex offender public registries'' and inserting ''the National Sex Offender Public Website''.

(c) REGULATION OF INTERNATIONAL MARRIAGE BROKERS.—Section 833(d) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(d)) is amended—

(1) by amending paragraph (1) to read as follows:

''(1) PROHIBITION ON MARKETING OF OR TO CHILDREN.—

''(A) IN GENERAL.—An international marriage broker shall not provide any individual or entity with the personal contact information, photograph, or general information about the background or interests of any individual under the age of 18.

''(B) COMPLIANCE.—To comply with the requirements of subparagraph (A), an international marriage broker shall—

''(i) obtain a valid copy of each foreign national client's birth certificate or other proof of age document issued by an appropriate government entity;

''(ii) indicate on such certificate or document the date it was received by the international marriage broker;

''(iii) retain the original of such certificate or document for 7 years after such date of receipt; and

''(iv) produce such certificate or document upon request to an appropriate authority charged with the enforcement of this paragraph.'';

(2) in paragraph (2)—

(A) in subparagraph (A)(i)—

(i) in the heading, by striking ''REGISTRIES.—'' and inserting ''WEBSITE.—''; and

(ii) by striking ''Registry or State sex offender public registry,'' and inserting ''Website,''; and

(B) in subparagraph (B)(ii), by striking ''or stalking.'' and inserting ''stalking, or an attempt to commit any such crime.'';

(3) in paragraph (3)—

(A) in subparagraph (A)—

(i) in clause (i), by striking ''Registry, or of the relevant State sex offender public registry for any State not yet participating in the National Sex Offender Public Registry, in which the United States client has resided during the previous 20 years,'' and inserting ''Website''; and

(ii) in clause (iii)(II), by striking ''background information collected by the international marriage broker under paragraph (2)(B);'' and inserting ''signed certification and accompanying documentation or attestation regarding the background information collected under paragraph (2)(B);''; and

(B) by striking subparagraph (C);

(4) in paragraph (5)—

(A) in subparagraph (A)(ii), by striking ''A penalty may be imposed under clause (i) by the Attorney General only'' and inserting ''At the discretion of the Attorney General, a penalty may be imposed under clause (i) either by a Federal judge, or by the Attorney General'';

(B) by amending subparagraph (B) to read as follows:

''(B) FEDERAL CRIMINAL PENALTIES.—

''(i) FAILURE OF INTERNATIONAL MARRIAGE BROKERS TO COMPLY WITH OBLIGATIONS.—Except as provided in clause (ii), an international marriage broker that, in circumstances in or affecting interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States—

''(I) except as provided in subclause (II), violates (or attempts to violate) paragraph (1), (2), (3), or (4) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 1 year, or both; or

''(II) knowingly violates or attempts to violate paragraphs (1), (2), (3), or (4) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 5 years, or both.

''(ii) MISUSE OF INFORMATION.—A person who knowingly discloses, uses, or causes to be used any information obtained by an international marriage broker as a result of a requirement under paragraph (2) or (3) for any purpose other than the disclosures required under paragraph (3) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 1 year, or both.

''(iii) FRAUDULENT FAILURES OF UNITED STATES CLIENTS TO MAKE REQUIRED SELF-DISCLOSURES.—A person who knowingly and with intent to defraud another person outside the United States in order to recruit, solicit, entice, or induce that other person into entering a dating or matrimonial relationship, makes false or fraudulent representations regarding the disclosures described in clause (i), (ii), (iii), or (iv) of subsection (d)(2)(B), including by failing to make any such disclosures, shall be fined in accordance with title 18, United States Code, imprisoned 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 threaten, intimidate, or harass any individual.

''(v) CONSTRUCTION.—Nothing in this paragraph or paragraph (3) or (4) may be construed to prevent the disclosure of information to law enforcement or pursuant to a court order.''; and

(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) by inserting after paragraph (5) the following:

''(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.''.

(d) 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 ''STUDY AND REPORT.—'' and inserting ''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 of 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 the Violence Against Women Reauthorization Act of 2013, 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 2008 (Public Law 110–229; 48 U.S.C. 1806 note), is amended by striking ''except that,'' and all that follows through the end, and inserting the following: ''except that—

''(1) for the purpose of determining whether an alien 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)) has abandoned or lost such status by reason of absence from the United

States, such alien's presence in the Commonwealth, before, on or after November 28, 2009, shall be considered to be presence in the United States; and

''(2) for the purpose 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 (l) 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''; and

(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 for''; and

(C) by inserting ''in a manner that protects the confidentiality of such information'' after ''law enforcement purpose'';

(3) in paragraph (5), 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) by inserting '', Secretary of State,'' after ''The Attorney General'';

(2) by inserting '', Department of State,'' after ''Department of Justice''; and

(3) 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''.

(c) IMPLEMENTATION.—Not later than 180 days after the date of the enactment of this Act, the Attorney General, the Secretary of State, and 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)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1986 is amended by striking ''241(a)(2)'' in the matter following subparagraph (F) and inserting ''237(a)(2)''.

TITLE IX—SAFETY FOR INDIAN WOMEN

SEC. 901. GRANTS TO INDIAN TRIBAL GOVERNMENTS.

Section 2015(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; and

(6) by adding at the end the following:

''(9) provide 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, including support for the non-abusing parent or the caretaker of the youth or child; and

''(10) 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.''.

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) TRIBAL COALITION GRANTS.—

''(1) PURPOSE.—The Attorney General shall award a grant to 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 violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking.

''(2) GRANTS.—The Attorney General shall award grants on an annual basis under paragraph (1) to—

''(A) each tribal coalition that—

''(i) meets the criteria of a tribal coalition under section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

''(ii) is recognized by the Office on Violence Against Women; and

''(iii) provides services to Indian tribes; and

''(B) organizations that propose to incorporate and operate a tribal coalition in areas where Indian tribes are located but no tribal coalition exists.

''(3) USE OF AMOUNTS.—For each of fiscal years 2014 through 2018, of the amounts appropriated to carry out this subsection—

''(A) not more than 10 percent shall be made available to organizations described in paragraph (2)(B), provided that 1 or more organizations determined by the Attorney General to be qualified apply;

''(B) not less than 90 percent shall be made available to tribal coalitions described in paragraph (2)(A), which amounts shall be distributed equally among each eligible tribal coalition for the applicable fiscal year.

''(4) ELIGIBILITY FOR OTHER GRANTS.—Receipt of an award under this subsection by a tribal coalition shall not preclude the tribal coalition from receiving additional grants under this title to carry out the purposes described in paragraph (1).

''(5) MULTIPLE PURPOSE APPLICATIONS.—Nothing in this subsection prohibits any tribal coalition or organization described in paragraph (2) from applying for funding to address sexual assault or domestic violence needs in the same application.''.

SEC. 903. CONSULTATION.

Section 903 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045d) is amended—

(1) in subsection (a)—

(A) by striking ''and the Violence Against Women Act of 2000'' and inserting '', the Violence Against Women Act of 2000''; and

(B) by inserting '', and the Violence Against Women Reauthorization Act of 2013'' before the period at the end;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''Secretary of the Department of Health and Human Services'' and inserting ''Secretary of Health and Human Services, the Secretary of the Interior,''; and

(B) in paragraph (2), by striking ''and stalking'' and inserting ''stalking, and sex trafficking''; and

(3) by adding at the end the following:

''(c) ANNUAL REPORT.—The Attorney General shall submit to Congress an annual report on the annual consultations required under subsection (a) that—

''(1) contains the recommendations made under subsection (b) by Indian tribes during the year covered by the report;

''(2) describes actions taken during the year covered by the report to respond to recommendations made under subsection (b) during the year or a previous year; and

''(3) describes how the Attorney General will work in coordination and collaboration with Indian tribes, the Secretary of Health and Human Services, and the Secretary of the Interior to address the recommendations made under subsection (b).

''(d) NOTICE.—Not later than 120 days before the date of a consultation under subsection (a), the Attorney General shall notify tribal leaders of the date, time, and location of the consultation.''.

SEC. 904. TRIBAL JURISDICTION OVER CRIMES OF DOMESTIC VIOLENCE.

Title II of Public Law 90–284 (25 U.S.C. 1301 et seq.) (commonly known as the ''Indian Civil Rights Act of 1968'') is amended by adding at the end the following:

''SEC. 204. TRIBAL JURISDICTION OVER CRIMES OF DOMESTIC VIOLENCE.

''(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, and the frequency of interaction between the persons involved in 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 an Indian tribe that has jurisdiction over the Indian country where the violence occurs.

''(3) INDIAN COUNTRY.—The term 'Indian country' has the meaning given the term 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 filing an 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 203, 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 or any State government that has been delegated authority by the United States to investigate and prosecute a criminal violation in Indian country.

''(4) EXCEPTIONS.—

''(A) VICTIM AND DEFENDANT ARE BOTH NON-INDIANS.—

''(i) IN GENERAL.—A participating tribe may not exercise special domestic violence criminal jurisdiction over an alleged offense if neither the defendant nor the alleged victim is an Indian.

''(ii) DEFINITION OF VICTIM.—In this subparagraph and with respect to a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction based on a violation of a protection order, the term 'victim' means a person specifically protected by a protection order that the defendant allegedly violated.

''(B) DEFENDANT LACKS TIES TO THE INDIAN TRIBE.—A participating tribe may exercise special domestic violence criminal jurisdiction over a defendant only if the defendant—

''(i) resides in the Indian country of the participating tribe;

''(ii) is employed in the Indian country of the participating tribe; or

''(iii) is a spouse, intimate partner, or dating partner of—

''(I) a member of the participating tribe; or

''(II) an Indian who resides in the Indian country of the participating tribe.

''(c) CRIMINAL CONDUCT.—A participating tribe may exercise special domestic violence criminal jurisdiction over a defendant for criminal conduct that falls into one or more of the following categories:

''(1) DOMESTIC VIOLENCE AND DATING VIOLENCE.—An act of domestic violence or dating violence that occurs in the Indian country of the participating tribe.

''(2) VIOLATIONS OF PROTECTION ORDERS.—An act that—

''(A) occurs in the Indian country of the participating tribe; and

''(B) violates the portion of a protection order that—

''(i) prohibits or provides protection against violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person;

''(ii) was issued against the defendant;

''(iii) is enforceable by the participating tribe; and

''(iv) is consistent with section 2265(b) of title 18, United States Code.

''(d) RIGHTS OF DEFENDANTS.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the participating tribe shall provide to the defendant—

''(1) all applicable rights under this Act;

''(2) if a term of imprisonment of any length may be imposed, all rights described in section 202(c);

''(3) the right to a trial by an impartial jury that is drawn from sources that—

''(A) reflect a fair cross section of the community; and

''(B) do not systematically exclude any distinctive group in the community, including non-Indians; and

''(4) 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 court of the United States under section 203 may petition that court to stay further detention of that person by the participating tribe.

''(2) GRANT OF STAY.—A court shall grant a stay described in paragraph (1) if the court—

''(A) finds that there is a substantial likelihood that the habeas corpus petition will be granted; and

''(B) after giving each alleged victim in the matter an opportunity to be heard, finds by clear and convincing evidence that under conditions imposed by the court, the petitioner is not likely to flee or pose a danger to any person or the community if released.

''(3) NOTICE.—An Indian tribe that has ordered the detention of any person has a duty to timely notify such person of his rights and privileges under this subsection and under section 203.

''(f) GRANTS TO TRIBAL GOVERNMENTS.—The Attorney General may award grants to the governments of Indian tribes (or to authorized designees of those governments)—

''(1) to strengthen tribal criminal justice systems to assist Indian tribes in exercising special domestic violence criminal jurisdiction, including—

''(A) law enforcement (including the capacity of law enforcement or court personnel to enter information into and obtain information from national crime information databases);

''(B) prosecution;

''(C) trial and appellate courts;

''(D) probation systems;

''(E) detention and correctional facilities;

''(F) alternative rehabilitation centers;

''(G) culturally appropriate services and assistance for victims and their families; and

''(H) criminal codes and rules of criminal procedure, appellate procedure, and evidence;

''(2) to provide indigent criminal defendants with the effective assistance of licensed defense counsel, at no cost to the defendant, in criminal proceedings in which a participating tribe prosecutes a crime of domestic violence or dating violence or a criminal violation of a protection order;

''(3) to ensure that, in criminal proceedings in which a participating tribe exercises special domestic violence criminal jurisdiction, jurors are summoned, selected, and instructed in a manner consistent with all applicable requirements; and

''(4) to accord victims of domestic violence, dating violence, and violations of protection orders rights that are similar to the rights of a crime victim described in section 3771(a) of title 18, United States Code, consistent with tribal law and custom.

''(g) SUPPLEMENT, NOT SUPPLANT.—Amounts made available under this section shall supplement and not supplant any other Federal, State, tribal, or local government amounts made available to carry out activities described in this section.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $5,000,000 for each of fiscal years 2014 through 2018 to carry out subsection (f) and to provide training, technical assistance, data collection, and evaluation of the criminal justice systems of participating tribes.''.

SEC. 905. TRIBAL PROTECTION ORDERS.

(a) IN GENERAL.—Section 2265 of title 18, United States Code, is amended by striking subsection (e) and inserting the following:

''(e) 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 or authority of 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 State of Alaska, subsection (a) shall apply only to the Metlakatla Indian Community, Annette Island Reserve.

SEC. 906. AMENDMENTS TO THE FEDERAL ASSAULT STATUTE.

(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:

''(1) 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 109A'' and inserting ''violation of section 2241 or 2242'';

(C) in paragraph (3) by striking ''and without just cause or excuse,'';

(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 16 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 16 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 strangle or suffocate, by a fine under this title, imprisonment for not more than 10 years, or both.''; and

(2) in subsection (b)—

(A) by striking ''(b) As used in this subsection—'' and inserting the following:

''(b) DEFINITIONS.—In this section—'';

(B) in paragraph (1)(B), by striking ''and'' at the end;

(C) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

''(3) the terms 'dating partner' and 'spouse or intimate partner' have the meanings given those terms in section 2266;

''(4) the term 'strangling' 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 protractedly injure the victim; and

''(5) the term 'suffocating' means intentionally, knowingly, or recklessly impeding the normal breathing of a person by covering the mouth of the person, the nose of the person, or both, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim.''.

(b) INDIAN MAJOR CRIMES.—Section 1153(a) of title 18, United States Code, is amended by striking ''assault with intent to commit murder, assault with a dangerous weapon, assault resulting in serious bodily injury (as defined in section 1365 of this title)'' and inserting ''a felony assault under section 113''.

(c) REPEAT OFFENDERS.—Section 2265A(b)(1)(B) of title 18, United States Code, is amended by inserting ''or tribal'' after ''State''.

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—

(1) in paragraph (1)—

(A) by striking ''The National'' and inserting ''Not later than 2 years after the date of enactment of the Violence Against Women Reauthorization Act of 2013, the National''; and

(B) by inserting ''and in Native villages (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))'' before the period at the end;

(2) in paragraph (2)(A)—

(A) in clause (iv), by striking ''and'' at the end;

(B) in clause (v), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(vi) sex trafficking.'';

(3) in paragraph (4), by striking ''this Act'' and inserting ''the Violence Against Women Reauthorization Act of 2013''; and

(4) in paragraph (5), by striking ''this section $1,000,000 for each of fiscal years 2007 and 2008'' and inserting ''this subsection $1,000,000 for each of fiscal years 2014 and 2015''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 905(b)(2) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (28 U.S.C. 534 note) is amended by striking ''fiscal years 2007 through 2011'' and inserting ''fiscal years 2014 through 2018''.

SEC. 908. EFFECTIVE DATES; PILOT PROJECT.

(a) GENERAL EFFECTIVE DATE.—Except as provided in section 4 and subsection (b) of this section, the amendments made by this title shall take effect on the date of enactment of this Act.

(b) EFFECTIVE DATE FOR SPECIAL DOMESTIC-VIOLENCE CRIMINAL JURISDICTION.—

(1) IN GENERAL.—Except as provided in paragraph (2), subsections (b) through (d) of section 204 of Public Law 90–284 (as added by section 904) shall take effect on the date that is 2 years after the date of enactment of this Act.

(2) PILOT PROJECT.—

(A) IN GENERAL.—At any time during the 2-year period beginning on the date of enactment of this Act, an Indian tribe may ask the Attorney General to designate the tribe as a participating tribe under section 204(a) of Public Law 90–284 on an accelerated basis.

(B) PROCEDURE.—The Attorney General may grant a request under subparagraph (A) after coordinating with the Secretary of the Interior, consulting with affected Indian tribes, and concluding that the criminal justice system of the requesting tribe has adequate safeguards in place to protect defendants' rights, consistent with section 204 of Public Law 90–284.

(C) EFFECTIVE DATES FOR PILOT PROJECTS.—An Indian tribe designated as a participating tribe under this paragraph may commence exercising special domestic violence criminal jurisdiction pursuant to subsections (b) through (d) of section 204 of Public Law 90–284 on a date established by the Attorney General, after consultation with that Indian tribe, but in no event later than the date that is 2 years after the date of enactment of this Act.

SEC. 909. INDIAN LAW AND ORDER COMMISSION; REPORT ON THE ALASKA RURAL JUSTICE AND LAW ENFORCEMENT COMMISSION.

(a) IN GENERAL.—Section 15(f) of the Indian Law Enforcement Reform Act (25 U.S.C. 2812(f)) is amended by striking ''2 years'' and inserting ''3 years''.

(b) REPORT.—The Attorney General, in consultation with the Attorney General of the State of Alaska, the Commissioner of Public Safety of the State of Alaska, the Alaska Federation of Natives and Federally recognized Indian tribes in the State of Alaska, shall report to Congress not later than one year after enactment of this Act with respect to whether the Alaska Rural Justice and Law Enforcement Commission established under Section 112(a)(1) of the Consolidated Appropriations Act, 2004 should be continued and appropriations authorized for the continued work of the commission. The report may contain recommendations for legislation with respect to the scope of work and composition of the commission.

