In the House of Representatives, U. S.,
September 28, 2013.

Resolved, That the House agree to the amendment of the Senate to the bill (H.R. 2642) entitled “An Act to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2018, and for other purposes.”, with the following

HOUSE AMENDMENT TO SENATE AMENDMENT:

In lieu of the matter proposed to be inserted by the amendment of the Senate to the text of the bill, insert the following:

1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Federal Agriculture Reform and Risk Management Act of
4 2013”.

5 (b) TABLE OF CONTENTS.—The table of contents of this

6 Act is as follows:

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

TITLE I—COMMODITIES

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. Base acres.
Sec. 1106. Payment yields.
Sec. 1107. Farm risk management election.
Sec. 1108. Producer agreements.
Subtitle B—Marketing Loans

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 marketing loan provisions for upland cotton.
Sec. 1208. Special competitive provisions for extra long staple cotton.
Sec. 1209. Availability of recourse loans for high moisture feed grains and seed cotton.
Sec. 1210. Adjustments of loans.

Subtitle C—Sugar

Sec. 1301. Sugar program.

Subtitle D—Dairy

PART I—Dairy Producer Margin Insurance Program

Sec. 1401. Dairy producer margin insurance program.
Sec. 1402. Rulemaking.

PART II—Repeal or Reauthorization of Other Dairy-related Provisions

Sec. 1411. Repeal of dairy product price support and milk income loss contract programs.
Sec. 1412. Repeal of dairy export incentive program.
Sec. 1413. Extension of dairy forward pricing program.
Sec. 1414. Extension of dairy indemnity program.
Sec. 1415. Extension of dairy promotion and research program.
Sec. 1416. Repeal of Federal Milk Marketing Order Review Commission.

PART III—Effective Date

Sec. 1421. Effective date.

Subtitle E—Supplemental Agricultural Disaster Assistance Programs

Sec. 1501. Supplemental agricultural disaster assistance.

Subtitle F—Administration

Sec. 1601. Administration generally.
Sec. 1602. Repeal of permanent price support authority.
Sec. 1603. Payment limitations.
Sec. 1603A. Payments limited to active farmers.
Sec. 1604. Adjusted gross income limitation.
Sec. 1605. Geographically disadvantaged farmers and ranchers.
Sec. 1606. Personal liability of producers for deficiencies.
Sec. 1607. Prevention of deceased individuals receiving payments under farm commodity programs.
Sec. 1608. Technical corrections.
Sec. 1609. Assignment of payments.
Sec. 1610. Tracking of benefits.
Sec. 1611. Signature authority.
Sec. 1612. Implementation.
Sec. 1613. Protection of producer information.

**TITLE II—CONSERVATION**

**Subtitle A—Conservation Reserve Program**

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

**Subtitle B—Conservation Stewardship Program**

Sec. 2101. Conservation stewardship program.

**Subtitle C—Environmental Quality Incentives Program**

Sec. 2201. Purposes.
Sec. 2202. Establishment and administration.
Sec. 2203. Evaluation of applications.
Sec. 2204. Duties of producers.
Sec. 2205. Limitation on payments.
Sec. 2206. Conservation innovation grants and payments.
Sec. 2207. 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. Agricultural management assistance program.
Sec. 2507. Emergency watershed protection program.

**Subtitle G—Funding and Administration**

Sec. 2601. Funding.
Sec. 2602. Technical assistance.
Sec. 2603. Reservation of funds to provide assistance to certain farmers or ranchers for conservation access.
Sec. 2604. Annual report on program enrollments and assistance.
Sec. 2605. Review of conservation practice standards.
Sec. 2606. Administrative requirements applicable to all conservation programs.
Sec. 2607. Standards for State technical committees.
Sec. 2608. Rulemaking authority.
Sec. 2609. Wetlands mitigation.
Sec. 2610. Lesser prairie-chicken conservation report.

Subtitle H—Repeal of Superseded Program Authorities and Transitional Provisions; Technical Amendments

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. General authority.
Sec. 3002. Support for organizations through which assistance is provided.
Sec. 3003. Food aid quality.
Sec. 3004. Minimum levels of assistance.
Sec. 3005. Food Aid Consultative Group.
Sec. 3006. Oversight, monitoring, and evaluation.
Sec. 3007. Assistance for stockpiling and rapid transportation, delivery, and distribution of shelf-stable prepackaged foods.
Sec. 3008. General provisions.
Sec. 3009. Prepositioning of agricultural commodities.
Sec. 3010. Annual report regarding food aid programs and activities.
Sec. 3011. Deadline for agreements to finance sales or to provide other assistance.
Sec. 3012. Authorization of appropriations.
Sec. 3013. Micronutrient fortification programs.
Sec. 3014. John Ogonowski and Doug Bereuter Farmer-to-Farmer Program.