SEC. 910. LIMITATION.

(a) IN GENERAL.—Except as provided in subsection (b), nothing in this Act or any amendment made by this Act limits, alters, expands, or diminishes the civil or criminal jurisdiction of the State of Alaska, any subdivision of the State of Alaska, or any Indian tribe in the State of Alaska.

(b) STATE OF ALASKA.—In the State of Alaska, sections 904 and 905(a) shall apply only to the Metlakatla Indian Community, Annette Island Reserve.

TITLE X—SAFER ACT

SEC. 1001. SHORT TITLE.

This title may be cited as the ''Sexual Assault Forensic Evidence Reporting Act of 2013'' or the ''SAFER Act of 2013''.

SEC. 1002. DEBBIE SMITH GRANTS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.

Section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135) is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

''(7) To conduct an audit consistent with subsection (n) of the samples of sexual assault evidence that are in the possession of the State or unit of local government and are awaiting testing.

''(8) To ensure that the collection and processing of DNA evidence by law enforcement agencies from crimes, including sexual assault and other violent crimes against persons, is carried out in an appropriate and timely manner and in accordance with the protocols and practices developed under subsection (o)(1).'';

(2) in subsection (c), by adding at the end the following new paragraph:

''(4) ALLOCATION OF GRANT AWARDS FOR AUDITS.—For each of fiscal years 2014 through 2017, not less than 5 percent, but not more than 7 percent, of the grant amounts distributed under paragraph (1) shall, if sufficient applications to justify such amounts are received by the Attorney General, be awarded for purposes described in subsection (a)(7), provided that none of the funds required to be distributed under this paragraph shall decrease or otherwise limit the availability of funds required to be awarded to States or units of local government under paragraph (3).''; and

(3) by adding at the end the following new subsections:

''(n) USE OF FUNDS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.—

''(1) ELIGIBILITY.—The Attorney General may award a grant under this section to a State or unit of local government for the purpose described in subsection (a)(7) only if the State or unit of local government—

''(A) submits a plan for performing the audit of samples described in such subsection; and

''(B) includes in such plan a good-faith estimate of the number of such samples.

''(2) GRANT CONDITIONS.—A State or unit of local government receiving a grant for the purpose described in subsection (a)(7)—

''(A) may not enter into any contract or agreement with any non-governmental vendor laboratory to conduct an audit described in subsection (a)(7); and

''(B) shall—

''(i) not later than 1 year after receiving the grant, complete the audit referred to in paragraph (1)(A) in accordance with the plan submitted under such paragraph;

''(ii) not later than 60 days after receiving possession of a sample of sexual assault evidence that was not in the possession of the State or unit of local government at the time of the initiation of an audit under paragraph (1)(A), subject to paragraph (4)(F), include in any required reports under clause (v), the information listed under paragraph (4)(B);

''(iii) for each sample of sexual assault evidence that is identified as awaiting testing as part of the audit referred to in paragraph (1)(A)—

''(I) assign a unique numeric or alphanumeric identifier to each sample of sexual assault evidence that is in the possession of the State or unit of local government and is awaiting testing; and

''(II) identify the date or dates after which the State or unit of local government would be barred by any applicable statutes of limitations from prosecuting a perpetrator of the sexual assault to which the sample relates;

''(iv) provide that—

''(I) 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 such designee is an employee of the State or unit of local government, respectively, and is not an employee of any governmental laboratory or non-governmental vendor laboratory; and

''(v) comply with all grantee reporting requirements described in paragraph (4).

''(3) EXTENSION OF INITIAL DEADLINE.—The Attorney General may 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)(A), 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, on a form prescribed by the Attorney General, which shall contain the information required under subparagraph (B).

''(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—

''(I) are in the possession of the State or unit of local government at the reporting period;

''(II) are awaiting testing; and

''(III) the State or unit of local government has determined should undergo DNA or other appropriate forensic analyses.

''(iv) 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, the State or unit of local government has determined should not undergo DNA or other appropriate forensic analyses, provided that the reporting form shall allow for the State or unit of local government, at its sole discretion, to explain the reasoning for this determination in some or all cases.

''(v) 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.

''(vi) The cumulative total number of samples of sexual assault evidence identified by an audit referred to in paragraph (1)(A) or under paragraph (2)(B)(ii) for which DNA or other appropriate forensic analysis has been completed at the end of the reporting period.

''(vii) The total number of samples of sexual assault evidence identified by the State or unit of local government under paragraph (2)(B)(ii), since the previous reporting period.

''(viii) The cumulative total number of samples of sexual assault evidence described under clause (iii) for which the State or unit of local government will be barred within 12 months by any applicable statute of limitations from prosecuting a perpetrator of the sexual assault to which the sample relates.

''(C) PUBLICATION OF REPORTS.—Not later than 7 days after the submission of a report under this paragraph by a State or unit of local government, the Attorney General shall, subject to subparagraph (D), publish and disseminate a facsimile of the full contents of such report on an appropriate internet website.

''(D) PERSONALLY IDENTIFIABLE INFORMATION.—The Attorney General shall ensure that any information published and disseminated as part of a report under this paragraph, which reports information under this subsection, does not include personally identifiable information or details about a sexual assault that might lead to the identification of the individuals involved.

''(E) OPTIONAL REPORTING.—The Attorney General shall—

''(i) at the discretion of a State or unit of local government required to file a report under subparagraph (A), allow such State or unit of local government, at their sole discretion, 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 for publication.

''(F) SAMPLES EXEMPT FROM REPORTING REQUIREMENT.—The reporting requirements described in paragraph (2) shall not apply to a sample of sexual assault evidence that—

''(i) is not considered criminal evidence (such as a sample collected anonymously from a victim who is unwilling to make a criminal complaint); or

''(ii) relates to a sexual assault for which the prosecution of each perpetrator is barred by a statute of limitations.

''(5) DEFINITIONS.—In this subsection:

''(A) AWAITING TESTING.—The term 'awaiting testing' means, with respect to a sample of sexual assault evidence, that—

''(i) the sample has been collected and is in the possession of a State or unit of local government;

''(ii) DNA and other appropriate forensic analyses have not been performed on such sample; and

''(iii) the sample is related to a criminal case or investigation in which final disposition has not yet been reached.

''(B) FINAL DISPOSITION.—The term 'final disposition' means, with respect to a criminal case or investigation to which a sample of sexual assault evidence relates—

''(i) the conviction or acquittal of all suspected perpetrators of the crime involved;

''(ii) a determination by the State or unit of local government in possession of the sample that the case is unfounded; or

''(iii) a declaration by the victim of the crime involved that the act constituting the basis of the crime was not committed.

''(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 regulations promulgated under section 210303 of the DNA Identification Act of 1994 (42 U.S.C. 14131).

''(o) ESTABLISHMENT OF PROTOCOLS, TECHNICAL ASSISTANCE, AND DEFINITIONS.—

''(1) PROTOCOLS AND PRACTICES.—Not later than 18 months after the date of enactment of the SAFER Act of 2013, the Director, in consultation with Federal, State, and 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 specific to sexual assault cases, which shall address appropriate steps in the investigation of cases that might involve DNA evidence, including—

''(A) how to determine—

''(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 to be 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) systems to encourage communication within a State or unit of local government among emergency response providers, law enforcement personnel, prosecutors, courts, defense counsel, crime laboratory personnel, and crime victims regarding the status of crime scene evidence to be tested; and

''(E) standards for conducting the audit of the backlog for DNA case work in sexual assault cases required under subsection (n).

''(2) 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.

''(3) DEFINITIONS.—In this subsection, the terms '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 1002, the Attorney General shall submit to Congress a report that—

(1) lists the States and units of local government that have been awarded such grants and the amount of the grant received by each such State or unit of local government;

(2) states the number of extensions granted by the Attorney General 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.

Section 2(c)(3) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(c)(3)) is amended—

(a) in subparagraph (B), by striking ''2014'' and inserting ''2018''; and

(b) by adding at the end the following:

''(C) For each of fiscal years 2014 through 2018, 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.

All grants awarded by the Department of Justice that are authorized under this title shall be subject to the following:

(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 3 fiscal years before submitting an application for a grant under this title, did not 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 grants under paragraph (2), the Attorney General shall—

(A) deposit an amount equal to the grant funds that were improperly awarded to the grantee 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 erroneously awarded grant funds.

(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 otherwise unallowable cost that is not closed 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 holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

(C) DISCLOSURE.—Each nonprofit organization that is awarded a grant under a grant program described in this title and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees 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 the information disclosed under this subsection available for public inspection.

(7) ADMINISTRATIVE EXPENSES.—Unless otherwise explicitly provided in authorizing legislation, not more than 7.5 percent of the amounts authorized to be appropriated under this title may be used by the Attorney General for salaries and 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 awarded discretionary funds through a cooperative agreement under this Act, to host or support any expenditure for conferences that uses more than $20,000 in Department funds, unless the Deputy Attorney General or the appropriate Assistant Attorney General, Director, or principal deputy as the Deputy Attorney General may designate, provides prior written authorization 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, audio/visual 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.

(9) 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 subparagraph (A), the Attorney General shall—

(i) require the grant recipient to repay the grant in full; and

(ii) prohibit the grant recipient from receiving another grant under this title for not less than 5 years.

SEC. 1006. SUNSET.

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. 14135(a)(6) and (n)) are repealed.

TITLE XI—OTHER MATTERS

SEC. 1101. SEXUAL ABUSE IN CUSTODIAL SETTINGS.

(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: ''or the commission of a sexual act (as defined in section 2246 of title 18, United States Code)''.

(b) UNITED STATES AS DEFENDANT.—Section 1346(b)(2) of title 28, United States Code, is amended by inserting before the period at the end the following: ''or the commission of a sexual act (as defined in section 2246 of title 18)''.

(c) ADOPTION AND EFFECT OF NATIONAL STANDARDS.—Section 8 of the Prison Rape Elimination Act of 2003 (42 U.S.C. 15607) is amended—

(1) by redesignating subsection (c) as subsection (e); and

(2) by inserting after subsection (b) the following:

''(c) APPLICABILITY TO DETENTION FACILITIES OPERATED BY THE DEPARTMENT OF HOMELAND SECURITY.—

''(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 Homeland Security 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 aliens detained for a violation of the immigrations laws of the United States.

''(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to detention facilities operated by the Department of Homeland Security and to detention facilities operated under contract with the Department.

''(3) COMPLIANCE.—The Secretary of Homeland Security 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.

''(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Homeland Security shall give due consideration to the recommended national standards provided by the Commission under section 7(e).

''(5) DEFINITION.—As used in this section, the term 'detention facilities operated under contract with the Department' includes, but is not limited to contract detention facilities and detention facilities operated through an intergovernmental service agreement with 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 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 Health and Human Services.

''(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Health and Human Services shall give due consideration to the recommended national standards provided by the Commission under section 7(e).''.

SEC. 1102. ANONYMOUS ONLINE HARASSMENT.

Section 223(a)(1) of the Communications Act of 1934 (47 U.S.C. 223(a)(1)) is amended—

(1) in subparagraph (A), in the undesignated matter following clause (ii), by striking ''annoy,'';

(2) in subparagraph (C)—

(A) by striking ''annoy,''; and

(B) by striking ''harass any person at the called number or who receives the communication'' and inserting ''harass any specific person''; and

(3) in subparagraph (E), by striking ''harass any person at the called number or who receives the communication'' and inserting ''harass any specific person''.

SEC. 1103. STALKER DATABASE.

Section 40603 of the Violence Against Women Act of 1994 (42 U.S.C. 14032) is amended by striking ''$3,000,000'' and all that follows and inserting ''$3,000,000 for fiscal years 2014 through 2018.''.

SEC. 1104. FEDERAL VICTIM ASSISTANTS REAUTHORIZATION.

Section 40114 of the Violence Against Women Act of 1994 (Public Law 103–322; 108

Stat. 1910) is amended by striking ''fiscal years 2007 through 2011'' and inserting ''fiscal years 2014 through 2018''.

SEC. 1105. CHILD ABUSE TRAINING PROGRAMS FOR JUDICIAL PERSONNEL AND PRACTITIONERS REAUTHORIZATION.

Subtitle C of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13024) is amended in subsection (a) by striking ''$2,300,000'' and all that follows and inserting ''$2,300,000 for each of fiscal years 2014 through 2018.''.

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 examining 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 and the mentally ill. 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 clear vulnerability.

The Stop Illegal Trafficking in Firearms Act will make important changes to Federal firearms statutes 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 drug 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, often the lowest rungs 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 law that makes it a crime 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 have a responsibility and a duty to refine our laws consistent with the rights guaranteed by the Second Amendment. As Chairman of the Judiciary Committee, a Senator, a Vermonter, an American, a father and a grandfather, I am prepared to hear all ideas, 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; as follows:

On page 33, between lines 16 and 17, insert the following:

SEC. 1012. 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, as

determined by the Secretary, assumes the production and market risks associated with the agricultural production of crops or livestock.

(B) DESCRIPTION.—An individual or entity referred to in subparagraph (A) is—

(i) a citizen of the United States;

(ii) a resident alien;

(iii) a partnership of citizens of the United States; or

(iv) a corporation, limited liability corporation, or other farm organizational structure organized under State law.

(2) FARM.—

(A) IN GENERAL.—The term ''farm'' means, in relation to an eligible producer on a farm, the total of all crop acreage in all counties that is planted or intended to be planted for harvest, for sale, or on-farm livestock feeding (including native grassland intended for haying) by the eligible producer.

(B) AQUACULTURE.—In the case of aquaculture, 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 beehives 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.

(4) LIVESTOCK.—The term ''livestock'' includes—

(A) cattle (including dairy cattle);

(B) bison;

(C) poultry;

(D) sheep;

(E) swine;

(F) horses; and

(G) other livestock, as determined by the Secretary.

(b) LIVESTOCK INDEMNITY PAYMENTS.—

(1) PAYMENTS.—For each of fiscal years 2012 and 2013, 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.

(3) 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 losses for which compensation is provided pursuant to section 10407(d) of the Animal Health Protection Act (7 U.S.C. 8306(d)).

(c) 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 combining—

(A) the livestock forage assistance functions of—

(i) the noninsured crop disaster assistance program established by section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333); and

(ii) 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

(B) the livestock 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 due to 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 have been in a feedlot, 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 of an eligible livestock producer.

(D) ELIGIBLE LIVESTOCK PRODUCER.—

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

(I) is an owner, cash or share lessee, or contract grower of covered livestock that provides the 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 physically located in a county affected by an eligible forage loss;

(III) certifies the eligible forage loss; and

(IV) 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.

(E) NORMAL CARRYING CAPACITY.—The term ''normal carrying capacity'', with respect to each type of grazing land or pastureland in a county, means the normal carrying capacity, as determined under paragraph (4)(D)(i), that would be expected from the grazing land or pastureland for livestock during the normal grazing period, in the absence of an eligible forage loss that diminishes the production of the grazing land or pastureland.

(F) NORMAL GRAZING 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 under paragraph (4)(D)(i).

(3) PROGRAM.—For each of fiscal years 2012 and 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 used for haying or grazing 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.), unless the land is grassland eligible for the grassland reserve program established under subchapter D of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838n et seq.).

(B) MONTHLY PAYMENT RATE.—

(i) IN GENERAL.—Except as provided in clause (ii), the payment rate for assistance for 1 month under this paragraph shall, in the case of drought, be equal to 60 percent of the lesser of—

(I) the monthly feed cost for all covered livestock owned or leased by the eligible livestock producer, as determined under subparagraph (C); or

(II) the monthly feed cost calculated by using the normal carrying capacity of the eligible grazing land of the eligible livestock producer.

(ii) PARTIAL COMPENSATION.—In the case of an eligible livestock producer that sold or otherwise disposed of covered livestock due to drought conditions in 1 or both of the 2 production years immediately preceding the current production year, 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 equal—

(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 of livestock, an amount 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—

(I) 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 that March 1; by

(II) 56.

(D) NORMAL GRAZING PERIOD AND DROUGHT MONITOR INTENSITY.—

(i) FSA COUNTY COMMITTEE DETERMINATIONS.—

(I) IN GENERAL.—The Secretary shall determine the normal carrying capacity and normal grazing period for each type of grazing land or pastureland in the county served by the applicable Farm Service Agency committee.

(II) CHANGES.—No change to the normal carrying capacity or normal grazing period established for a county under subclause (I) shall be made unless the change is requested by the appropriate State and county Farm Service Agency committees.

(ii) DROUGHT INTENSITY.—

(I) D2.—An eligible livestock producer that owns or leases grazing land or pastureland that is physically located in a county that is rated by the U.S. Drought Monitor as having a D2 (severe drought) intensity in any area of the county for at least 8 consecutive weeks 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 using the monthly payment rate determined under subparagraph (B).

(II) D3.—An eligible livestock producer that owns or leases grazing land or pastureland that is physically located in a county that is rated by the U.S. Drought Monitor as having at least a D3 (extreme 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—

(aa) in an amount equal to 3 monthly payments using the monthly payment rate determined under subparagraph (B);

(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, or is rated as having a D4 (exceptional drought) intensity in any area of the county at any time during the normal grazing period, in an amount equal to 4 monthly payments using the monthly payment rate determined under subparagraph (B); or

(cc) if the county is rated as having a D4 (exceptional drought) intensity in any area of the county for at least 4 weeks during the normal grazing period, in an amount equal to 5 monthly payments using the monthly rate determined under subparagraph (B).

(iii) ANNUAL PAYMENT BASED ON DROUGHT CONDITIONS DETERMINED BY MEANS OTHER THAN THE U.S. DROUGHT MONITOR.—

(I) IN GENERAL.—An eligible livestock producer that owns grazing land or pastureland that is physically located in a county that has experienced on average, over the preceding calendar year, precipitation levels that are 50 percent or more below normal levels, according to sufficient documentation as determined by the Secretary, may be eligible, subject to a determination by the Secretary, to receive assistance under this paragraph in an amount equal to not more than 1 monthly payment using the monthly payment rate under subparagraph (B).

(II) NO DUPLICATE PAYMENT.—A producer may not receive a payment under both clause (ii) and this clause.

(5) ASSISTANCE FOR LOSSES DUE TO FIRE ON PUBLIC MANAGED LAND.—

(A) IN GENERAL.—An eligible livestock producer may receive assistance under this paragraph only if—

(i) the eligible forage losses occur on rangeland that is managed by a Federal agency; and

(ii) the eligible livestock producer is prohibited by the Federal agency from grazing the normal permitted livestock on the managed rangeland due to a fire.

(B) PAYMENT RATE.—The payment rate for assistance under this paragraph shall be equal to 50 percent of the monthly feed cost for the total number of livestock covered by the Federal lease of the eligible livestock producer, as determined under paragraph (4)(C).

(C) PAYMENT DURATION.—

(i) IN GENERAL.—Subject to clause (ii), an eligible livestock producer shall be eligible to receive assistance under this paragraph for the period—

(I) beginning on the date on which the Federal agency excludes the eligible livestock producer from using the managed rangeland for grazing; and

(II) ending on the last day of the Federal lease of the eligible livestock producer.

(ii) LIMITATION.—An eligible livestock producer may only receive assistance under this paragraph for losses that occur on not more than 180 days per year.

(6) ASSISTANCE FOR ELIGIBLE FORAGE LOSSES DUE TO OTHER THAN DROUGHT OR FIRE.—

(A) ELIGIBLE FORAGE LOSSES.—

(i) IN GENERAL.—Subject to subparagraph (B), an eligible livestock producer of covered livestock may receive assistance under this paragraph for eligible forage losses that occur due to weather-related conditions other than drought or fire 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 used for haying or grazing 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.), unless the land is grassland eligible for the grassland reserve program established under subchapter D of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838n et seq.).

(B) PAYMENTS FOR ELIGIBLE FORAGE LOSSES.—

(i) IN GENERAL.—The Secretary shall provide assistance under this paragraph to an eligible livestock producer for eligible forage losses that occur due to weather-related conditions other than—

(I) drought under paragraph (4); and

(II) fire on public managed land under paragraph (5).

(ii) TERMS AND CONDITIONS.—The Secretary shall establish terms and conditions for assistance under this paragraph that are consistent with the terms and conditions for assistance under this subsection.

(7) NO DUPLICATIVE PAYMENTS.—An eligible livestock producer may elect to receive assistance for eligible forage losses under either paragraph (4), (5), or (6), if applicable, but may not receive assistance under more than 1 of those paragraphs for the same loss, as determined by the Secretary.

(8) DETERMINATIONS BY SECRETARY.—A determination made by the Secretary under this subsection shall be final and conclusive.

(d) EMERGENCY ASSISTANCE FOR LIVESTOCK, HONEY BEES, AND FARM-RAISED FISH.—

(1) IN GENERAL.—For each of fiscal years 2012 and 2013, the Secretary shall use not more than $5,000,000 of the funds of the Commodity Credit Corporation to provide emergency relief to eligible producers of livestock, honey bees, and farm-raised fish to aid in the reduction of losses due to disease, adverse weather, or other conditions, such as blizzards and wildfires, as determined by the Secretary, that are not covered under subsection (b) or (c).

(2) USE OF FUNDS.—Funds made available under this subsection shall be used to reduce losses caused by feed or water shortages, disease, or other factors as determined by the Secretary.

(3) AVAILABILITY OF FUNDS.—Any funds made available under this subsection shall remain available until expended.

(e) TREE ASSISTANCE PROGRAM.—

(1) DEFINITIONS.—In this subsection:

(A) ELIGIBLE ORCHARDIST.—The term ''eligible orchardist'' means a person that produces annual crops from trees for commercial purposes.

(B) NATURAL DISASTER.—The term ''natural disaster'' means plant disease, insect infestation, drought, fire, freeze, flood, earthquake, lightning, or other occurrence, as determined by the Secretary.

(C) NURSERY TREE GROWER.—The term ''nursery tree grower'' means a person who produces nursery, ornamental, fruit, nut, or Christmas trees for commercial sale, as determined by the Secretary.

(D) TREE.—The term ''tree'' includes a tree, bush, and vine.

(2) ELIGIBILITY.—

(A) LOSS.—Subject to subparagraph (B), for each of fiscal years 2012 and 2013, the Secretary shall use such sums as are necessary of the funds of the Commodity Credit Corporation to provide assistance—

(i) under paragraph (3) to eligible orchardists and nursery tree growers that planted trees for commercial purposes but lost the trees as a result of a natural disaster, as determined by the Secretary; and

(ii) under paragraph (3)(B) to eligible orchardists and nursery tree growers that have a production history for commercial purposes on planted or existing trees but lost the trees as a result of a natural disaster, as determined by the Secretary.

(B) LIMITATION.—An eligible orchardist or nursery tree grower shall qualify for assistance under subparagraph (A) only if the tree mortality of the eligible orchardist or nursery tree grower, as a result of damaging weather or related condition, exceeds 15 percent (adjusted for normal mortality).

(3) ASSISTANCE.—Subject to paragraph (4), the assistance provided by the Secretary to eligible orchardists and nursery tree growers for losses described in paragraph (2) shall consist of—

(A)(i) reimbursement of 65 percent of the cost of replanting trees lost due to a natural disaster, as determined by the Secretary, in excess of 15 percent mortality (adjusted for normal mortality); or

(ii) at the option of the Secretary, sufficient seedlings to reestablish a stand; and

(B) reimbursement of 50 percent of the cost of pruning, removal, and other costs incurred by an eligible orchardist or nursery tree grower to salvage existing trees or, in the case of tree mortality, to prepare the land to replant trees as a result of damage or tree

mortality due to a natural disaster, as determined by the Secretary, in excess of 15 percent damage or mortality (adjusted for normal tree damage and mortality).

(4) LIMITATIONS ON ASSISTANCE.—

(A) DEFINITIONS OF LEGAL ENTITY AND PERSON.—In this paragraph, the terms ''legal entity'' and ''person'' have the meaning given those terms in section 1001(a) of the Food Security Act of 1985 (7 U.S.C. 1308(a)).

(B) AMOUNT.—The total amount of payments received, directly or indirectly, by a person or legal entity (excluding a joint venture or general partnership) under this subsection may not exceed $100,000 for any crop year, or an equivalent value in tree seedlings.

(C) ACRES.—The total quantity of acres planted to trees or tree seedlings for which a person or legal entity shall be entitled to receive payments under this subsection may not exceed 500 acres.

(f) PAYMENTS.—

(1) PAYMENT LIMITATIONS.—

(A) DEFINITIONS OF LEGAL ENTITY AND PERSON.—In this subsection, the terms ''legal entity'' and ''person'' have the meanings given those terms in section 1001(a) of the Food Security Act of 1985 (7 U.S.C. 1308(a)).

(B) AMOUNT.—The total amount of disaster assistance payments received, directly or indirectly, by a person or legal entity (excluding a joint venture or general partnership) under this section (excluding payments received under subsection (e)) may not exceed $100,000 for any crop year.

(C) DIRECT ATTRIBUTION.—Subsections (d) and (e) of section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) or any successor provisions relating to direct attribution shall apply with respect to assistance provided under this section.

(2) PAYMENT DELIVERY.—The Secretary shall make payments under this section after October 1, 2013, for losses incurred in the 2012 and 2013 fiscal years.

SEC. 1013. FRUIT CROP DISASTER ASSISTANCE.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE CROP.—The term ''eligible crop'' means each commercial crop of annual fruit that is grown on a bush or tree—

(A)(i) for which catastrophic risk protection under section 508(b) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)) was not available for the 2012 crop year; and

(ii) that is produced for food or fiber; and

(B) that is located in a county covered by a declaration by the Secretary of a natural disaster for production losses under section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a)) due to freeze or frost in 2012.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture, acting through the Administrator of the Farm Service Agency and using the funds, facilities, and authorities of the Commodity Credit Corporation consistent with this section.

(b) DISASTER ASSISTANCE.—

(1) IN GENERAL.—In the case of an eligible crop, the Secretary shall provide disaster assistance under this section and to the maximum extent practicable subject to the availability of funds under subsection (c)(3).

(2) PAYMENT.—In the case of an eligible crop, the Secretary shall provide disaster assistance under this section in the form of a payment for losses suffered in excess of 35 percent of the established yield for the eligible crop, as determined by the Secretary, compensated at a rate of 100 percent of the average market price for the eligible crop, as determined by the Secretary.

(c) ADMINISTRATION.—

(1) PAYMENT LIMITATIONS.—

(A) DEFINITIONS.—In this subsection, the terms ''legal entity'' and ''person'' have the meanings given those terms in section 1001(a) of the Food Security Act of 1985 (7 U.S.C. 1308(a)).

(B) PAYMENT LIMITATION.—The total amount of payments received, directly or indirectly, by a person or legal entity (excluding a joint venture or general partnership) for any crop year under this section may not exceed $100,000.

(C) LIMITATION ON MULTIPLE BENEFITS FOR SAME LOSS.—

(i) IN GENERAL.—Except as provided in clause (ii), if a producer who is eligible to receive benefits under this section is also eligible to receive assistance for the same loss under any other program administered by the Secretary, the producer shall not receive benefits in excess of 100 percent of the loss, as determined by the Secretary.

(ii) EXCEPTION.—Clause (i) shall not apply to emergency loans under subtitle C of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961 et seq.).

(2) REGULATIONS.—

(A) IN GENERAL.—Except as otherwise provided in this paragraph, not later than 90 days after the date of enactment of this Act, the Secretary and the Commodity Credit Corporation, as appropriate, shall promulgate such regulations as are necessary to implement this section and the amendments made by this section.

(B) PROCEDURE.—The promulgation of the regulations and administration of this section shall be made without regard to—

(i) the notice and comment provisions of section 553 of title 5, United States Code;

(ii) chapter 35 of title 44, United States Code (commonly known as the ''Paperwork Reduction Act''); and

(iii) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking.

(C) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this paragraph, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

(3) MANDATORY FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section $125,000,000, to remain available until expended.

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, making supplemental appropriations for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table.

On page 32, line 17, strike ''and'' and insert ''or''.

NOTICES OF HEARINGS

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Tuesday, January 29, 2013, at 10:00 a.m. in room SD–430 of the Dirksen Senate Office Building to conduct a hearing entitled ''30 Million New Patients and 11 Months to Go: Who Will Provide Their Primary Care?''

For further information regarding this meeting, please contact Sophie Kasimow of the committee staff on (202) 224–2831.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Thursday, January 24, 2013, at 10:00 a.m. in room SD–430 of the Dirksen Senate Office Building to conduct a hearing entitled ''Assessing the State of America's Mental Health System.''

For further information regarding this meeting, please contact Kathleen Laird of the committee staff on (202) 224–6840.

AUTHORITY FOR COMMITTEES TO MEET

SELECT COMMITTEE ON INTELLIGENCE

Mr. INHOFE. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on January 22, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

INAUGURAL CEREMONY

Mr. DURBIN. Mr. President, I ask unanimous consent that the transcript of the inaugural ceremony proceedings for Monday, January 21, be printed in the RECORD.

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

INAUGURAL CEREMONY

Inauguration of Barack Hussein Obama, January 21, 2013, 11:30 a.m.

Their Excellencies, the Chiefs of Diplomatic Missions, assembled on the President's platform.

The Architect of the Capitol, Stephen T. Ayers, assembled on the President's platform.

The Joint Chiefs of Staff assembled on the President's platform.

The Governors of the United States and its territories and the mayor of the District of Columbia assembled on the President's platform.

Members of the 113th House of Representatives of the United States, led by majority whip KEVIN MCCARTHY and Democratic whip STENY HOYER, and the dean of the House of Representatives, JOHN DINGELL, assembled on the President's platform.

Members of the 113th Senate of the United States assembled on the President's platform.

Former Speaker of the House of Representatives, Newt Gingrich, accompanied by Mrs. Gingrich, assembled on the President's platform.

Former Senate majority leader Tom Daschle, accompanied by Mrs. Daschle, assembled on the President's platform.

Ambassador Matthew Barzun, Ms. Eva Longoria, Ms. Jane Stetson, and Mr. Frank White, Jr., cochairs of the 57th Presidential Inaugural Committee; Mr. Steve J. Kerrigan, chief executive officer; and Mr. David J. Cusack, executive director of the 57th Presidential Inaugural Committee, assembled on the President's platform.

The President's Cabinet and agency designees assembled on the President's platform.

The Chief Justice of the United States, the Honorable John G. Roberts, Jr., and the Associate Justices of the Supreme Court of the United States assembled on the President's platform.

The 39th President of the United States, Jimmy Carter, and Mrs. Rosalynn Carter assembled on the President's platform.

The 42nd President of the United States, William Jefferson Clinton, and Secretary of State Hillary Rodham Clinton assembled on the President's platform.

The children of the Vice President, MAJ Beau Biden, Hunter Biden, and Ashley Biden, accompanied by the House chief administrative officer, Dan Strodel, assembled on the President's platform.

The daughters of the President, Malia Obama and Sasha Obama, also Mrs. Marian Robinson, accompanied by Catlin O'Neill, assembled on the President's platform.

Dr. Jill Biden, accompanied by Mrs. Alexander, Mrs. Boehner, Mrs. Cantor, Assistant Secretary of the Senate Sheila Dwyer, and Deputy Clerk of the House of Representatives Robert Reeves, assembled on the President's platform.

The First Lady of the United States, Mrs. Michelle Obama, accompanied by Secretary of the Senate Nancy Erikson, Clerk of the House of Representatives Karen Haas, Mrs. Schumer, Mrs. Reid, and Mr. Pelosi, assembled on the President's platform.

The Vice President of the United States, JOSEPH R. BIDEN, accompanied by the inaugural coordinator for the Joint Congressional Committee on Inaugural Ceremonies, Kelly Fado; Senate Deputy Sergeant at Arms, Martine Bradford; House Deputy Sergeant at Arms, Kerry Hanley; Senate majority leader, Senator HARRY REID; and House Democratic leader, Representative NANCY PELOSI, assembled on the President's platform.

The President of the United States, Barack H. Obama, accompanied by the staff director for the Joint Congressional Committee on Inaugural Ceremonies, Jean Parvin Bordewich; Senate Sergeant at Arms, Terrence W. Gainer; the House Sergeant at Arms, Paul Irving; chairman of the Joint Congressional Committee on Inaugural Ceremonies, Senator CHARLES E. SCHUMER; Senator LAMAR ALEXANDER; the Speaker of the House of Representatives, JOHN BOEHNER; Senate majority leader, Senator HARRY REID; House majority leader, Representative ERIC CANTOR; and House Democratic leader, Representative NANCY PELOSI, assembled on the President's platform.

Mr. SCHUMER. Mr. President, Mr. Vice President, Members of Congress, all who are present, and to all who are watching, welcome to the Capitol and to this celebration of our great democracy. This is the 57th inauguration of an American President, and no matter how many times one witnesses this event, its simplicity, its innate majesty, and most of all its meaning, that sacred, yet cautious, entrusting of power from we, the people, to our chosen leader, never fails to make one's heart beat faster as it will today with the inauguration of President Barack H. Obama.

We know we would not be here today were it not for those who stand guard around the world to preserve our freedom. To those in our Armed Forces, we offer our infinite thanks for your bravery, your honor, your sacrifice.

(Applause.)

This democracy of ours was forged by intellect and argument, by activism and blood, and above all, from John Adams to Elizabeth Cady Stanton, to Martin Luther King, Jr., by a stubborn adherence to the notion that we are all created equal and deserve nothing less than a great Republic worthy of our consent.

The theme of this year's inaugural is ''Faith in America's Future.'' The perfect embodiment of this unshakable confidence and the ongoing success of our collective journey is an event from our past. I speak of the improbable completion of the Capitol dome and capping it with the Statue of Freedom which occurred 150 years ago in 1863.

When Abraham Lincoln took office 2 years earlier, the dome above us was a half-built eyesore. The conventional wisdom was it should be left unfinished until the war ended, given the travails and financial needs of the times. But to President Lincoln, the half-finished dome symbolized the half-divided Nation. Lincoln said: If people see the Capitol going on, it is a sign we intend the Union shall go on. So despite the conflict which engulfed the Nation and surrounded the city, the dome continued to rise.

On December 2, 1863, the Statue of Freedom, a woman, was placed atop the dome, where she still stands. In a sublime irony, it was a former slave, now free American, Philip Reid, who helped to cast the bronze statue.

Our present times are not as perilous or despairing as they were in 1863, but in 2013 far too many doubt the future of this great Nation and our ability to tackle our own era's half-finished domes.

Today's problems are intractable, they say; the times are so complex, the differences in the country and the world so deep we will never overcome them. When thoughts such as these produce anxiety, fear, and even despair, we do well to remember Americans have always been, and still are, a practical, optimistic, problem-solving people; that, as our history shows, no matter how steep the climb, how difficult the problems, how half-finished the task, America always rises to the occasion. America prevails and America prospers.

(Applause.)

Those who bet against this country have inevitably been on the wrong side of history. So it is a good moment to gaze upward and behold the Statue of Freedom at the top of the Capitol dome. It is a good moment to gain strength and courage and humility from those who were determined to complete the half-finished dome. It is a good moment to rejoice at this 57th Presidential inaugural ceremony, and it is the perfect moment to renew our collective faith in the future of America.

(Applause.)

Thank you and God bless these United States.

In that spirit of faith, I would now like to introduce civil rights leader Myrlie Evers, who has committed her life to extending the promise of our Nation's founding principles to all Americans.

Mrs. Evers will lead us in the invocation.

Mrs. EVERS. America, we are here, our Nation's Capitol, on this day, January the 21st, 2013, the inauguration of our 45th President, Barack Obama. We come at this time to ask blessings upon our leaders, the President, Vice President, Members of Congress, all elected and appointed officials of the United States of America.