Subtitle B—Agricultural Trade Act of 1978

Sec. 3101. Funding for export credit guarantee program.
Sec. 3102. Funding for market access program.
Sec. 3103. Foreign market development cooperator program.

Subtitle C—Other Agricultural Trade Laws

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.
TITLE IV—SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

Sec. 4000. Short Title.
Sec. 4001. Preventing payment of cash to recipients of supplemental nutrition assistance benefits for the return of empty bottles and cans used to contain food purchased with benefits provided under the program.
Sec. 4002. Retailers.
Sec. 4003. Enhancing services to elderly and disabled supplemental nutrition assistance program participants.
Sec. 4004. Food distribution program on Indian reservations.
Sec. 4005. Updating program eligibility.
Sec. 4006. Exclusion of medical marijuana from excess medical expense deduction.
Sec. 4007. Standard utility allowances based on the receipt of energy assistance payments.
Sec. 4008. Eligibility disqualifications.
Sec. 4009. Repeal of State work program waiver authority.
Sec. 4010. Ending supplemental nutrition assistance program benefits for lottery or gambling winners.
Sec. 4011. Improving security of food assistance.
Sec. 4012. Demonstration projects on acceptance of benefits of mobile transactions.
Sec. 4013. Use of benefits for purchase of community-supported agriculture share.
Sec. 4014. Restaurant meals program.
Sec. 4015. Mandating State immigration verification.
Sec. 4016. Data exchange standardization for improved interoperability.
Sec. 4017. Pilot projects to improve Federal-State cooperation in identifying and reducing fraud in the supplemental nutrition assistance program.
Sec. 4018. Prohibiting government-sponsored recruitment activities.
Sec. 4019. Repeal of bonus program.
Sec. 4020. Funding of employment and training programs.
Sec. 4021. Monitoring employment and training programs.
Sec. 4022. Cooperation with program research and evaluation.
Sec. 4023. Pilot projects to reduce dependency and increase work effort in the supplemental nutrition assistance program.
Sec. 4024. Authorization of appropriations.
Sec. 4025. Limitation on use of block grant to Puerto Rico.
Sec. 4026. Assistance for community food projects.
Sec. 4027. Emergency food assistance.
Sec. 4028. Nutrition education.
Sec. 4029. Retailer trafficking.
Sec. 4030. Technical and conforming amendments.
Sec. 4031. Tolerance level for excluding small errors.
Sec. 4032. Commonwealth of the Northern Mariana Islands pilot program.
Sec. 4033. Annual State report on verification of SNAP participation.
Sec. 4034. Termination of existing agreement.
Sec. 4035. Service of traditional foods in public facilities.
Sec. 4036. Testing applicants for unlawful use of controlled substances.
Sec. 4037. Eligibility disqualifications for certain convicted felons.
Sec. 4038. Expungement of unused supplemental nutrition assistance program benefits.

Sec. 4039. Pilot projects to promote work and increase State accountability in the supplemental nutrition assistance program.

Sec. 4040. Improved wage verification using the National Directory of New Hires.

Sec. 4041. Feasibility study for Indian tribes.

Sec. 4042. Commodity distribution program.

Sec. 4043. Commodity supplemental food program.

Sec. 4044. Distribution of surplus commodities to special nutrition projects.

Sec. 4045. Processing of commodities.

Sec. 4046. Farmers’ market nutrition program.

Sec. 4047. Nutrition information and awareness pilot program.

Sec. 4048. Fresh fruit and vegetable program.

Sec. 4049. Additional authority for purchase of fresh fruits, vegetables, and other specialty food crops.

Sec. 4050. Encouraging locally and regionally grown and raised food.

Sec. 4051. Review of public health benefits of white potatoes.

Sec. 4052. Healthy Food Financing Initiative.

Sec. 4053. Review of sole-source contracts in Federal nutrition programs.

Sec. 4054. Purchase of Halal and Kosher food for emergency food assistance program.

TITLE V—CREDIT

Subtitle A—Farm Ownership Loans

Sec. 5001. Eligibility for farm ownership loans.

Sec. 5002. Conservation loan and loan guarantee program.

Sec. 5003. Down payment loan program.

Sec. 5004. Elimination of mineral rights appraisal requirement.

Subtitle B—Operating Loans

Sec. 5101. Eligibility for farm operating loans.

Sec. 5102. Elimination of rural residency requirement for operating loans to youth.

Sec. 5103. Authority to waive personal liability for youth loans due to circumstances beyond borrower control.

Sec. 5104. Microloans.

Subtitle C—Emergency Loans

Sec. 5201. Eligibility for emergency loans.

Subtitle D—Administrative Provisions

Sec. 5301. Beginning farmer and rancher individual development accounts pilot program.

Sec. 5302. Eligible beginning farmers and ranchers.

Sec. 5303. Loan authorization levels.

Sec. 5304. Priority for participation loans.

Sec. 5305. Loan fund set-asides.

Sec. 5306. Conforming amendment to borrower training provision, relating to eligibility changes.
Subtitle E—State Agricultural Mediation Programs

Sec. 5401. State agricultural mediation programs.

Subtitle F—Loans to Purchasers of Highly Fractionated Land

Sec. 5501. Loans to purchasers of highly fractionated land.

TITLE VI—RURAL DEVELOPMENT

Subtitle A—Consolidated Farm and Rural Development Act

Sec. 6001. Water, waste disposal, and wastewater facility grants.
Sec. 6002. Rural business opportunity grants.
Sec. 6003. Elimination of reservation of community facilities grant program funds.
Sec. 6004. Utilization of loan guarantees for community facilities.
Sec. 6005. Rural water and wastewater circuit rider program.
Sec. 6006. Tribal college and university essential community facilities.
Sec. 6007. Essential community facilities technical assistance and training.
Sec. 6008. Emergency and imminent community water assistance grant program.
Sec. 6009. Household water well systems.
Sec. 6010. Rural business and industry loan program.
Sec. 6011. Rural cooperative development grants.
Sec. 6012. Locally or regionally produced agricultural food products.
Sec. 6013. Intermediary relending program.
Sec. 6014. Rural college coordinated strategy.
Sec. 6015. Rural water and waste disposal infrastructure.
Sec. 6016. Simplified applications.
Sec. 6017. Grants for NOAA weather radio transmitters.
Sec. 6018. Rural microentrepreneur assistance program.
Sec. 6019. Delta Regional Authority.
Sec. 6020. Northern Great Plains Regional Authority.
Sec. 6021. Rural business investment program.

Subtitle B—Rural Electrification Act of 1936

Sec. 6101. Relending for certain purposes.
Sec. 6102. Fees for certain loan guarantees.
Sec. 6103. Rural utilities service contracting authority.
Sec. 6104. Guarantees for bonds and notes issued for electrification or telephone purposes.
Sec. 6105. Expansion of 911 access.
Sec. 6106. Access to broadband telecommunications services in rural areas.

Subtitle C—Miscellaneous

Sec. 6201. Distance learning and telemedicine.
Sec. 6202. Value-added agricultural market development program grants.
Sec. 6203. Agriculture innovation center demonstration program.
Sec. 6204. Program metrics.
Sec. 6205. Study of rural transportation issues.
Sec. 6206. Certain Federal actions not to be considered major.
Sec. 6207. Telemedicine and distance learning services in rural areas.
Sec. 6208. Regional economic and infrastructure development.
TITLE VII—RESEARCH, EXTENSION, AND RELATED MATTERS


Sec. 7101. Option to be included as non-land-grant college of agriculture.
Sec. 7103. Specialty crop committee.
Sec. 7104. Veterinary services grant program.
Sec. 7105. Grants and fellowships for food and agriculture sciences education.
Sec. 7106. Policy research centers.
Sec. 7107. Repeal of human nutrition intervention and health promotion research program.
Sec. 7108. Repeal of pilot research program to combine medical and agricultural research.
Sec. 7109. Nutrition education program.
Sec. 7110. Continuing animal health and disease research programs.
Sec. 7111. Repeal of appropriations for research on national or regional problems.
Sec. 7112. Grants to upgrade agricultural and food sciences facilities at 1890 land-grant colleges, including Tuskegee University.
Sec. 7113. Grants to upgrade agriculture and food science facilities and equipment at insular area land-grant institutions.
Sec. 7114. Repeal of national research and training virtual centers.
Sec. 7115. Hispanic-serving institutions.
Sec. 7116. Competitive Grants Program for Hispanic Agricultural Workers and Youth.
Sec. 7117. Competitive grants for international agricultural science and education programs.
Sec. 7118. Repeal of research equipment grants.
Sec. 7119. University research.
Sec. 7120. Extension service.
Sec. 7121. Auditing, reporting, bookkeeping, and administrative requirements.
Sec. 7122. Supplemental and alternative crops.
Sec. 7123. Capacity building grants for NLGCA institutions.
Sec. 7124. Aquaculture assistance programs.
Sec. 7125. Rangeland research programs.
Sec. 7126. Special authorization for biosecurity planning and response.
Sec. 7127. Distance education and resident instruction grants program for insular area institutions of higher education.
Sec. 7128. Matching funds requirement.
Sec. 7129. Sense of Congress regarding expansion of the land grant program to include enhanced funding and additional institutions.