We are here to ask blessings upon our Armed Forces, blessings upon all who contribute to the essence of the American spirit, the American dream, the opportunity to become whatever our mankind, womankind allows us to be. This is the promise of America.

As we sing the words of belief, ''This is my country,'' let us act upon the meaning everyone is included. May the inherent dignity and inalienable rights of every woman, man, boy, and girl be honored. May all Your people, especially the least of these, flourish in our blessed Nation. One hundred fifty years after the Emancipation Proclamation and 50 years after the march on Washington, we celebrate the spirit of our ancestors which has allowed us to move from a nation of unborn hopes and a history of disenfranchised votes to today's expression of a more perfect Union.

We ask, too, Almighty, that where our paths seem blanketed by throngs of oppression and rippled by pangs of despair, we ask for Your guidance toward the light of deliverance, and with the vision of those who came before us and dreamed of this day, that we recognize their visions still inspire us. They are a great cloud of witnesses unseen by the naked eye but all around us thankful that their living was not in vain. For every mountain You gave us the strength to climb, Your grace is pleaded to continue that climb for America and the world.

We now stand beneath the shadow of the Nation's Capitol whose golden dome reflects the unity and democracy of one Nation, indivisible, with liberty and justice for all.

Approximately 4 miles from where we are assembled, the hallowed remains of men and women rest in Arlington Cemetery; they who believed, fought, and died for this country. May their spirit infuse our being to work together with respect, enabling us to continue to build this Nation, and in so doing we send a message to the world that we are strong, fierce in our strength, and ever vigilant in our pursuit of freedom.

We ask that You grant our President the will to act courageously but cautiously when confronted with danger and to act prudently but deliberately when challenged by adversity. Please continue to vest his efforts, to lead by example in consideration and favor of the diversity of our people. Bless our families all across this Nation.

We thank You for this opportunity of prayer to strengthen us for the journey through the days that lie ahead. We invoke the prayers of our grandmothers who taught us to pray: God make me a blessing. Let their spirit guide us as we claim the spirit of old. There is something within me that holds the reins. There is something within me that banishes pain. There is something within me I cannot explain. But all I know, America, there is something within—there is something within.

In Jesus's name and the name of all who are holy and right, we pray.

Amen.

(Applause.)

Mr. SCHUMER. I am pleased to introduce the award-winning tabernacle choir, the Brooklyn Tabernacle Choir, to sing ''Battle Hymn of the Republic.''

(Performance by the Brooklyn Tabernacle Choir.)

Mr. SCHUMER. Please join me in welcoming my colleague and friend, the Senator from Tennessee, the Honorable LAMAR ALEXANDER.

Mr. ALEXANDER. Mr. President, Mr. Vice President, ladies and gentlemen, the late Alex Haley, author of ''Roots,'' lived his life by these six words: ''Find the good and praise it.'' Today we praise the American tradition of transferring or reaffirming immense power in the inauguration of the President of the United States. We do this in a peaceful, orderly way. There is no mob, no coup, no insurrection. This is a moment when millions stop and watch, a moment most of us always will remember. It is a moment that is our most conspicuous and enduring symbol of the American democracy. How remarkable that this has survived for so long in such a complex country, when so much power is at stake, this freedom to vote for our leaders and the restraint to respect the results.

Last year, at Mount Vernon, a tour guide told me our first President, George Washington, once posed this question: What is

most important of this grand experiment, the United States? Then Washington answered his own question in this way: Not the election of the first President but the election of its second President. The peaceful transfer of power is what will separate our country from every other country in the world.

Today we celebrate the 57th inauguration of the American President: Find the good and praise it.

(Applause.)

It is my honor to introduce Associate Justice of the U.S. Supreme Court Sonia Sotomayor for the purpose of administering the oath of office to the Vice President. Will everyone please stand.

Associate Justice SONIA SOTOMAYOR administered to the Vice President-elect the oath of office prescribed by the Constitution, which he repeated, as follows:

I, JOSEPH R. BIDEN JR., do solemnly swear that I will support and defend the Constitution of the United States against all enemies foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

Justice SOTOMAYOR. Congratulations.

(Applause.)

Mr. SCHUMER. It is my pleasure to introduce renowned musical artist James Taylor.

(Applause.)

(Performance by James Taylor.)

Mr. SCHUMER. It is my honor to present the Chief Justice of the United States, JOHN G. ROBERTS, JR., who will administer the Presidential oath of office.

Everyone, please rise.

The Chief Justice of the U.S. Supreme Court, JOHN G. ROBERTS, JR., administered to the President-elect the oath of office prescribed by the Constitution, which he repeated as follows:

I, BARACK HUSSEIN OBAMA, do solemnly swear that I will faithfully execute the office of President of the United States and will, to the best of my ability, preserve, protect, and defend the Constitution of the United States. So help me God.

The CHIEF JUSTICE. Congratulations, Mr. President.

(Applause.)

Mr. SCHUMER. Ladies and gentlemen, it is my great privilege and distinct honor to introduce the 44th President of the United States of America, Barack H. Obama.

(Applause.)

The PRESIDENT. Thank you. Thank you so much.

Vice President BIDEN, Mr. Chief Justice, Members of the U.S. Congress, distinguished guests, and fellow citizens, each time we gather to inaugurate a President, we bear witness to the enduring strength of our Constitution. We affirm the promise of our democracy. We recall that what binds this Nation together are not the colors of our skin or the tenets of our faith or the origins of our names. What makes us exceptional—what makes us American—is our allegiance to an idea, articulated in a declaration made more than two centuries ago:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.

(Applause.)

Today we continue a never-ending journey to bridge the meaning of those words with the realities of our time, for history tells us that while these truths may be self-evident, they have never been self-executing; that while freedom is a gift from God, it must be secured by His people here on Earth.

The patriots of 1776 did not fight to replace the tyranny of a king with the privileges of a few or the rule of a mob. They gave to us a republic, a government of and by and for the people, entrusting each generation to keep safe our founding creed. For more than 200 years, we have. Through blood drawn by lash and blood drawn by sword, we learned that no union founded on the principles of liberty and equality could survive half slave and half free. We made ourselves anew and vowed to move forward together. Together, we determined that a modern economy requires railroads and highways to speed travel and commerce; schools and colleges to train our workers. Together, we discovered that a free market only thrives when there are rules to ensure competition and fair play. Together, we resolve that a great nation must care for the vulnerable and protect its people from life's worst hazards and misfortunes. Through it all, we have never relinquished our skepticism of central authority, nor have we succumbed to the fiction that all society's ills can be cured through government alone. Our celebration of initiative and enterprise, our insistence on hard work and personal responsibility, these are constants in our character.

We have always understood that when times change, so must we; that fidelity to our founding principles requires new responses to new challenges; that preserving our individual freedoms ultimately requires collective action, for the American people can no more meet the demands of today's world by acting alone than American soldiers could have met the forces of fascism or communism with muskets and militias. No single person can train all the math and science teachers we will need to equip our children for the future or build the roads and networks and research labs that will bring new jobs to our shores. Now, more than ever, we must do these things together as one Nation and one people.

(Applause.)

This generation of Americans has been tested by crises that steeled our resolve and proved our resilience. A decade of war is now ending.

(Applause.)

An economic recovery has begun.

(Applause.)

America's possibilities are limitless, for we possess all the qualities this world without boundaries demands: youth and drive, diversity and openness, an endless capacity for risk, and a gift for reinvention.

My fellow Americans, we are made for this moment, and we will seize it so long as we seize it together.

(Applause.)

For we, the People, understand that our country cannot succeed when a shrinking few do very well and a growing many barely make it.

(Applause.)

We believe America's prosperity must rest upon the broad shoulders of a rising middle class. We know America thrives when every person can find independence and pride in their work, when the wages of honest labor liberate families from the brink of hardship. We are true to our creed when a little girl born into the bleakest poverty knows she has the same chance to succeed as anybody else because she is an American, she is free, and she is equal, not just in the eyes of God but also in our own.

(Applause.)

We understand outworn programs are inadequate to the needs of our time. We must harness new ideas in technology to remake our government, revamp our Tax Code, reform our schools, and empower our citizens with the skills they need to work harder, learn more, and reach higher. But while the means will change, our purpose endures. A nation that rewards the effort and determination of every single American, that is what this moment requires. That is what will give real meaning to our creed.

We, the people, still believe that every citizen deserves a basic measure of security and dignity. We must make the hard choices to reduce the cost of health care and the size of our deficit. But we reject the belief that America must choose between caring for the generation that built this country and investing in the generation that will build its future.

(Applause.)

For we remember the lessons of our past, when twilight years were spent in poverty and parents of a child with a disability had nowhere to turn. We do not believe, in this country, freedom is reserved for the lucky or happiness for the few. We recognize that no matter how responsibly we live our lives, any one of us, at any time, may face a job loss or a sudden illness or a home swept away in a terrible storm. The commitments we make to each other, through Medicare and Medicaid and Social Security, these things do not sap our Nation; they strengthen us.

(Applause.)

They do not make us a nation of takers; they free us to take the risks that make this country great.

(Applause.)

We, the people, still believe our obligations as Americans are not just to ourselves but to all posterity. We will respond to the threat of climate change, knowing the failure to do so would betray our children and future generations.

(Applause.)

Some may still deny the overwhelming judgment of science, but none can avoid the devastating impact of raging fires and crippling drought and more powerful storms. The path toward sustainable energy sources will be long and sometimes difficult, but America cannot resist this transition; we must lead it. We cannot cede to other Nations the technology that will power new jobs and new industries; we must claim its promise. That is how we will maintain our economic vitality and our national treasure, our forests and waterways, our croplands and snow-capped peaks. That is how we will preserve our planet, commanded to our care by God. That is what will lend meaning to the creed our Fathers once declared.

We, the people, still believe that enduring security and lasting peace do not require perpetual war. Our brave men and women in uniform, tempered by the flames of battle, are unmatched in skill and courage. Our citizens, seared by the memory of those we have lost, know too well the price that is paid for liberty. The knowledge of their sacrifice will keep us forever vigilant against those who would do us harm. But we are also heirs to those who won the peace and not just the war, who turned sworn enemies into the surest of friends, and we must carry those lessons into this time as well.

We will defend our people and uphold our values through strength of arms and rule of law. We will show the courage to try and resolve our differences with other Nations peacefully, not because we are naive about the dangers we face but because engagement can more durably lift suspicion and fear.

America will remain the anchor of strong alliances in every corner of the globe, and we will renew those institutions that extend our capacity to manage crisis abroad, for no one has a greater stake in a peaceful world than its most powerful Nation. We will support democracy from Asia to Africa, from the Americas to the Middle East, because our interests and our conscience compel us to act

on behalf of those who long for freedom. We must be a source of hope to the poor, the sick, the marginalized, the victims of prejudice, not out of mere charity but because peace in our time requires the constant advance of those principles that our common creed describes: tolerance and opportunity, human dignity and justice.

We, the people, declare today that the most evident of truths, that all of us are created equal, is the star that guides us still, just as it guided our forebears through Seneca Falls and Selma and Stonewall, just as it guided all those men and women, sung and unsung, who left footprints along this great Mall to hear a preacher say we cannot walk alone, to hear a ''King'' proclaim that our individual freedom is inextricably bound to the freedom of every soul on Earth.

(Applause.)

It is now our generation's task to carry on what those pioneers began, for our journey is not complete until our wives, our mothers, and daughters can earn a living equal to their efforts.

(Applause.)

Our journey is not complete until our gay brothers and sisters are treated like anyone else under the law, for if we are truly created equal, then surely the love we commit to one another must be equal as well.

Our journey is not complete until no citizen is forced to wait for hours to exercise the right to vote. Our journey is not complete until we find a better way to welcome the striving, hopeful immigrants who still see America as a land of opportunity; until bright young students and engineers are enlisted in our workforce rather than expelled from our country.

Our journey is not complete until all our children, from the streets of Detroit to the hills of Appalachia, to the quiet lanes of Newtown, know they are cared for and cherished and always safe from harm. That is our generation's task—to make these words, these rights, these values of life and liberty and the pursuit of happiness real for every American.

Being true to our founding documents does not require us to agree on every contour of life. It does not mean we will all define liberty in exactly the same way or follow the same precise path to happiness. Progress does not compel us to settle centuries-long debates about the role of government for all time, but it does require us to act in our time.

(Applause.)

For now decisions are upon us, and we cannot afford delay. We cannot mistake absolutism for principle or substitute spectacle for politics or treat name-calling as reasoned debate. We must act, knowing our work will be imperfect. We must act, knowing today's victories will be only partial and that it will be up to those who stand here in 4 years and 40 years and 400 years hence to advance the timeless spirit once conferred to us in a spare Philadelphia hall.

My fellow Americans, the oath I have sworn before you today, similar to the one recited by others who serve in this Capitol, was an oath to God and country, not party or faction, and we must faithfully execute that pledge during the duration of our service. But the words I spoke today are not so different from the oath that is taken each time a soldier signs up for duty or an immigrant realizes her dream. My oath is not so different from the pledge we all make to the flag that waves above and that fills our hearts with pride. They are the words of citizens and they represent our greatest hope.

You and I, as citizens, have the power to set this country's course. You and I, as citizens, have the obligation to shape the debates of our time, not only with the votes we cast but with the voices we lift in defense of our most ancient values and enduring ideals. Let each of us now embrace, with solemn duty and awesome joy, what is our lasting birthright. With common effort and common purpose, with passion and dedication, let us answer the call of history and carry into an uncertain future that precious light of freedom.

Thank you. God bless you, and may He forever bless these United States of America.

(Applause.)

Mr. SCHUMER. At this time, please join me in welcoming award-winning artist Kelly Clarkson, accompanied by the U.S. Marine Band.

(Kelly Clarkson and the Marine Band performed.)

Mr. SCHUMER. Wow. Our next distinguished guest is the poet Richard Blanco, who will share with us words he has composed for this occasion.

Mr. BLANCO. Mr. President, Mr. Vice President, America, ''One Today.''

One sun rose on us today, kindled over our shores, peeking over the Smokies, greeting the faces of the Great Lakes, spreading a simple truth across the Great Plains, then charging across the Rockies. One light, waking up rooftops, under each one, a story told by our silent gestures moving across windows.

My face, your face, millions of faces in morning's mirrors, each one yawning to life, crescendoing into our day: pencil-yellow school buses, the rhythm of traffic lights, fruit stands: apples, limes, and oranges arrayed like rainbows begging our praise.

Silver trucks heavy with oil or paper—bricks or milk, teeming over highways alongside us, on our way to clean tables, read ledgers, or save lives—to teach geometry, or ring up groceries as my mother did for twenty years, so I could write this poem for all of us today.

All of us as vital as the one light we move through, the same light on blackboards with lessons for the day: equations to solve, history to question, or atoms imagined, the ''I have a dream'' we all keep dreaming or the impossible vocabulary of sorrow that won't explain the empty desks of twenty children marked absent today, and forever. Many prayers, but one light breathing color into stained glass windows, life into the faces of bronzed statues, warmth onto the steps of our museums and park benches as mothers watch children slide into the day.

One ground. Our ground, rooting us to every stock of corn, every head of wheat sown by sweat and hands, hands gleaning coal or planting windmills in deserts and hilltops that keep us warm, hands digging trenches, routing pipes and cables, hands as worn as my father's cutting sugarcane so my brother and I could have books and shoes.

The dust of farms and deserts, cities and plains mingled by one wind—our breath. Breathe. Hear it through the day's gorgeous din of honking cabs, buses launching down avenues, the symphony of footsteps, guitars, and screeching subways, the unexpected song bird on your clothes line.

Hear: squeaky playground swings, trains whistling, or whispers across cafe tables. Hear: the doors we open each day for each other, saying, hello, shalom, buon giorno, howdy, namaste, or buenos dias in the language my mother taught me—in every language spoken into one wind carrying our lives without prejudice, as these words break from my lips.

One sky: since the Appalachians and Sierras claimed their majesty, and the Mississippi and Colorado worked their way to the sea. Thank the work of our hands: weaving steel into bridges, finishing one more report for the boss on time, stitching another wound or uniform, the first brushstroke on a portrait, or the last floor on the Freedom Tower jutting into a sky that yields to our resilience.

One sky: toward which we sometimes lift our eyes tired from work, some days guessing at the weather of our lives, some days giving thanks for a love that loves you back, sometimes praising a mother who knew how to give, or forgiving a father who couldn't give what you wanted.

We head home: through the gloss of rain or weight of snow, or the plum plush of dusk, but always—home, always under one sky, our sky. And always one moon like a silent drum tapping on every rooftop and every window, of one country—all of us—facing the stars. Hope—a new constellation waiting for us to map it, waiting for us to name it—together.

(Applause.)

Mr. SCHUMER. Ladies and gentlemen, it is now my privilege to introduce Rev. Dr. Luis Leon to deliver the benediction.

Reverend LEON. Let us pray.

Gracious and eternal God, as we conclude the second inauguration of President Obama, we ask for Your blessings as we seek to become, in the words of Martin Luther King, Jr., citizens of a beloved community loving You and loving our neighbors as ourselves.

We pray that You will bless us with Your continued presence because without it, hatred and arrogance will infect our hearts. But with Your blessing, we know that we can break down the walls that separate us.

We pray for Your blessing today because without it, mistrust, prejudice, and rancor will rule our hearts, but with the blessing of Your presence, we know that we can renew the ties of mutual regard which can best form our civic life.

We pray for Your blessing, because without it, suspicion, despair, and fear of those different from us will be our rule of life. But with Your blessing, we can see each other created in Your image, a unit of God's grace, unprecedented, irrepeatable, and irreplaceable.

We pray for Your blessing, because without it, we will see only what the eye can see. But with the blessing of Your blessing, we will see that we are created in Your image whether Brown, Black or White, male or female, first-generation immigrant American or Daughters of the American Revolution, gay or straight, rich or poor.

We pray for Your blessing, because without it, we will only see scarcity in the midst of abundance. But with Your blessing, we will recognize the abundance of the gifts of this good land with which You have endowed this Nation.