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. Repeal of National Agricultural Weather Information System.
Sec. 7207. Repeal of rural electronic commerce extension program.
Sec. 7208. Repeal of agricultural genome initiative.
Sec. 7209. High-priority research and extension initiatives.
Sec. 7210. Repeal of nutrient management research and extension initiative.
Sec. 7211. Organic agriculture research and extension initiative.
Sec. 7212. Repeal of agricultural bioenergy feedstock and energy efficiency research and extension initiative.
Sec. 7213. Farm business management.
Sec. 7214. Centers of excellence.
Sec. 7215. Repeal of red meat safety research center.
Sec. 7216. Assistive technology program for farmers with disabilities.
Sec. 7217. 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. Repeal of coordinated program of research, extension, and education to improve viability of small and medium size dairy, livestock, and poultry operations.
Sec. 7304. Fusarium Graminearum grants.
Sec. 7305. Repeal of Bovine Johne's disease control program.
Sec. 7306. Grants for youth organizations.
Sec. 7307. Specialty crop research initiative.
Sec. 7308. Food animal residue avoidance database program.
Sec. 7309. Repeal of national swine research center.
Sec. 7310. Office of pest management policy.
Sec. 7311. Repeal of studies of agricultural research, extension, and education.

Subtitle D—Other Laws

Sec. 7403. Research Facilities Act.
Sec. 7404. Repeal of carbon cycle research.
Sec. 7405. Competitive, Special, and Facilities Research Grant Act.
Sec. 7408. Repeal of use of remote sensing data.
Sec. 7409. Repeal of reports under Farm Security and Rural Investment Act of 2002.
Sec. 7410. Beginning farmer and rancher development program.

Subtitle E—Food, Conservation, and Energy Act of 2008

PART 1—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 2—MISCELLANEOUS

Sec. 7511. Enhanced use lease authority pilot program.
Sec. 7512. Grazinglands research laboratory.
Sec. 7513. Budget submission and funding.
Sec. 7514. Research and education grants for the study of antibiotic-resistant bacteria.
Sec. 7515. Repeal of farm and ranch stress assistance network.
Sec. 7516. Repeal of seed distribution.
Sec. 7517. Natural products research program.
Sec. 7518. Sun grant program.
Sec. 7519. Repeal of study and report on food deserts.
Sec. 7520. Repeal of agricultural and rural transportation research and education.

Subtitle F—Miscellaneous Provisions

Sec. 7601. Agreements with nonprofit organizations for National Arboretum.
Sec. 7602. Cotton Disease Research Report.
Sec. 7603. Acceptance of facility for Agricultural Research Service.
Sec. 7604. Miscellaneous technical corrections.
Sec. 7605. Legitimacy of industrial hemp research.

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.
Sec. 8006. Separate Forest Service decisionmaking and appeals process.

Subtitle B—Reauthorization of Cooperative Forestry Assistance Act of 1978 Programs

Sec. 8101. State-wide assessment and strategies for forest resources.
Sec. 8102. Forest Legacy Program.
Sec. 8103. Community forest and open space conservation program.

Subtitle C—Reauthorization of Other Forestry-Related Laws

Sec. 8201. Rural revitalization technologies.
Sec. 8202. Office of International Forestry.
Sec. 8203. Change in funding source for healthy forests reserve program.
Sec. 8204. Stewardship end result contracting project authority.

Subtitle D—National Forest Critical Area Response

Sec. 8301. Definitions.
Sec. 8302. Designation of critical areas.
Sec. 8303. Application of expedited procedures and activities of the Healthy Forests Restoration Act of 2003 to critical areas.
Sec. 8304. Good neighbor authority.
Subtitle E—Miscellaneous Provisions

Sec. 8401. Revision of strategic plan for forest inventory and analysis.
Sec. 8402. Forest Service participation in ACES Program.
Sec. 8403. Green science and technology transfer research under Forest and Rangeland Renewable Resources Research Act of 1978.
Sec. 8404. Extension of stewardship contracts authority regarding use of designation by prescription to all thinning sales under National Forest Management Act of 1976.
Sec. 8405. Reimbursement of fire funds expended by a State for management and suppression of certain wildfires.
Sec. 8406. Ability of National Forest System lands to meet needs of local wood producing facilities for raw materials.
Sec. 8407. Report on the National Forest System roads.
Sec. 8408. Forest Service large airtanker and aerial asset firefighting recapitalization pilot program.
Sec. 8409. Land conveyance, Jefferson National Forest in Wise County, Virginia.
Sec. 8410. Categorical exclusion for forest projects in response to emergencies.