We pray for Your blessing. Bless all of us privileged to be citizens and residents of this Nation with a spirit of gratitude and humility that we may become a blessing among the Nations of this world.

We pray that You will shower with Your life-giving spirit the elected leaders of this land, especially Barack, our President, and Joe, our Vice President. Fill them with the love of truth and righteousness that they may serve this Nation ably and be glad to do Your will. Endow their hearts with wisdom and forbearance so that peace may prevail with righteousness, justice with order so that men and women throughout this Nation

can find with one another the fulfillment of our humanity.

We pray that the President, Vice President, and all in political authority will remember the words of the Prophet Micah: What does the Lord require of you but to do justice, to love kindness, and always walk humbly with God.

(Remarks in Spanish.)

Mr. President, Mr. Vice President, may God bless you all your days.

All this we pray in Your most holy Name. Amen.

Mr. SCHUMER. Ladies and gentlemen, please remain standing for the singing of our national anthem by award-winning artist Beyonce, accompanied by the U.S. Marine Band.

Following the national anthem please remain in your place while the Presidential party exits the platform.

(Performance by Beyonce and the U.S. Marine Band.)

(The Inaugural ceremony was concluded at 12:31 p.m.)

MEASURES READ THE FIRST TIME—S. 47 AND H.R. 152, EN BLOC

Mr. DURBIN. I understand there are two bills at the desk. I ask for their first reading, en bloc.

The PRESIDING OFFICER. The clerk will read the titles of the bills, en bloc.

The legislative clerk read as follows:

A bill (S. 47) to reauthorize the Violence Against Women Act of 1994.

A bill (H.R. 152) making supplemental appropriations for the fiscal year ending September 30, 2013, to improve and streamline disaster assistance for Hurricane Sandy, and for other purposes.

Mr. DURBIN. I now ask for a second reading, en bloc, and object to my own request, en bloc.

The PRESIDING OFFICER. Objection is heard. The bills will be read for the second time on the next legislative day.

ORDERS FOR WEDNESDAY, JANUARY 23, 2013

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess until 9:30 a.m. on Wednesday, January 23, 2013; that following the prayer and pledge, the Journal of proceedings be approved to date and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business for debate only until 12 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL 9:30 A.M. TOMORROW

Mr. DURBIN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate recess under the previous order.

There being no objection, the Senate, at 7:02 p.m., recessed until Wednesday, January 23, 2013, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF DEFENSE

CHARLES TIMOTHY HAGEL, OF NEBRASKA, TO BE SECRETARY OF DEFENSE, VICE LEON E. PANETTA.

FREDERICK VOLLRATH, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE. (NEW POSITION)

ALAN F. ESTEVEZ, OF THE DISTRICT OF COLUMBIA, TO BE A PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE, VICE FRANK KENDALL III.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

RICHARD J. ENGLER, OF NEW JERSEY, TO BE A MEMBER OF THE CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD FOR A TERM OF FIVE YEARS, VICE WILLIAM E. WRIGHT, TERM EXPIRED.

DEPARTMENT OF THE TREASURY

CHRISTOPHER J. MEADE, OF NEW YORK, TO BE GENERAL COUNSEL FOR THE DEPARTMENT OF THE TREASURY, VICE GEORGE WHEELER MADISON, RESIGNED.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

WILLIAM B. SCHULTZ, OF THE DISTRICT OF COLUMBIA, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, VICE DANIEL MERON.

DEPARTMENT OF THE TREASURY

JACOB J. LEW, OF NEW YORK, TO BE SECRETARY OF THE TREASURY, VICE TIMOTHY F. GEITHNER.

INTERNATIONAL BANKS

JACOB J. LEW, OF NEW YORK, TO BE UNITED STATES GOVERNOR OF THE INTERNATIONAL MONETARY FUND FOR A TERM OF FIVE YEARS; UNITED STATES GOVERNOR OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT FOR A TERM OF FIVE YEARS; UNITED STATES GOVERNOR OF THE INTER–AMERICAN DEVELOPMENT BANK FOR A TERM OF FIVE YEARS; UNITED STATES GOVERNOR OF THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT, VICE TIMOTHY G. GEITHNER.

DEPARTMENT OF STATE

JOHN FORBES KERRY, OF MASSACHUSETTS, TO BE SECRETARY OF STATE, VICE HILLARY RODHAM CLINTON.

BROADCASTING BOARD OF GOVERNORS

JEFFREY SHELL, OF CALIFORNIA, TO BE CHAIRMAN OF THE BROADCASTING BOARD OF GOVERNORS, VICE WALTER ISAACSON, RESIGNED.

JEFFREY SHELL, OF CALIFORNIA, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2015, VICE WALTER ISAACSON, TERM EXPIRED.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

JENNY R. YANG, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM EXPIRING JULY 1, 2017, VICE STUART ISHIMARU, RESIGNED.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

ROBERT F. COHEN, JR., OF WEST VIRGINIA, TO BE A MEMBER OF THE FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION FOR A TERM OF SIX YEARS EXPIRING AUGUST 30, 2018. (REAPPOINTMENT)

FEDERAL LABOR RELATIONS AUTHORITY

CAROL WALLER POPE, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE FEDERAL LABOR RELATIONS AUTHORITY FOR A TERM OF FIVE YEARS EXPIRING JULY 1, 2014. (REAPPOINTMENT)

CENTRAL INTELLIGENCE AGENCY

JOHN OWEN BRENNAN, OF VIRGINIA, TO BE DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY, VICE DAVID H. PETRAEUS, RESIGNED.

DEPARTMENT OF JUSTICE

DEREK ANTHONY WEST, OF CALIFORNIA, TO BE ASSOCIATE ATTORNEY GENERAL, VICE THOMAS JOHN PERRELLI, RESIGNED.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

DAVID MEDINE, OF MARYLAND, TO BE CHAIRMAN AND MEMBER OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD FOR A TERM EXPIRING JANUARY 29, 2018. (NEW POSITION)

DEPARTMENT OF JUSTICE

SYLVIA M. BECKER, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES FOR THE TERM EXPIRING SEPTEMBER 30, 2013, VICE RALPH E. MARTINEZ, TERM EXPIRED.

SYLVIA M. BECKER, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES FOR THE TERM EXPIRING SEPTEMBER 30, 2016. (REAPPOINTMENT)

IN THE AIR FORCE

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. WILLIAM H. ETTER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. JOHN W. HESTERMAN III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. JAMES E. MCCLAIN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. RICHARD M. MURPHY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIGADIER GENERAL ARNOLD W. BUNCH, JR.
BRIGADIER GENERAL THERESA C. CARTER
BRIGADIER GENERAL SANDRA E. FINAN
BRIGADIER GENERAL JEFFREY L. HARRIGIAN
BRIGADIER GENERAL TIMOTHY J. LEAHY
BRIGADIER GENERAL GREGORY J. LENGYEL
BRIGADIER GENERAL LEE K. LEVY II
BRIGADIER GENERAL JAMES F. MARTIN, JR.
BRIGADIER GENERAL JERRY P. MARTINEZ
BRIGADIER GENERAL PAUL H. MCGILLICUDDY
BRIGADIER GENERAL ROBERT D. MCMURRY, JR.
BRIGADIER GENERAL EDWARD M. MINAHAN
BRIGADIER GENERAL MARK C. NOWLAND
BRIGADIER GENERAL TERRENCE J. O'SHAUGHNESSY
BRIGADIER GENERAL MICHAEL T. PLEHN
BRIGADIER GENERAL MARGARET B. POORE
BRIGADIER GENERAL JAMES N. POST III
BRIGADIER GENERAL STEVEN M. SHEPRO
BRIGADIER GENERAL DAVID D. THOMPSON
BRIGADIER GENERAL SCOTT A. VANDER HAMM
BRIGADIER GENERAL MARSHALL B. WEBB
BRIGADIER GENERAL BURKE E. WILSON
BRIGADIER GENERAL SCOTT J. ZOBRIST

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COLONEL NINA M. ARMAGNO
COLONEL SAM C. BARRETT
COLONEL STEVEN L. BASHAM
COLONEL RONALD D. BUCKLEY
COLONEL CARL A. BUHLER
COLONEL JOHN A. CHERREY
COLONEL JAMES C. DAWKINS, JR.
COLONEL PATRICK J. DOHERTY
COLONEL DAWN M. DUNLOP
COLONEL THOMAS L. GIBSON
COLONEL JAMES B. HECKER
COLONEL PATRICK C. HIGBY
COLONEL MARK K. JOHNSON
COLONEL BRIAN M. KILLOUGH
COLONEL ROBERT D. LABRUTTA
COLONEL SCOTT C. LONG
COLONEL RUSSELL L. MACK
COLONEL PATRICK X. MORDENTE
COLONEL SHAUN Q. MORRIS
COLONEL PAUL D. NELSON
COLONEL JOHN M. PLETCHER
COLONEL DUKE Z. RICHARDSON
COLONEL BRIAN S. ROBINSON
COLONEL BARRE R. SEGUIN
COLONEL JOHN S. SHAPLAND
COLONEL ROBERT J. SKINNER
COLONEL JAMES C. SLIFE
COLONEL DIRK D. SMITH
COLONEL JEFFREY B. TALIAFERRO
COLONEL JON T. THOMAS
COLONEL GLEN D. VANHERCK
COLONEL STEPHEN N. WHITING
COLONEL JOHN M. WOOD

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. KENNETH E. TOVO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. JOHN M. BEDNAREK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. JOHN F. WHARTON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY NURSE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be brigadier general

COL. BARBARA R. HOLCOMB

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be brigadier general

COL. PATRICK D. SARGENT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY MEDICAL CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major general

BRIG. GEN. BRIAN C. LEIN
BRIG. GEN. NADJA Y. WEST

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. PAUL W. BRIER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIGADIER GENERAL JOHN J. BROADMEADOW
BRIGADIER GENERAL HERMAN S. CLARDY III
BRIGADIER GENERAL LEWIS A. CRAPAROTTA
BRIGADIER GENERAL ROBERT F. HEDELUND
BRIGADIER GENERAL FREDERICK M. PADILLA
BRIGADIER GENERAL MICHAEL A. ROCCO
BRIGADIER GENERAL VINCENT R. STEWART

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADMIRAL WILLIAM H. HILARIDES

EXTENSIONS OF REMARKS

HONORING J. GUADALUPE VALTIERRA

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure that I stand before you today to honor J. Guadalupe Valtierra and to wish him well upon his retirement from his position as Chancellor at Ivy Tech Community College. Chancellor Valtierra's many years of service and expertise in the field of education have been a remarkable asset to the community of Northwest Indiana, where he has been able to positively impact the lives of countless students and educators. In honor of his retirement, a reception will be held on Wednesday, January 23, 2013 at Avalon Manor in Merrillville, Indiana.

J. Guadalupe Valtierra's professional career began with his passion for education and learning. Following his graduation from Purdue University, Lupe went on to earn a law degree, followed by a master's degree in higher education and student affairs, both from Indiana University. Chancellor Valtierra's career with Ivy Tech Community College spans seventeen years. Prior to becoming chancellor, he served as Director of Student Services. In 2002, Mr. Valtierra became chancellor of the college's Northwest region, which includes the campuses located in Gary, East Chicago, Valparaiso, and Michigan City. In this position, Chancellor Valtierra has been a true leader, supervising and directing the administrative and fiscal operations for the Northwest Region. Under his direction, enrollment in Ivy Tech's Northwest Region grew by more than seventy percent, and today there are more than 16,000 students enrolled in classes. In 2006, the new Valparaiso Ivy Tech campus opened. Chancellor Valtierra oversaw the completion of this project, which included a tremendously successful capital campaign that raised $3.9 million. During his tenure, the Gerald I. Lamkin Innovation and Entrepreneurship Center, which manages the Society of Innovators and the Dare to Dream Initiative, was also launched. These programs have been a tremendous benefit to the community of Northwest Indiana, fostering a culture of innovation, which is so crucial in today's ever-changing economy.

Additionally, Lupe has selflessly given of his time through his involvement in various organizations and civic activities, including H.O.P.E.—Hispanic Organization Promoting Excellence, the Lake County Good Government Initiative, the Quality of Life Council, Catholic Charities, the Gary Educational Development Foundation Board, the Salvation Army, and the Northwest Indiana Local Government Academy Advisory Board, among many others. For his service and dedication to serving his community, Lupe is to be commended.

Mr. Valtierra's commitment to education and to the community of Northwest Indiana is exceeded only by his devotion to his amazing family. He and his wonderful wife, Teresa, have one daughter, Adriana.

Today, there are countless citizens throughout Northwest Indiana and beyond whose lives are fuller because of Chancellor Valtierra's life of dedicated public service. They have been educated when otherwise they might not have been. They have fuller careers and loves. I am grateful for Lupe's selflessness, as well as for his friendship.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in commending Chancellor J. Guadalupe Valtierra for his lifetime of leadership, service, and dedication to Ivy Tech and to the field of education. For his uncompromising devotion to his students and his community, Chancellor Valtierra is worthy of the highest praise, and I ask that you join me in wishing him well upon his retirement.

RECOGNIZING THE 50TH ANNIVERSARY OF THE AMSOIL WORLD CHAMPIONSHIP SNOWMOBILE DERBY IN EAGLE RIVER, WISCONSIN

HON. SEAN P. DUFFY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Mr. DUFFY. Mr. Speaker, I rise today to recognize the 50th Anniversary of the Amsoil World Championship Snowmobile Derby on Sunday, January 20, 2013, in Eagle River, Wisconsin.

Fifty years ago, the sport of snowmobiling had just begun. Today, the sport has a national economic impact of $24 billion with an additional international economic impact of $13 billion. Over 100,000 full-time jobs in North America are generated by the snowmobile industry. These American jobs include jobs in manufacturing, sales, and tourism-related services.

I am proud to have a snowmobile manufacturer with facilities located in Wisconsin's Seventh Congressional District. Polaris Industries, Inc. manufactures and distributes quality snowmobiles, among other high-performance motorized products. This employee owned company is just one example of the positive impacts the snowmobile industry has on our economy.

The history of snowmobiling started in Vilas County, 40 years before the very first snowmobile race took place. In fact, Carl Eliason of Sayner, Wisconsin, invented the first snowmobile, which was a snow toboggan, with skis and a track to drive the machine over the snow. By 1964, John and Betty Alward in Eagle River, along with Walter Goldsworthy of nearby Three Lakes, WI, gave the winter economy a boost with the sport of snowmobile racing. The initial news release called this the ''World's First Snowmobile Derby,'' which at the time, was an entirely new concept in winter sports celebrations. Between 2,000 and 3,000 people attended that event in 1964. Today, the World Championship attracts over 30,000.

I am thankful for those who envisioned the snowmobile derby and for those who have made this event an incredible success. Snowmobiling is an important part of Wisconsin's heritage and I ask my colleagues to join me in extending my congratulations on the 50th Anniversary of the Amsoil World Championship Snowmobile Derby in Eagle River, WI.

IN HONOR OF SANDRA FABER

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Mr. FARR. Mr. Speaker, I rise today to honor Sandra Faber, a University of California, Santa Cruz Professor, who has been selected by the White House to receive the National Medal of Science for her inspiring contributions to the fields of astronomy and astrophysics. Sandra is not only an exceptional and passionate educator; she is an innovative and dedicated scientist.

Sandra is an observational astronomer who specializes in research on cosmology and galaxy formation. She has co-authored nearly 250 scientific papers, which have been cited over 37,000 times. Sandra is currently leading the CANDELS project, the largest project in the history of the Hubble Space Telescope. Her team is making revolutionary discoveries on cosmic evolution and is working to give scientists a view of galaxy formation nearly back to the Big Bang.

A member of the National Academy of Sciences, American Academy of Arts and Sciences, and the American Philosophical Society, Sandra has received many additional awards and honors for her scientific achievements. In 2009, she received the Franklin Institute's Bower Award and Prize for Achievement in Science. In the past year, she was recognized with two lifetime achievement awards, the Bruce Medal of the Astronomical Society of the Pacific, and the Russell Prize of the American Astronomical Society.

Sandra is thrilled to be one of 12 recipients of the National Medal of Science and wants to express her gratitude to the University of Santa Cruz and University of California Observatories. She recognizes that without the collaboration of her fellow scientists and the world class equipment provided by these institutions, her amazing contributions would not have been possible.

Mr. Speaker, it is my honor to rise today to honor Sandra Faber for her outstanding commitment and dedication to higher education and the scientific community.

HONORING THE HONOREES OF THE ANDROSCOGGIN COUNTY CHAMBER OF COMMERCE AWARDS

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Mr. MICHAUD. Mr. Speaker, I rise today to recognize the Honorees of the 2013 Androscoggin County Chamber of Commerce Annual Banquet Dinner. The Androscoggin County Chamber of Commerce serves the people and business community of the greater Lewiston/Auburn area, working hard to strengthen economic opportunity throughout the region and the State.

Each year, the Androscoggin Chamber of Commerce recognizes local businesses, business leaders, and individuals who promote and advance a vital and healthy business environment. These individuals and businesses are committed to strengthening opportunity and prosperity in Maine.

This year's award recipients include Barbara Dagley of Carbonite Inc., recipient of Business Leadership Award for a Larger Company; Kurk Lalemand of Next Level Business Coaching and John Stass of Katandin Furniture, recipients of the Business Leadership Awards for Smaller Companies; Larry Raymond of Issacson and Raymond, recipient of the Ray Geiger Award; Rita Dube, Julia Sleeper and Kim Pelletier, recipients of the Community Service Leadership Awards; Rick Jones of Jones Associates, recipient of the Poland Business Award; Nick Benoit of Benoit's Bakery and Wine Cellar, recipient of the Lisbon Business Award; Nancy Ricker of Ricker Hill Orchards, recipient of the Turner Business Award; Russ Barlow, Principal of the Franklin Alternative School in Auburn is the recipient of the Education Award; Sherry Spencer of Proctor and Gamble—Tambrands, recipient of the "Cool Chamber Award;" Dick Roy of Mechanics Savings Bank, recipient of the Ken Addition Small Business Advocate Award; Kim Jacques of Revelation Massage, recipient of the 2013 New Member of the Year Award; and Susan Hall of The Vault and Kevin Dean and Emil Clavet of Electricity Maine, recipients of the President's Award.