TITLE IX—ENERGY

Sec. 9001. Definition of renewable energy system.
Sec. 9002. Biobased markets program.
Sec. 9003. Biorefinery assistance.
Sec. 9004. Repowering assistance program.
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. Community wood energy program.
Sec. 9012. Repeal of biofuels infrastructure study.
Sec. 9013. Repeal of renewable fertilizer study.
Sec. 9014. Energy efficiency report for USDA facilities.

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. Organic agriculture.
Sec. 10006. Food safety education initiatives.
Sec. 10007. Specialty crop block grants.
Sec. 10008. Department of Agriculture consultation regarding enforcement of certain labor law provisions.
Sec. 10009. Report on honey.
Sec. 10010. Bulk shipments of apples to Canada.
Sec. 10011. Consolidation of plant pest and disease management and disaster prevention programs.
Sec. 10012. Modification, cancellation, or suspension on basis of a biological opinion.
Sec. 10013. Use and discharges of authorized pesticides.
Sec. 10014. Seed not pesticide or device for purposes of importation.
Sec. 10015. Stay of regulations related to Christmas Tree Promotion, Research, and Information Order.
Sec. 10016. Study on proposed order pertaining to sulfuryl fluoride.
Sec. 10017. Study on local and regional food production and program evaluation.
Sec. 10018. Annual report on invasive species.

TITLE XI—CROP INSURANCE

Sec. 11001. Information sharing.
Sec. 11002. Publication of information on violations of prohibition on premium adjustments.
Sec. 11003. Supplemental coverage option.
Sec. 11004. Premium amounts for catastrophic risk protection.
Sec. 11005. Repeal of performance-based discount.
Sec. 11006. Permanent enterprise unit subsidy.
Sec. 11007. Enterprise units for irrigated and nonirrigated crops.
Sec. 11008. Data collection.
Sec. 11009. Adjustment in actual production history to establish insurable yields.
Sec. 11010. Submission and review of policies.
Sec. 11011. Equitable relief for specialty crop policies.
Sec. 11012. Budget limitations on renegotiation of the standard reinsurance agreement.
Sec. 11013. Crop production on native sod.
Sec. 11014. Coverage levels by practice.
Sec. 11015. Beginning farmer and rancher provisions.
Sec. 11016. Stacked income protection plan for producers of upland cotton.
Sec. 11017. Peanut revenue crop insurance.
Sec. 11018. Authority to correct errors.
Sec. 11019. Implementation.
Sec. 11020. Research and development priorities.
Sec. 11021. Additional research and development contracting requirements.
Sec. 11022. Program compliance partnerships.
Sec. 11023. Pilot programs.
Sec. 11024. Technical amendments.
Sec. 11025. Advance public notice of crop insurance policy and plan changes.

TITLE XII—MISCELLANEOUS

Subtitle A—Livestock

Sec. 12101. Repeal of the National Sheep Industry Improvement Center.
Sec. 12102. Repeal of certain regulations under the Packers and Stockyards Act, 1921.
Sec. 12103. Trichinae certification program.
Sec. 12104. National Aquatic Animal Health Plan.
Sec. 12105. Country of origin labeling.
Sec. 12106. National animal health laboratory network.
Sec. 12107. Repeal of duplicative catfish inspection program.
Sec. 12108. National Poultry Improvement Program.
Sec. 12109. Report on bovine tuberculosis in Texas.
Sec. 12110. Economic fraud in wild and farm-raised seafood.

Subtitle B—Socially Disadvantaged Producers and Limited Resource Producers

Sec. 12201. Outreach and assistance for socially disadvantaged farmers and ranchers and veteran farmers and ranchers.
Sec. 12202. Office of Advocacy and Outreach.
Sec. 12203. Socially Disadvantaged Farmers and Ranchers Policy Research Center.
Sec. 12204. Receipt for service or denial of service from certain department of agriculture agencies.

Subtitle C—Other Miscellaneous Provisions

Sec. 12301. Grants to improve supply, stability, safety, and training of agricultural labor force.
Sec. 12302. Program benefit eligibility status for participants in high plains water study.
Sec. 12303. Office of Tribal Relations.
Sec. 12304. Military Veterans Agricultural Liaison.
Sec. 12305. Prohibition on keeping GSA leased cars overnight.
Sec. 12306. Noninsured crop assistance program.
Sec. 12307. Ensuring high standards for agency use of scientific information.
Sec. 12308. Evaluation required for purposes of prohibition on closure or relocation of county offices for the Farm Service Agency.
Sec. 12309. Acer access and development program.
Sec. 12310. Regulatory review by the Secretary of Agriculture.
Sec. 12311. Prohibition on attending an animal fighting venture or causing a minor to attend an animal fighting venture.
Sec. 12312. Prohibition against interference by State and local governments with production or manufacture of items in other States.
Sec. 12313. Increased protection for agricultural interests in the Missouri River Basin.
Sec. 12314. Increased protection for agricultural interests in the Black Dirt region.
Sec. 12315. Protection of honey bees and other pollinators.
Sec. 12316. Produce represented as grown in the United States when it is not in fact grown in the United States.
Sec. 12317. Urban agriculture coordination.
Sec. 12318. Sense of Congress on increased business opportunities for black farmers, women, minorities, and small businesses.
Sec. 12319. Sense of Congress regarding agriculture security programs.
Sec. 12320. Report on water sharing.
Sec. 12321. Scientific and economic analysis of the FDA Food Safety Modernization Act.
Sec. 12322. Improved Department of Agriculture consideration of economic impact of regulations on small business.
Sec. 12323. Silvicultural activities.
Sec. 12324. Applicability of Spill Prevention, Control, and Countermeasure rule.
Sec. 12325. Agricultural producer information disclosure.
Sec. 12327. Sunsetting of programs.

Subtitle D—Chesapeake Bay Accountability and Recovery

Sec. 12401. Short title.
Sec. 12402. Chesapeake Bay Crosscut Budget.
Sec. 12403. Restoration through adaptive management.
Sec. 12404. Independent Evaluator for the Chesapeake Bay Program.
Sec. 12405. Definitions.
SEC. 2. DEFINITION OF SECRETARY OF AGRICULTURE.

In this Act, the term “Secretary” means the Secretary of Agriculture.

TITLE I—COMMODITIES
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)) and peanuts on a farm.

(c) CONTINUED APPLICATION FOR 2014 AND 2015 CROP YEARS.—Subject to this subtitle, the amendments made by sections 1603 and 1604 of this Act, and sections 1607 and 1611 of this Act, section 1103 of the Food, Conservation and Energy Act of 2008 (7 U.S.C. 8713), as in effect on the day before the date of enactment of this Act, shall continue to apply through the 2014 and 2015 crop years with respect to upland cotton only (as defined in section 1001 of that Act (7 U.S.C. 8702)), except that, in ap-
plying such section 1103, the term “payment acres” means
the following:

(1) For crop year 2014, 70 percent of the base
acres of upland cotton on a farm on which direct
payments are made.

(2) For crop year 2015, 60 percent of the base
acres of upland cotton on a farm on which direct
payments are made.

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 En-
ergy 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 cov-
ered 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 com-
modities (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 was made before the
date of enactment of this Act.

SEC. 1104. DEFINITIONS.

In this subtitle and subtitle B:

(1) ACTUAL COUNTY REVENUE.—The term “ac-
tual county revenue”, with respect to a covered com-
modity for a crop year, means the amount determined
by the Secretary under section 1107(c)(4) to deter-
mine whether revenue loss coverage payments are re-
quired to be provided for that crop year.

(2) BASE ACRES.—The term “base acres”, with
respect to a covered commodity and cotton on a farm,
means the number of acres established under sections
1101 and 1302 of the Farm Security and Rural In-
vestment Act of 2002 (7 U.S.C. 7911, 7952) or sec-
tions 1101 and 1302 of the Food, Conservation, and
Energy Act of 2008 (7 U.S.C. 8711, 8752), as in ef-
cfect on September 30, 2013, subject to any adjustment
under section 1105 of this Act. For purposes of mak-
ing payments under subsections (b) and (c) of section
1107, base acres are reduced by the payment acres calculated in section 1101(c).

(3) County revenue loss coverage trigger.—The term “county revenue loss coverage trigger”, with respect to a covered commodity for a crop year, means the amount determined by the Secretary under section 1107(c)(5) to determine whether revenue loss coverage payments are required to be provided for that crop year.

(4) Covered commodity.—The term “covered commodity” means wheat, oats, and barley (including wheat, oats, and barley used for haying and grazing), corn, grain sorghum, long grain rice, medium grain rice, pulse crops, soybeans, other oilseeds, and peanuts.

(5) Effective price.—The term “effective price”, with respect to a covered commodity for a crop year, means the price calculated by the Secretary under section 1107(b)(2) to determine whether price loss coverage payments are required to be provided for that crop year.