These recipients are among the best that Maine has to offer. Through their leadership and incredible commitment to their communities and the region, Maine is a better place to live and do business.

Mr. Speaker, please join me again in congratulating the Androscoggin Chamber of Commerce and these individuals on their outstanding service and achievement.

PERSONAL EXPLANATION

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Mr. SMITH of Washington. Mr. Speaker, on Friday, January 4, 2013, I was unable to be present for a recorded vote. Had I been present, I would have voted "yes" on rollcall vote No. 7 (on the motion to suspend the rules and pass H.R. 41).

IN RECOGNITION OF E. JOHN MOROCCO

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Mr. NEAL. Mr. Speaker, I rise today to recognize Public Safety Commissioner E. John Morocco for 46 years of service to the City of North Adams, Massachusetts. Commissioner Morocco, in a career spanning over four decades, has been an instrumental member of the leadership within the city's and throughout Berkshire County's law enforcement duties. It is the dedication Commissioner Morocco has had to his job and to the people that has made North Adams, Massachusetts a safer place to live and to call "home."

Throughout his tenure with the North Adams Police Department, Commissioner Morocco has held various roles over the years. Notable titles include being appointed Detective in 1986, Lieutenant in 1994 and his retiring title of Commissioner in 1996. Commissioner Morocco also served as one of the founding members of the Berkshire County Drug Task Force and is also a past President of the New England Narcotic Enforcement Officers Association.

Mr. Speaker, please join me in congratulating Commissioner Morocco on his achievements and thanking him for his contribution and dedication to the citizens and City of North Adams, Massachusetts.

BLACK JANUARY

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Mr. SHUSTER. Mr. Speaker, as the Co-Chairman of the Congressional Azerbaijan Caucus, I rise today to join with the people of Azerbaijan to commemorate the tragic events of "Black January."

On January 19, 1990, approximately 26,000 Soviet troops stormed Azerbaijan's capital city of Baku in tanks and armored vehicles. That night, the Soviet military opened indiscriminate fire on peaceful demonstrators, including women and children. As a result of these merciless acts 131 people were killed, 611 were injured, 841 were arrested, and 5 went missing.

The Human Rights Watch report "Black January in Azerbaijan" states that "among the most heinous violations of human rights during the Baku incursion were the numerous attacks on medical personnel, ambulances, and even hospitals." The report concludes that the violence used by the Soviet Army constituted an exercise in collective punishment and that the punishment inflicted on Baku by Soviet soldiers may have been intended as a warning to nationalists, not only in Azerbaijan, but in other Republics of the Soviet Union.

Far from crushing the spirit of Azeris, the atrocities of Black January instead consolidated the rising independence movements in the country and united the Azerbaijani nation in its quest for freedom. After 23 years Azerbaijan represents a flourishing country where democratic aspirations of Azerbaijani people have been materialized as they continue diplomatic relations with the United States.

It is my honor to thank the Azerbaijani people for their friendship and to offer my thoughts and prayers to the families of those who gave their lives for the independence of Azerbaijan. I encourage my colleagues to visit the very moving memorial to Black January in Baku that honors the memories of those killed in these attacks by the Soviet military and to join with me today in standing with Azerbaijanis as they commemorate this tragedy.

TRIBUTE TO UMATILLA COUNTY SHERIFF JOHN TRUMBO

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Mr. WALDEN. Mr. Speaker, I rise today to pay special tribute to Umatilla County Sheriff John Trumbo. Sheriff Trumbo retired on January 1, 2013 after a career in law enforcement that dates back to 1973. Since he moved to Pendleton, Oregon in 1977, Sheriff Trumbo has dedicated over thirty-five years of service to the citizens of Umatilla County.

Born and raised in Oregon's Willamette Valley, John learned how to work hard in the family business and later as a crane "high flyer". His love for police service began in 1972 when he joined the Benton County Sheriff's office "Ride Along" program. A year later John became a reserve officer, serving Benton County, Oregon for nearly four years. During this time he joined his colleagues in Benton County who traveled to Pendleton, Oregon and lent a hand with security for the world famous Pendleton Round-Up and Happy Canyon Pageantry Show. Because of these connections and his work, John was offered a job by the Umatilla County Sheriff.

John took the Sheriff up on this invitation and in 1977 moved to Pendleton, an eastern Oregon wheat ranch and rodeo community which he and his wife Carol never left. His wife Carol, an accomplished school teacher in her own right, was there helping John raise their two sons Nick and Michael who now have blessed them with two loving grandchildren, Presley and Cade. Recently Cade was asked to write about a hero in school and chose his "good grandpa the Sheriff" who would be there "just in case anyone is a criminal."

For nearly twenty years John served in various roles in the Umatilla County Sheriff's office, officer in the jail, having the first K–9 unit, Sergeant, Lieutenant, Captain and Under-Sheriff. In 1997, John was sworn in and began his first of sixteen years of service as Umatilla County Sheriff. Always known for his honest and straightforward approach, Sheriff Trumbo was requested and volunteered to participate in many local and state boards, task forces, and councils, including the Governor's Methamphetamine Task Force and the advisory board for Blue Mountain Community College's criminal justice program. He also served as President of the Oregon State Sheriffs Association.

Sheriff Trumbo also implemented programs to aid the citizen of Umatilla County and the region. He organized the nationally recognized

Umatilla County Neighborhood Watch and Rural Crime Prevention Program that now has 19 units and over 800 active members. Recognizing the rural nature of Umatilla County and the challenges that are posed, especially in the winter, John implemented an all-terrain vehicle and snowmobile patrol program, for search, rescue, and patrols. Whether it was creating a program to take meth off the streets or sending a bill to a foreign county for the care and feeding of their citizens, Sheriff Trumbo has always looked for simple, straightforward solutions to solving problems.

Although John has retired as Sheriff, I know he won't be ending his service to Pendleton or Umatilla County. In fact, John remains an active volunteer with the Pendleton Round-Up, serving as the Board of Director who heads up security during the world famous rodeo. In this role he spearheads efforts to provide protection and safety of thousands of people attending the performances and visiting the community, including helping those wayward individuals leaving the "Let'er Buck" room stay out of trouble!

I also know he will be spending plenty of well-earned time on those things he loves, whether it is traveling horseback across the county with his grandchildren, woodworking, or camping with his family. Mr. Speaker, I ask my colleagues to join me in wishing Sheriff John Trumbo the best in his retirement. Sheriff, thanks for all your service to Umatilla County, the region, and our fine State of Oregon. You may be able to turn that cell phone off from time to time now!

PERSONAL EXPLANATION

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Ms. SCHWARTZ. Mr. Speaker, on rollcall No. 7 on H.R. 41 "To temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the National Flood Insurance Program," I am not recorded because I was absent due to illness.

Had I been present, I would have voted "aye."

RECOGNIZING THE 2012 STONY BROOK UNIVERSITY BASEBALL TEAM

HON. TIMOTHY H. BISHOP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Mr. BISHOP of New York. Mr. Speaker, I rise today to recognize and congratulate the 2012 Stony Brook University Baseball team on a record-setting season with its "Shock the World" rallying cry.

The Seawolves finished the regular season with a 43–11 record and won their second straight conference regular season title. The team also swept the major conference awards, bringing home Coach of the Year, Player of the Year, and Pitcher of the Year. Twelve players were named all-conference. But the team's success did not end there.

After winning its conference, Stony Brook went on to win the America East Championship for the second time in three seasons. The Seawolves then competed in the Coral Gables Regional of the NCAA tournament. The tournament, attended by four teams, was statistically the toughest regional tournament in the country. The team was able to prevail over the three other competitors and advance to the Super Regional in Baton Rouge.

In the Super Regional, the Seawolves faced the LSU Tigers in a best-of-three tournament. After falling behind in Game 1, the Seawolves won Game 2 to force a winner-take-all Game 3. Although the Tigers took an early lead, the Seawolves won the game to become the first Northeast region school to advance to the College World Series since the end of geographic regional tournaments in 1987.

The Seawolves went to Omaha as the team that had captured the attention and the hearts of observers throughout the country. The team embraced the rallying cry "Shock the World" as a mission; it set out to leave a mark on the national stage and make Stony Brook a household name. Unfortunately, the Seawolves were eliminated from the College World Series after a loss to Florida State, but they were successful in their mission to raise the profile of the Stony Brook University athletic program. The question, "What's a sea wolf?" is now able to be answered by people who have never set foot on the Stony Brook campus.

By the end of the post-season, Stony Brook had compiled an NCAA-best 52 wins. For the 2011 and 2012 seasons combined, the team has a winning percentage of .777, the best in the nation. In addition to its playoff run, the team reached a number of milestones for its program. Coach Matt Senk became the third coach in the history of the conference to win 6,000 games. The program also had a record seven players drafted in the Major League Baseball First-Year Player Draft, including its first player to be drafted in the first round. All seven players have signed with major league organizations.

Stony Brook's remarkable season of triumphs was recognized by the local news media as among the top sports moments of 2012, and the coaches and members of the team were named People of the Year in Sports by a local newspaper. These are a few among the many ways the team has been honored by organizations across Long Island, and I am so very proud to represent this outstanding baseball team and Stony Brook University as their representative in Congress.

Mr. Speaker, on behalf of New York's first congressional district, I again congratulate the 2012 Stony Brook University Baseball team on its record-breaking season and wish the program continued success. Go Seawolves!

INTRODUCTION OF THE 21ST CENTURY READINESS ACT OF 2013

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Mr. PETRI. Mr. Speaker, in order for our students to be competitive in the global economy, we must do our part to ensure that they are acquiring the knowledge and skills they need for success.

The skills needed for success go beyond the basics of reading, writing, and math, however. When surveyed, employers continually emphasize that, in our 21st century economy, students need to be adept at critical thinking and problem solving; communication; collaboration; and creativity and innovation, in addition to being proficient in core subjects.

Sixteen states, as well as local school districts from across the country, have formed a partnership with over thirty leading education organizations and corporate entities to find ways to strengthen 21st century skills in their K–12 classrooms. However, this momentum isn't sustainable unless federal policy gives states and districts the flexibility to innovate in this direction.

To remedy this, Rep. DAVE LOEBSACK and I are introducing the 21st Century Readiness Act. This bill does not create any new programs or authorize additional spending; instead, it would amend the Elementary and Secondary Education Act (ESEA) to emphasize the importance of 21st century skills and give states and districts added flexibility to develop and enhance these skills as part of their own initiatives.

A growing coalition of states and school districts has recognized the importance of giving our students the tools they need to succeed in our 21st century workforce. This bill will give them the flexibility to succeed in these efforts.

I hope that our colleagues will join us in this effort.

A CLARION CALL FOR THE PERSECUTED CHURCH

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Mr. WOLF. Mr. Speaker, I submit a letter I recently sent to over three hundred national faith leaders encouraging them to use their platform and lend their voice to the cause of the persecuted church globally.

DEAR FRIEND: Christians worldwide just celebrated the birth of Jesus. For those of us living in the West, this was a festive season marked by worship services, gift-giving and time with family and friends. But for our brethren in the Middle East, fear of persecution and outright violence or even death cast a long dark shadow over the Christmas holiday.

While most striking in the Middle East, given the ancient roots of Christianity in that part of the world, the challenges facing those believers are by no means isolated, nor are they anything "new under the sun."

Ecclesiastes 4:1 says, "I saw the tears of the oppressed, and they have no comforter; power was on the side of the oppressor." As you well know, oppression has marked the church since its birth. Consider the chilling words of Roman historian Tacitus regarding the early church:

"Besides being put to death they were made to serve as objects of amusement; they were clad in the hides of beasts and torn to death by dogs; others were crucified, others set on fire to serve to illuminate the night when daylight failed. . ."

Every day, around the world, men and women of faith are imprisoned, beaten, detained, tortured and even killed. The book of Hebrews enjoins us to "remember those in prison as if you were their fellow prisoners, and those who are mistreated as if you yourselves were suffering." Do we suffer with our brethren? Have we in the West ceased to be salt and light?

Consider that on our watch a historic exodus of Christians from the Middle East is underway—an exodus fueled by persecution.

German Lutheran pastor Dietrich Bonhoeffer, faced with the tyranny and horror of Nazism, famously said, ''Silence in the face of evil is itself evil. Not to speak is to speak. Not to act is to act.''

And that is precisely what many in the church did, or failed to do, as Hitler unleashed his murderous plans. I recently encountered this haunting account by a German Christian in the book When a Nation Forgets God:

''I lived in Germany during the Nazi Holocaust. I considered myself a Christian. We heard stories of what was happening to the Jews, but we tried to distance ourselves from it, because, what could anyone do to stop it?

A railroad track ran behind our small church and each Sunday morning we could hear the whistle in the distance and then the wheels coming over the tracks. We became disturbed when we heard the cries coming from the train as it passed by. We realized that it was carrying Jews like cattle in the cars!

Week after week the whistle would blow. We dreaded to hear the sound of those wheels because we knew that we would hear the cries of the Jews en route to a death camp. Their screams tormented us.

We knew the time the train was coming and when we heard the whistle blow we began singing hymns. By the time the train came past our church we were singing at the top of our voices. If we heard the screams, we sang more loudly and soon we heard them no more.

Years have passed and no one talks about it anymore. But I still hear that train whistle in my sleep. God forgive me; forgive all of us who called ourselves Christians and yet did nothing to intervene.''

The parallels are imperfect but the sentiments are the same. Has our comfort led to complacency? Can the church in the West be galvanized to act?

A phrase not often heard outside the majority Muslim world is ''First the Saturday people, then the Sunday people.'' The ''Saturday people'' are of course the Jews. Their once vibrant communities in countries throughout the region are now decimated. In 1948 there were roughly 150,000 Jews in Iraq; today less than 10 remain. In Egypt, there were once as many as 80,000 Jews; now less than 100 remain.

It appears a similar fate awaits the ancient Christian community in these same lands. Iraq's Christian population has fallen from as many as 1.4 million in 2003 to between 500,000 and 700,000 today. Churches have been targeted, believers kidnapped for ransom and families threatened with violence if they stay. In October 2010, Islamist extremists laid siege on Our Lady of Salvation Catholic Church in Baghdad killing over 50 hostages and police and wounding dozens more.

In Egypt with the ascent of the Muslim Brotherhood, Coptic Christians, numbering roughly 8 to 10 million, are leaving in droves. Ironically, some 2,000 years ago, the Holy Family sought refuge in this same land from the murderous aims of King Herod.

In the midst of devastating bloodshed in Syria, the Christian population is particularly vulnerable. A recent ABC News story reported, ''They [Christians] are fearful that Syria will become another Iraq, with Christians caught in the crossfire between rival Islamic groups.''

Over the span of a few decades, the Middle East, with the exception of Israel, was virtually emptied of Jews. The same thing will happen to the Christian community if the current trajectory holds true. And yet, the silence of many in the West is deafening. Such stories receive scant attention in the mainstream media, and perhaps more strikingly, are rarely spoken of from our pulpits.

A recent study on Christian persecution released by the British-based think tank Civitas explained the media's seeming ambivalence this way: ''Parts of the media have been influenced by the logical error that equates criticism of Muslims with racism, and therefore as wrong by definition. This has further distracted attention away from the hounding of Christians, helping to cement the surprisingly widespread idea that Christianity is a 'Western' faith.''

And yet, we in the church ought to know better. The Middle East is the very cradle of Christendom. Consider Iraq: with the exception of Israel, the Bible contains more references to the cities, regions and nations of ancient Iraq than any other country. The patriarch Abraham came from a city in Iraq called Ur. Isaac's bride, Rebekah, came from northwest Iraq. Jacob spent 20 years in Iraq and his sons (the 12 tribes of Israel) were born in northwest Iraq. A remarkable spiritual revival as told in the book of Jonah occurred in Nineveh. The events of the book of Esther took place in Iraq as did the account of Daniel in the Lion's Den. Furthermore, many of Iraq's Christians still speak Aramaic, the language of Jesus.

So how do we account for the Church's indifference? Is it political correctness? Lack of awareness? What tragedy must befall this community before we are propelled to act?

The persecution plaguing the Middle East is no exception. Christians are targeted throughout the world in countries like China, Vietnam and Pakistan. According to the Civitas study, ''More Christians are imprisoned in China than in any other country in the world.'' If the faith community in the West isn't engaged, are we surprised when government leaders turn a blind eye to matters of religious freedom?

Consider the following: bipartisan legislation to create a special envoy position at the State Department charged with advocating on behalf of religious minorities in the Middle East and South Central Asia overwhelmingly passed the House of Representatives more than a year and a half ago. But it remained stalled in the Senate as a result of State Department opposition and the refusal of the chairman of the Senate Foreign Relations Committee, and presumptive secretary of state, John Kerry, to even hold a hearing on the legislation.

I have had the privilege of meeting individuals who boldly follow Jesus despite unbelievably hostile circumstances. Shabbaz Bhatti, Pakistan's federal minister for minority affairs, and the only Christian Member of the cabinet and an outspoken critic of his country's blasphemy laws, was one such man. On March 2, 2011 he was murdered, his car riddled with bullets, leaving his mother's house for work. In a video filmed shortly before his assassination (accessible on my Web site at http://wolf.house.gov/bhattivideo), Bhatti appears to sense that the path he has chosen will come with a price.

When asked about the threats against his life, he said, without malice or fear, ''I believe in Jesus Christ who has given his own life for us. I know what is the meaning of [the] cross. And I am following the cross. And I am ready to die for a cause.'' And so he did.

The book of Proverbs tells us to ''Speak up for those who cannot speak for themselves . . .'' Bhatti can no longer speak. The Chinese bishop under house arrest cannot speak. The North Korean believer enslaved in the gulag can't speak. The Iraqi nun fearing for her life cannot speak.