(6) 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.

(7) Farm Base Acres.—The term “farm base acres” means the sum of the base acreage for all covered commodities and cotton on a farm in effect as of September 30, 2013, and subject to any adjustment under section 1105.

(8) Medium Grain Rice.—The term “medium grain rice” includes short grain rice.

(9) 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.
(10) **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.

(11) **PAYMENT ACRES.**—

(A) **IN GENERAL.**—Except as provided in subparagraphs (B) through (D), the term “payment acres”, with respect to the provision of price loss coverage payments and revenue loss coverage payments, means—

(i) 85 percent of total acres planted for the year to each covered commodity on a farm; and

(ii) 30 percent of total acres approved as prevented from being planted for the year to each covered commodity on a farm.

(B) **MAXIMUM.**—The total quantity of payment acres determined under subparagraph (A) shall not exceed the farm base acres.

(C) **REDUCTION.**—If the sum of all payment acres for a farm exceeds the limits established under subparagraph (B), the Secretary shall reduce the payment acres applicable to each crop proportionately.
(D) EXCLUSION.—The term “payment 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 approved for double cropping in the county, as determined by the Secretary.

(12) PAYMENT YIELD.—The term “payment yield” means the yield established for counter-cyclical payments under section 1102 or 1302 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7912, 7952), section 1102 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8712), as in effect on September 30, 2013, or under section 1106 of this Act, for a farm for a covered commodity.

(13) PRICE LOSS COVERAGE.—The term “price loss coverage” means coverage provided under section 1107(b).

(14) 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.

(15) Pulse Crop.—The term “pulse crop” means dry peas, lentils, small chickpeas, and large chickpeas.

(16) Reference Price.—The term “reference price”, with respect to a covered commodity for a crop year, means the following:

(A) Wheat, $5.50 per bushel.

(B) Corn, $3.70 per bushel.

(C) Grain sorghum, $3.95 per bushel.

(D) Barley, $4.95 per bushel.

(E) Oats, $2.40 per bushel.

(F) Long grain rice, $14.00 per hundredweight.

(G) Medium grain rice, $14.00 per hundredweight.

(H) Soybeans, $8.40 per bushel.
(I) Other oilseeds, $20.15 per hundredweight.

(J) Peanuts $535.00 per ton.

(K) Dry peas, $11.00 per hundredweight.

(L) Lentils, $19.97 per hundredweight.

(M) Small chickpeas, $19.04 per hundredweight.

(N) Large chickpeas, $21.54 per hundredweight.

(17) REVENUE LOSS COVERAGE.—The term “revenue loss coverage” means coverage provided under section 1107(c).

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

(19) 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.

(20) TEMPERATE JAPONICA RICE.—The term “temperate japonica rice” means rice that is grown in high altitudes or temperate regions of high latitudes with cooler climate conditions, in the Western United States, as determined by the Secretary.
(21) **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)).

(22) **UNITED STATES.**—The term “United States”, when used in a geographical sense, means all of the States.

(23) **UNITED STATES PREMIUM FACTOR.**—The term “United States Premium Factor” means the percentage by which the difference in the United States loan schedule premiums for Strict Middling (SM) 1 1⁄8-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. BASE ACRES.**

(a) **ADJUSTMENT OF BASE ACRES.**—

(1) **IN GENERAL.**—The Secretary shall provide for an adjustment, as appropriate, in the base acres for covered commodities and cotton for a farm whenever any of the following circumstances occurs:

(A) A conservation reserve contract entered into under section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831) with respect to the farm expires or is voluntarily terminated.
(B) Cropland is released from coverage under a conservation reserve contract by the Secretary.

(C) 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)).

(2) SPECIAL CONSERVATION RESERVE ACREAGE PAYMENT RULES.—For the crop year in which a base acres adjustment under subparagraph (A) or (B) of paragraph (1) is first made, the owner of the farm shall elect to receive price loss coverage or revenue loss coverage with respect to the acreage added to the farm under this subsection or a prorated payment under the conservation reserve contract, but not both.

(b) PREVENTION OF EXCESS BASE ACRES.—

(1) REQUIRED REDUCTION.—If the sum of the base acres for a farm, together with the acreage described in paragraph (2) exceeds the actual cropland acreage of the farm, the Secretary shall reduce the base acres for 1 or more covered commodities or cotton for the farm so that the sum of the base acres and
acreage described in paragraph (2) does not exceed the actual cropland acreage of the farm.

(2) **OTHER ACREAGE.**—For purposes of paragraph (1), the Secretary shall include the following:

(A) Any acreage on the farm enrolled in the conservation reserve program or wetlands reserve program (or successor programs) under chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3830 et seq.).