Will we be their voice? Martin Luther King, Jr. famously said, ''In the end, we will remember not the words of our enemies, but the silence of our friends.'' Are we not their friends?

The Church globally is under assault. Our response must not be to simply sing more loudly, thereby drowning out the cries for help from our brothers and sisters. Rather we must speak out, advocate and act on their behalf.

From my perspective the Church in the West, specifically in America, is failing in this regard. Can you, as a leader in the Church, help? Are you pained by these accounts of persecution? Do you have ideas about how best to respond? Will you use your sphere of influence to raise the profile of this issue—be it through a sermon, writing or media interview? I welcome your thoughts and invite your engagement in this monumental task.

Next week, when Congress reconvenes, I intend to reintroduce the special envoy legislation and press for passage in both houses of Congress. I don't pretend to think that a special envoy will single-handedly solve the problem, but it certainly can't hurt to have a high-level person within the State Department bureaucracy who is exclusively focused on the protection and preservation of these ancient communities. Furthermore, to do nothing is simply not an option.

We in the West must speak out on behalf of the persecuted church around the world.

Best wishes.

Sincerely,

FRANK R. WOLF,
Member of Congress.

P.S. I know you are busy and have so many competing priorities but your involvement could really make a difference in the lives of believers around the world.

CONGENITAL HEART DEFECT AWARENESS WEEK

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Mr. LONG. Mr. Speaker, I rise today to recognize Congenital Heart Defect Awareness Week, which is February 7th–14th.

This week is dedicated to the millions of Americans who have been diagnosed with Congenital Heart Defects, the challenges their families face and for the families of those who have sadly lost loved ones to this condition. Congenital Heart Disease is considered to be the most common birth defect and is also the leading cause of birth defect related deaths worldwide.

Each year approximately forty thousand babies are born in the United States with Congenital Heart Defects and some remain undiagnosed for months or even years after birth. This dangerous condition, if left undiagnosed, can cause sudden cardiac death especially in young adolescent athletes.

Unfortunately, despite these statistics, newborns and young athletes are not routinely screened for Congenital Heart Defects and funding for research regarding the condition is limited.

Mr. Speaker, Congenital Heart Defects affect millions of Americans and I rise to recognize those affected by this condition and to help bring awareness to this important cause.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Mr. COFFMAN. Mr. Speaker, on January 3, 2009, the day I took office, the national debt was $10,627,961,295,930.67.

Today, it is $16,432,619,424,703.06. We've added $5,804,658,128,772.39 to our debt in 4 years. This is $5.8 trillion in debt our nation, our economy, and our children could have avoided with a Balanced Budget Amendment. We must stop this unconscionable accumulation of debt.

TRIBUTE TO CLAUDIA LUPPINO

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to an individual whose dedication and contributions to southern California are exceptional. Our community has been fortunate to have dynamic and dedicated leaders who willingly and unselfishly give their time and talent to make their communities a better place to live and work. Claudia Luppino is one of these individuals. On Friday, January 4, 2013, Claudia ended her tenure as the Area Director for the Inland Area jurisdiction of the Social Security Administration (SSA) after 37 years of service.

Claudia grew up in Erie, Pennsylvania, where she and her future husband Bud were high school sweethearts. After graduating from Erie Business College, the young military wife began her government career with the U.S. Army Computer Systems Command at Fort Belvoir, Virginia, later transferring to March Air Force Base in Riverside. In 1977, after Bud left the Air Force, she began her career with Social Security as the Administrative Aide in the Riverside District office. Since then, she has held more than a dozen positions with the Agency, including Claims Representative, Operations Analyst and Operations Supervisor.

In 1985 Claudia was selected as the Area Analyst in the Inland Area Director's Office (ADO), and in 1987 she became the District Manager in the Redlands Office, where she served for two years before being selected as the Operations Officer in San Bernardino. In 1993 Claudia rejoined the Inland ADO as the Area Administrative Assistant, and later went on to serve as the Assistant District Manager in Palm Springs, District Manager in North Las Vegas, District Manager in Victorville, Deputy Area Director in the Inland Area Director's Office and the District Manager for the Riverside District. Claudia is a graduate of the Region IX Leadership Development Program and has received numerous awards, including the Regional Commissioner's Citation.

Claudia recently concluded an assignment as the Acting Area Director in the Los Angeles Metro Area. She served for over six months as the Acting Area Director in the Inland Area, where she oversaw 540 employees in 16 offices in Riverside and San Bernardino counties, and all of Nevada. It was a responsibility she took seriously. According to her, "There is no other government agency that provides the critical services SSA does, providing retirement, survivors and disability benefits as well as Supplemental Security Income benefits to the American public." What she will miss most about her job, she said, "is that very ability to make a difference in the lives of so many people."

In her retirement, Claudia plans to help her husband Bud with his business, Bud's Tire and Wheel, Inc. in Riverside, and a shop in Moreno Valley. They will soon begin construction on a third location in Riverside. She also looks forward to traveling more, learning Italian and spending time with her three grandsons.

In light of all Claudia has done for southern California seniors, it is only fitting that she be honored for her many years of dedicated service. Claudia's tireless passion for public service has contributed immensely to the betterment of the Inland Empire and I am proud to call her a fellow community member, American and friend. I know that many community members are grateful for her service and salute her as she retires.

RECOGNITION OF STEVEN GOLDSTEIN

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Mr. PALLONE. Mr. Speaker, I rise today to recognize Mr. Steven Goldstein as he embarks on a new venture in life. Mr. Goldstein has worked tirelessly on behalf of the lesbian, gay, bisexual and transgender (LGBT) community in New Jersey and it is my honor to celebrate him at Garden State Equality's Inauguration Brunch.

Steven Goldstein founded Garden State Equality in 2004 and has since led it as CEO and Chair. During his tenure, Garden State Equality has seen 213 LGBT civil rights laws enacted in N.J. A proponent of equal rights for all, Garden State Equality, under Mr. Goldstein's leadership, also advocated for anti-bullying laws and created programs aimed at helping N.J.'s youth. As Mr. Goldstein passes on the torch as CEO and Chair of Garden State Equality to pursue a new career as Associate Chancellor for External Affairs at Rutgers University—Newark, he remains committed to the organization and its cause and will serve as its Honorary Chair on the Board and executive committee.

Mr. Goldstein earned a B.A. from Brandeis University, an M.P.P. from Harvard's John F. Kennedy School of Government, an M.S. from the Columbia School of Journalism and a J.D. from Columbia Law School. In addition to his time at Garden State Equality, Mr. Goldstein's resume includes working as a senior staff member in the U.S. House of Representatives and the U.S. Senate, a co-campaign manager of a U.S. Senate campaign in N.J., a television producer and an educator. He also endeavors to become a rabbi and is working toward that goal.

Mr. Speaker, once again, please join me in thanking Steven Goldstein for his years of service to Garden State Equality and his immeasurable contributions to the State of New Jersey. Mr. Goldstein's leadership and ongoing accomplishments are truly deserving of this body's recognition.

HONORING CONGRESSWOMAN JO ANN EMERSON ON HER RETIREMENT

HON. WM. LACY CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Mr. CLAY. Mr. Speaker, I rise today to honor a great American who leaves this body today to return to the private sector, my wonderful friend from Cape Girardeau . . . Congresswoman JO ANN EMERSON. Her retirement is a great loss to the citizens of southeast Missouri, to our State, and to our Nation.

As the outgoing dean of Missouri's congressional delegation, she has led our group with fairness, respect, and a spirit of cooperation. As she retires today, I know that every member of the Missouri delegation, as well as her many friends on both sides of the aisle, join me in congratulating her on an exceptional career in the U.S. House. Congresswoman JO ANN EMERSON has represented southeast Missouri with honor and integrity and in the face of so much discord, so much distortion, and too often, an inability to compromise,

JO ANN has always been a voice of calm, reason, and good common sense. There is no doubt that the center aisle caucus will miss her strong, principled leadership. Congresswoman EMERSON is a member who searches for common ground . . .

Both out of instinct and because of her deeply held belief that Congress was sent here to work together to solve problems, not to obstruct the government, not to incite intolerance or rancor, not to set one region of the country against the other, but to seek out, and then support a common agenda that will do the most good for America.

That is how JO ANN has lived her life, and that is how she has served. Congresswoman EMERSON is a skilled legislator, she is a wonderful colleague, and she is a great friend of mine. Congresswoman EMERSON represents the best of Missouri.

I will miss her wise voice as Democrats and Republicans seek common ground to move the Nation forward. My only consolation on her retirement, is the knowledge that my good friend, her husband, attorney Ron Gladney, and their wonderful children . . . will finally have their wife and mother back. And that is a great family blessing that we should all understand and appreciate. From the dark days immediately after she assumed the congressional seat of her late husband . . . Congressman Bill Emerson.

JO ANN has brought the Missouri values of common sense, family, community, faith, and freedom to the floor every day.

I shall miss her wisdom, her kindness, and her decency, and I know that our State, this honorable body, and our Nation will be forever grateful for her service.

Congresswoman, I thank you for all your help and friendship, I congratulate you on your retirement. May God bless you and your family.

INTRODUCTION OF THE DISTRICT OF COLUMBIA BUDGET AUTONOMY ACT OF 2013

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Ms. NORTON. Mr. Speaker, District of Columbia residents raise billions of dollars annually for their local budget, and, like Americans everywhere, regard the right to control the funds they themselves raise to support their city as fundamental to their American citizenship. Therefore, today I introduce the District of Columbia Budget Autonomy Act of 2013, the second bill I have introduced this Congress, to allow the District's local-taxpayer-raised budget to take effect immediately when passed by the city, without being subject to congressional approval.

Control over the dollars raised by local taxpayers is central to local control, the oldest American government principle. Beyond this core principle, permitting the city's local budget to become law without congressional approval would have multiple practical benefits for both the city and Congress. For the city, a timely budget means eliminating the uncertainty of the congressional approval process, which has a negative effect on the city's bond rating, adding unnecessary interest costs for local taxpayers; significantly improving the District's ability to make accurate revenue forecasts; and reducing the countless operational problems that result because the city's budget cannot be implemented until Congress approves it. Also of major importance is that the bill would allow the District to use the typical state and local government fiscal year (July 1–June 30), allowing ample time to prepare for the opening of schools in September, instead of the federal fiscal year (October 1–September 30). Moreover, the D.C. local budget consumes valuable subcommittee, committee, and floor time in both houses of Congress, the most inefficient and redundant annual process in the Congress, yet the D.C. budget is of interest only to those members who use it to promote their own issues, violating a principle of local self-government that they value for their own districts and states.

Increasing recognition of the hardships and delays caused by the congressional approval process has led Congress to begin freeing the city from many congressional constraints. I appreciate that my bill to avoid a D.C. government shutdown when the federal government shuts down is in the Senate Appropriations Committee-passed fiscal year 2013 Financial Services and General Government Appropriations bill. President Obama included this provision in his fiscal year 2013 budget, and the Republican-controlled House Appropriations Committee indicated in its report accompanying its fiscal year 2013 Financial Services and General Government Appropriations bill that legislation to avoid D.C. shutdowns was necessary. In addition, several years ago, I negotiated an agreement with a Republican-led appropriations committee that ensures that the city's local budget is approved in the first continuing resolution (CR) if the D.C. Appropriations bill has not been approved by the start of the fiscal year. This approach ended the annual nightmares of lengthy delay of the budget of a big city until an appropriations bill was passed, often months after the start of the fiscal year. As a result, under CRs, the city has been able to spend its local funds at the next year's funding level, even though federal agencies must spend at the prior year's funding level. We are appreciative that this process, which eliminated serious problems for the functioning of the D.C. government, has continued.

We nearly secured budget autonomy for the District in the last days of the lame-duck session in the 111th Congress. I used an unusual procedure, getting the House authorizers to agree to the inclusion of budget autonomy in the fiscal year 2011 Financial Services and General Government Appropriations bill, which was passed by the subcommittee. Unfortunately, Congress passed a CR instead of regular appropriations bills in the lame duck.

Most important, we gained critical support for D.C. budget autonomy in the 112th Congress. In an Oversight and Government Reform Committee hearing in May 2011, Chairman DARRELL ISSA (R–CA) endorsed budget autonomy. Since that time, House Majority Leader ERIC CANTOR (R–VA) and Virginia Governor Bob McDonnell (R) have both indicated their support for budget autonomy.

Even if the District of Columbia Budget Autonomy Act of 2013 were enacted, Congress would still retain jurisdiction over the District of Columbia under article I, section 8, clause 17 of the U.S. Constitution. Because this authority allows Congress to make changes to the District's budget and other laws at any time, it is unnecessary to require a lengthy repetition of the District's local budget process in Congress. The time is overdue to permit the city to enact its local budget, the single most important step Congress could take to help the District better manage itself.

Members of Congress were sent here to do the business of the nation. Members have no reason to be interested in or to become knowledgeable about the local budget of a single city. In the past, the House and Senate have more often than not passed the District's budget as is. Our bill takes the Congress in the direction it is already moving in. Congressional interference in one of the most vital rights of self-government should end this year by enacting the District of Columbia Budget Autonomy Act of 2013.

PERSONAL EXPLANATION

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Ms. SCHWARTZ. Mr. Speaker, on rollcall No. 9, on final passage of H.R. 152, ''Disaster Relief Appropriations Act, 2013'' I am not recorded because I was absent due to illness. Had I been present, I would have voted ''aye.''

PERSONAL EXPLANATION

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Mr. SMITH of Washington. Mr. Speaker, on Monday, January 14, 2013, I was unable to be present for recorded votes. Had I been present, I would have voted ''yes'' on rollcall vote No. 8 (on the motion to suspend the rules and pass H.R. 219), ''yes'' on rollcall vote No. 9 (on approving the journal), ''no'' on rollcall vote No. 10 (on the motion to adjourn).

HONORING THE HONOREES OF THE PANTHEON-BOURGEOIS GUITARS

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2013

Mr. MICHAUD. Mr. Speaker, I rise today to recognize Pantheon-Bourgeois Guitars, LLC on winning the first annual Achievement Award from the Small Enterprise Growth Fund (SEGO.

Pantheon-Bourgeois Guitars was formed in 2000 after Dana Bourgeois, a well known luthier, and a group of new business investors collaborated over a shared vision. In just over 12 years, the company has built a reputation among professional musicians for being among the finest crafted acoustic guitars in the world. Today, Dana and his craftsmen build about thirty guitars every month in the historic Roy Continental Mill in Lewiston, Maine.

Pantheon-Bourgeois Guitars was recently honored by SEGF with its first annual Achievement Award, which recognizes the company's tremendous revenue growth and exceptional productivity in the past year. This award follows a fruitful collaboration with Maine's Manufacturing Extension Partnership (MEP), which provides business and technical assistance to help our state's small businesses thrive. With the help of Maine MEP, Pantheon-Bourgeois Guitars expanded its weekly production by 50 percent. The company has additional plans to implement improvements that will boost future productivity and efficiency.

A professionally-managed venture capital fund, the SEGF has been investing only in Maine companies who exhibit the potential for growth and public benefit since 1997. This well deserved award solidifies Pantheon-Bourgeois Guitars as valued member of Maine's business community.

Mr. Speaker, please join me again in congratulating Pantheon-Bourgeois Guitars on earning SEGF's Achievement Award.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S25–S188

Measures Introduced: Fifty-three bills and one resolution were introduced, as follows: S. 1–10, 21–63, and S.J. Res. 1. **Pages S42–43**

Nominations Received: Senate received the following nominations:

Charles Timothy Hagel, of Nebraska, to be Secretary of Defense.

Frederick Vollrath, of Virginia, to be an Assistant Secretary of Defense.

Alan F. Estevez, of the District of Columbia, to be a Principal Deputy Under Secretary of Defense.

Richard J. Engler, of New Jersey, to be a Member of the Chemical Safety and Hazard Investigation Board for a term of five years.

Christopher J. Meade, of New York, to be General Counsel for the Department of the Treasury.

William B. Schultz, of the District of Columbia, to be General Counsel of the Department of Health and Human Services.

Jacob J. Lew, of New York, to be Secretary of the Treasury.

Jacob J. Lew, of New York, to be United States Governor of the International Monetary Fund for a term of five years; United States Governor of the International Bank for Reconstruction and Development for a term of five years; United States Governor of the Inter-American Development Bank for a term of five years; United States Governor of the European Bank for Reconstruction and Development.

John Forbes Kerry, of Massachusetts, to be Secretary of State.

Jeffrey Shell, of California, to be Chairman of the Broadcasting Board of Governors.

Jeffrey Shell, of California, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2015.

Jenny R. Yang, of the District of Columbia, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2017.

Robert F. Cohen, Jr., of West Virginia, to be a Member of the Federal Mine Safety and Health Review Commission for a term of six years expiring August 30, 2018.

Carol Waller Pope, of the District of Columbia, to be a Member of the Federal Labor Relations Authority for a term of five years expiring July 1, 2014.

John Owen Brennan, of Virginia, to be Director of the Central Intelligence Agency.

Derek Anthony West, of California, to be Associate Attorney General.

David Medine, of Maryland, to be Chairman and Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2018.

Sylvia M. Becker, of the District of Columbia, to be a Member of the Foreign Claims Settlement Commission of the United States for the term expiring September 30, 2013.

Sylvia M. Becker, of the District of Columbia, to be a Member of the Foreign Claims Settlement Commission of the United States for the term expiring September 30, 2016.

60 Air Force nominations in the rank of general.

7 Army nominations in the rank of general.

8 Marine Corps nominations in the rank of general.

1 Navy nomination in the rank of admiral.

Pages S187–88

Messages from the House: **Page S39**

Measures Read the First Time: **Pages S39, S187**

Executive Communications: **Pages S39–42**

Additional Cosponsors: **Pages S43–44**

Statements on Introduced Bills/Resolutions: **Pages S44–S180**

Amendments Submitted: **Pages S180–83**

Notices of Hearings/Meetings: **Page S183**

Authorities for Committees to Meet: **Page S183**

Recess: Senate convened at 10 a.m. and recessed at 7:02 p.m., until 9:30 a.m. on Wednesday, January 23, 2013. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S187.)

Committee Meetings

(Committees not listed did not meet)

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 26 public bills, H.R. 11, 326–350; and 6 resolutions, H.J. Res. 20–22; H. Con. Res. 9; and H. Res. 40–41 were introduced. **Pages H221–22**

Additional Cosponsors: **Page H224**

Report Filed: A report was filed today as follows:

H. Res. 39, providing for consideration of the bill (H.R. 325) to ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes (H. Rept. 113–2). **Page H221**

Speaker: Read a letter from the Speaker wherein he appointed Representative McClintock to act as Speaker pro tempore for today. **Page H181**

Recess: The House recessed at 10:27 a.m. and reconvened at 12 noon. **Page H184**

Journal: The House agreed to the Speaker's approval of the Journal by voice vote. **Pages H184, H202**

Suspension: The House agreed to suspend the rules and pass the following measure:

Pandemic and All-Hazards Preparedness Reauthorization Act of 2013: H.R. 307, to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, by a ⅔ yea-and-nay vote of 395 yeas to 29 nays, Roll No. 24. **Pages H187–H201**

Recess: The House recessed at 12:49 p.m. and reconvened at 2 p.m. **Page H200**

Member Resignation: Read a letter from Representative Jo Ann Emerson, wherein she resigned as Representative for the Eighth Congressional District of Missouri, effective 11:59 p.m. on January 22, 2013. **Page H200**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow, January 23rd. **Page H200**

Motion to Adjourn: Rejected the Duffy motion to adjourn by a yea-and-nay vote of 0 yeas to 416 nays with 1 answering "present", Roll No. 25. **Page H201–02**

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages H200–01, H201–02. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 5:06 p.m.

Committee Meetings

ORGANIZATIONAL MEETING

Committee on Education and the Workforce: Full Committee met for organizational purposes. The Committee adopted its rules for the 113th Congress.

ORGANIZATIONAL MEETING; AND MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Full Committee met for organizational purposes. The Committee adopted its rules for the 113th Congress. The Committee held a markup of the following bills: H.R. 267, the "Hydropower Regulatory Efficiency Act of 2013"; H.R. 316, the "Collinsville Renewable Energy Promotion Act"; H.R. 297, to amend the Public Health Service Act to reauthorize support for graduate medical education programs in children's hospitals; H.R. 225, the "National Pediatric Research Network Act of 2013"; and H.R. 235, the

''Veteran Emergency Medical Technician Support Act of 2013''. All of the measures were ordered reported, without amendment.

ORGANIZATIONAL MEETING AND WASTING INFORMATION TECHNOLOGY DOLLARS: HOW CAN THE FEDERAL GOVERNMENT REFORM ITS IT INVESTMENT STRATEGY?

Committee on Oversight and Government Reform: Full Committee met for organizational purposes. The Committee adopted its rules for the 113th Congress. The Committee held a hearing entitled ''Wasting Information Technology Dollars: How Can the Federal Government Reform its IT Investment Strategy?''. Testimony was heard from Steven VanRoekel, CIO, Office of Management and Budget; David Powner, Director, Information Technology Management Issues, GAO; and public witnesses.

PAYMENT OBLIGATIONS OF THE UNITED STATES GOVERNMENT

Committee on Rules: Full Committee held a hearing on H.R. 325, to ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes. The Committee granted, by a record vote of 9 to 3, a closed rule for H.R. 325. The rule provides one hour of debate, with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means and 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on House Administration. The rule waives all points of order against consideration of the bill. The rule provides that the amendment printed in the Rules Committee report shall be considered as adopted and the bill, as amended, shall be considered as read. The rule waives all points of order against provisions in the bill, as amended. The rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Ryan (WI) and Chairman Miller (MI), and Representatives Levin and Brady (PA).

ORGANIZATIONAL MEETING

Committee on Veterans' Affairs: Full Committee met for organizational purposes. The Committee adopted its rules for the 113th Congress.

STATUTORY DEBT LIMIT

Committee on Ways and Means: Full Committee held a hearing on the statutory debt limit. Testimony was heard from public witnesses.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D8)*

H.R. 4310, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year. Signed on January 2, 2013. (Public Law 112–239)

H.R. 8, American Taxpayer Relief Act of 2012. Signed on January 2, 2013. (Public Law 112–240)

H.R. 1339, to designate the City of Salem, Massachusetts, as the Birthplace of the National Guard of the United States. Signed on January 10, 2013. (Public Law 112–241)

H.R. 1845, to provide a demonstration project providing Medicare coverage for in-home administration of intravenous immune globulin (IVIG) and to amend title XVIII of the Social Security Act with respect to the application of Medicare secondary payer rules for certain claims. Signed on January 10, 2013. (Public Law 112–242)

H.R. 2338, to designate the facility of the United States Postal Service located at 600 Florida Avenue in Cocoa, Florida, as the ''Harry T. and Harriette Moore Post Office''. Signed on January 10, 2013. (Public Law 112–243)

H.R. 3263, to authorize the Secretary of the Interior to allow the storage and conveyance of non-project water at the Norman project in Oklahoma. Signed on January 10, 2013. (Public Law 112–244)

H.R. 3641, to establish Pinnacles National Park in the State of California as a unit of the National Park System. Signed on January 10, 2013. (Public Law 112–245)

H.R. 3869, to designate the facility of the United States Postal Service located at 600 East Capitol Avenue in Little Rock, Arkansas, as the ''Sidney 'Sid' Sanders McMath Post Office Building''. Signed on January 10, 2013. (Public Law 112–246)

H.R. 3892, to designate the facility of the United States Postal Service located at 8771 Auburn Folsom Road in Roseville, California, as the ''Lance Corporal Victor A. Dew Post Office''. Signed on January 10, 2013. (Public Law 112–247)

H.R. 4053, to intensify efforts to identify, prevent, and recover payment error, waste, fraud, and abuse within Federal spending. Signed on January 10, 2013. (Public Law 112–248)

H.R. 4057, to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to develop a comprehensive policy to improve outreach and transparency to veterans and members of the Armed Forces through the provision of information on institutions of higher learning. Signed on January 10, 2013. (Public Law 112–249)

H.R. 4073, to authorize the Secretary of Agriculture to accept the quitclaim, disclaimer, and relinquishment of a railroad right of way within and adjacent to Pike National Forest in El Paso County, Colorado, originally granted to the Mt. Manitou Park and Incline Railway Company pursuant to the Act of March 3, 1875. Signed on January 10, 2013. (Public Law 112–250)

H.R. 4389, to designate the facility of the United States Postal Service located at 19 East Merced Street in Fowler, California, as the ''Cecil E. Bolt Post Office''. Signed on January 10, 2013. (Public Law 112–251)

H.R. 5859, to repeal an obsolete provision in title 49, United States Code, requiring motor vehicle insurance cost reporting. Signed on January 10, 2013. (Public Law 112–252)

H.R. 6014, to authorize the Attorney General to award grants for States to implement DNA arrestee collection processes. Signed on January 10, 2013. (Public Law 112–253)

H.R. 6260, to designate the facility of the United States Postal Service located at 211 Hope Street in Mountain View, California, as the ''Lieutenant Kenneth M. Ballard Memorial Post Office''. Signed on January 10, 2013. (Public Law 112–254)

H.R. 6379, to designate the facility of the United States Postal Service located at 6239 Savannah Highway in Ravenel, South Carolina, as the ''Representative Curtis B. Inabinett, Sr. Post Office''. Signed on January 10, 2013. (Public Law 112–255)

H.R. 6587, to designate the facility of the United States Postal Service located at 225 Simi Village Drive in Simi Valley, California, as the ''Postal Inspector Terry Asbury Post Office Building''. Signed on January 10, 2013. (Public Law 112–256)

H.R. 6620, to amend title 18, United States Code, to eliminate certain limitations on the length of Secret Service Protection for former Presidents and for the children of former Presidents. Signed on January 10, 2013. (Public Law 112–257)

H.R. 6671, to amend section 2710 of title 18, United States Code, to clarify that a video tape service provider may obtain a consumer's informed, written consent on an ongoing basis and that consent may be obtained through the Internet. Signed on January 10, 2013. (Public Law 112–258)

S. 925, to designate Mt. Andrea Lawrence. Signed on January 10, 2013. (Public Law 112–259)

S. 3202, to amend title 38, United States Code, to ensure that deceased veterans with no known next of kin can receive a dignified burial. Signed on January 10, 2013. (Public Law 112–260)

S. 3666, to amend the Animal Welfare Act to modify the definition of ''exhibitor''. Signed on January 10, 2013. (Public Law 112–261)

S. J. Res. 49, providing for the appointment of Barbara Barrett as a citizen regent of the Board of Regents of the Smithsonian Institution. Signed on January 10, 2013. (Public Law 112–262)

H.R. 443, to provide for the conveyance of certain property from the United States to the Maniilaq Association located in Kotzebue, Alaska. Signed on January 14, 2013. (Public Law 112–263)

H.R. 1464, to express the sense of Congress regarding North Korean children and children of one North Korean parent and to require the Department of State regularly to brief appropriate congressional committees on efforts to advocate for and develop a strategy to provide assistance in the best interest of these children. Signed on January 14, 2013. (Public Law 112–264)

H.R. 2076, to amend title 28, United States Code, to clarify the statutory authority for the longstanding practice of the Department of Justice of providing investigatory assistance on request of State and local authorities with respect to certain serious violent crimes. Signed on January 14, 2013. (Public Law 112–265)

H.R. 4212, to prevent the introduction into commerce of unsafe drywall, to ensure the manufacturer of drywall is readily identifiable, to ensure that problematic drywall removed from homes is not reused. Signed on January 14, 2013. (Public Law 112–266)

H.R. 4365, to amend title 5, United States Code, to make clear that accounts in the Thrift Savings Fund are subject to certain Federal tax levies. Signed on January 14, 2013. (Public Law 112–267)

H.R. 4606, to authorize the issuance of right-of-way permits for natural gas pipelines in Glacier National Park. Signed on January 14, 2013. (Public Law 112–268)

H.R. 6029, to amend title 18, United States Code, to provide for increased penalties for foreign and economic espionage. Signed on January 14, 2013. (Public Law 112–269)

H.R. 6060, to amend Public Law 106–392 to maintain annual base funding for the Upper Colorado and San Juan fish recovery programs through fiscal year 2019. Signed on January 14, 2013. (Public Law 112–270)

H.R. 6328, to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to transfer unclaimed clothing recovered at airport security checkpoints to local veterans organizations and other local charitable organizations. Signed on January 14, 2013. (Public Law 112–271)

H.R. 6364, to establish a commission to ensure a suitable observance of the centennial of World War I, to provide for the designation of memorials to the service of members of the United States Armed

Forces in World War I. Signed on January 14, 2013. (Public Law 112–272)

H.R. 6586, to extend the application of certain space launch liability provisions through 2014. Signed on January 14, 2013. (Public Law 112–273)

H.R. 6621, to correct and improve certain provisions of the Leahy-Smith America Invents Act and title 35, United States Code. Signed on January 14, 2013. (Public Law 112–274)

H.R. 6655, to establish a commission to develop a national strategy and recommendations for reducing fatalities resulting from child abuse and neglect. Signed on January 14, 2013. (Public Law 112–275)

S. 3331, to provide for universal intercountry adoption accreditation standards. Signed on January 14, 2013. (Public Law 112–276)

S. 3454, to authorize appropriations for fiscal year 2013 for intelligence and intelligence-related activities of the United States Government and the Office of the Director of National Intelligence, the Central Intelligence Agency Retirement and Disability System. Signed on January 14, 2013. (Public Law 112–277)

S. 3472, to amend the Family Educational Rights and Privacy Act of 1974 to provide improvements to such Act. Signed on January 14, 2013. (Public Law 112–278)

S. 3630, to designate the facility of the United States Postal Service located at 218 North Milwaukee Street in Waterford, Wisconsin, as the ''Captain Rhett W. Schiller Post Office''. Signed on January 14, 2013. (Public Law 112–279)

S. 3662, to designate the facility of the United States Postal Service located at 6 Nichols Street in Westminster, Massachusetts, as the ''Lieutenant Ryan Patrick Jones Post Office Building''. Signed on January 14, 2013. (Public Law 112–280)

S. 3677, to make a technical correction to the Flood Disaster Protection Act of 1973. Signed on January 14, 2013. (Public Law 112–281)

S. J. Res. 44, granting the consent of Congress to the State and Province Emergency Management Assistance Memorandum of Understanding. Signed on January 14, 2013. (Public Law 112–282)

S. 2318, to authorize the Secretary of State to pay a reward to combat transnational organized crime and for information concerning foreign nationals wanted by international criminal tribunal. Signed on January 15, 2013. (Public Law 112–283)

H.R. 41, to temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the National Flood Insurance Program. Signed on January 6, 2013. (Public Law 113–1)

COMMITTEE MEETINGS FOR WEDNESDAY, JANUARY 23, 2013

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Foreign Relations: to hold hearings to examine Benghazi, focusing on the attacks and lessons learned, 9 a.m., SH–216.

Committee on the Judiciary: to hold hearings to examine the nominations of Nelson Stephen Roman, and Analisa Torresto, both to be a United States District Judge for the Southern District of New York, Raymond P. Moore, to be United States District Judge for the District of Colorado, Derrick Kahala Watson, to be United States District Judge for the District of Hawaii, and Claire R. Kelly, of New York, to be a Judge of the United States Court of International Trade, 10 a.m., SD–226.

CONGRESSIONAL PROGRAM AHEAD

Week of January 23 through January 25, 2013

Senate Chamber

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Foreign Relations: January 23, to hold hearings to examine Benghazi, focusing on the attacks and lessons learned, 9 a.m., SH–216.

January 24, Full Committee, to hold hearings to examine the nomination of John F. Kerry, of Massachusetts, to be Secretary of State, 10 a.m., SH–216.

Committee on Health, Education, Labor, and Pensions: January 24, to hold hearings to examine the state of America's mental health system, 10 a.m., SD–430.

Committee on the Judiciary: January 23, to hold hearings to examine the nominations of Nelson Stephen Roman, and Analisa Torresto, both to be a United States District Judge for the Southern District of New York, Raymond P. Moore, to be United States District Judge for the District of Colorado, Derrick Kahala Watson, to be United States District Judge for the District of Hawaii, and Claire R. Kelly, of New York, to be a Judge of the United States Court of International Trade, 10 a.m., SD–226.

Select Committee on Intelligence: January 24, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

House Committees

Committee on Agriculture, January 23, Full Committee, organizational meeting for the 113th Congress, 11 a.m., 1300 Longworth.

Committee on Appropriations, January 23, Full Committee, organizational meeting for the 113th Congress, 11 a.m., 2359 Rayburn.

Committee on Armed Services, January 23, Full Committee, to receive testimony on a review of sexual misconduct by basic training instructors at Lackland Air Force Base, 10 a.m., 2118 Rayburn.

Committee on Financial Services, January 23, Full Committee, markup to adopt the rules of the Committee on Financial Services pursuant to clause 2 of Rule XI of the House of Representatives, and for other purposes, 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, January 23, Full Committee, hearing entitled ''Terrorist Attack in Benghazi: The Secretary of State's View'', 2 p.m. 2172 Rayburn.

Committee on Homeland Security, January 23, Full Committee, organizational meeting for the 113th Congress, 10 a.m., 311 Cannon.

Committee on the Judiciary, January 23, Full Committee, organizational meeting for the 113th Congress, 10 a.m., 2141 Rayburn.

Committee on Natural Resources, January 23, Full Committee, organizational meeting for the 113th Congress, 9 a.m., 1324 Longworth.

Committee on Science, Space, and Technology, January 23, Full Committee, organizational meeting for the 113th Congress, 9 a.m., 2318 Rayburn.

Committee on Small Business, January 23, Full Committee, organizational meeting for the 113th Congress, 1 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, January 23, Full Committee, organizational meeting for the 113th Congress, 10 a.m., 2167 Rayburn.

Next Meeting of the SENATE

9:30 a.m., Wednesday, January 23

Senate Chamber

Program for Wednesday: Senate will be in a period of morning business until 12 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Wednesday, January 23

House Chamber

Program for Wednesday: Consideration of H.R. 325—To ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

Bishop, Timothy H., N.Y., E45
Calvert, Ken, Calif., E47
Clay, Wm. Lacey, Mo., E47
Coffman, Mike, Colo., E47
Duffy, Sean P., Wisc., E43
Farr, Sam, Calif., E43
Long, Billy, Mo., E46
Michaud, Michael H., Me., E44, E48
Neal, Richard E., Mass., E44
Norton, Eleanor Holmes, D.C., E48
Pallone, Frank, Jr., N.J., E47
Petri, Thomas E., Wisc., E45
Schwartz, Allyson Y., Pa., E45, E48
Shuster, Bill, Pa., E44
Smith, Adam, Wash., E44, E48
Visclosky, Peter J., Ind., E43
Walden, Greg, Ore., E44
Wolf, Frank R., Va., E45

Congressional Record

The *Congressional Record* (USPS 087–390). The Periodicals postage is paid at Washington, D.C. The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through the U.S. Government Printing Office, at *www.fdsys.gov*, free of charge to the user. The information is updated online each day the *Congressional Record* is published. For more information, contact the GPO Customer Contact Center, U.S. Government Printing Office. Phone 202–512–1800, or 866–512–1800 (toll-free). E-Mail, *contactcenter@gpo.gov*. ¶To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 979050, St. Louis, MO 63197–9000, or phone orders to 866–512–1800 (toll-free), 202–512–1800 (D.C. area), or fax to 202–512–2104. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

POSTMASTER: Send address changes to the Superintendent of Documents, *Congressional Record*, U.S. Government Printing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.