(B) Any other acreage on the farm enrolled in a Federal conservation program for which payments are made in exchange for not producing an agricultural commodity on the acreage.

(C) If the Secretary designates additional oilseeds, any eligible oilseed acreage, which shall be determined in the same manner as eligible oilseed acreage under subsection (a)(1)(C).

(3) **SELECTION OF ACRES.**—The Secretary shall give the owner of the farm the opportunity to select the base acres for a covered commodity or cotton for the farm against which the reduction required by paragraph (1) will be made.

(4) **EXCEPTION FOR DOUBLE-CROPPED ACREAGE.**—In applying paragraph (1), the Secretary shall
make an exception in the case of double cropping, as determined by the Secretary.

(c) **Reduction in Base Acres.**—

(1) **Reduction at Option of Owner.**—

(A) **In general.**—The owner of a farm may reduce, at any time, the base acres for any covered commodity or cotton for the farm.

(B) **Effect of Reduction.**—A reduction under subparagraph (A) shall be permanent and made in a manner prescribed by the Secretary.

(2) **Required Action by Secretary.**—

(A) **In general.**—The Secretary shall proportionately reduce base acres on a farm for covered commodities and cotton for land that has been subdivided and developed for multiple residential units or other nonfarming uses if the size of the tracts and the density of the subdivision is such that the land is unlikely to return to the previous agricultural use, unless the producers on the farm demonstrate that the land—

(i) remains devoted to commercial agricultural production; or

(ii) is likely to be returned to the previous agricultural use.
(B) REQUIREMENT.—The Secretary shall establish procedures to identify land described in subparagraph (A).

SEC. 1106. PAYMENT YIELDS.

(a) ESTABLISHMENT AND PURPOSE.—For the purpose of making payments under this subtitle, the Secretary shall provide for the establishment of a yield for each farm for any designated oilseed for which a payment yield was not established under section 1102 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8712) in accordance with this section.

(b) PAYMENT YIELDS FOR DESIGNATED OILSEEDS.—

(1) DETERMINATION OF AVERAGE YIELD.—In the case of designated oilseeds, the Secretary shall determine the average yield per planted acre for the designated oilseed on a farm for the 1998 through 2001 crop years, excluding any crop year in which the acreage planted to the designated oilseed was zero.

(2) ADJUSTMENT FOR PAYMENT YIELD.—

(A) IN GENERAL.—The payment yield for a farm for a designated oilseed shall be equal to the product of the following:

(i) The average yield for the designated oilseed determined under paragraph (1).
(ii) The ratio resulting from dividing the national average yield for the designated oilseed for the 1981 through 1985 crops by the national average yield for the designated oilseed for the 1998 through 2001 crops.

(B) No national average yield information available.—To the extent that national average yield information for a designated oilseed is not available, the Secretary shall use such information as the Secretary determines to be fair and equitable to establish a national average yield under this section.

(3) Use of county average yield.—If the yield per planted acre for a crop of a designated oilseed for a farm for any of the 1998 through 2001 crop years was less than 75 percent of the county yield for that designated oilseed, the Secretary shall assign a yield for that crop year equal to 75 percent of the county yield for the purpose of determining the average under paragraph (1).

(4) No historic yield data available.—In the case of establishing yields for designated oilseeds, if historic yield data is not available, the Secretary shall use the ratio for dry peas calculated under paragraph (2)(A)(ii) in determining the yields for des-
ignated oilseeds, as determined to be fair and equi-
table by the Secretary.

(c) **Effect of Lack of Payment Yield.**—

(1) **Establishment by Secretary.**—If no pay-
ment yield is otherwise established for a farm for
which a covered commodity is planted and eligible to
receive price loss coverage payments, the Secretary
shall establish an appropriate payment yield for the
covered commodity on the farm under paragraph (2).

(2) **Use of Similarly Situated Farms.**—To
establish an appropriate payment yield for a covered
commodity on a farm as required by paragraph (1),
the Secretary shall take into consideration the farm
program payment yields applicable to that covered
commodity for similarly situated farms. The use of
such data in an appeal, by the Secretary or by the
producer, shall not be subject to any other provision
of law.

(d) **Single Opportunity To Update Yields Used To Determine Price Loss Coverage Payments.**—

(1) **Election to Update.**—At the sole discre-
tion of the owner of a farm, the owner of a farm shall
have a 1-time opportunity to update the payment
yields on a covered commodity-by-covered-commodity
basis that would otherwise be used in calculating any
price loss coverage payment for covered commodities on the farm.

(2) **TIME FOR ELECTION.**—The election under paragraph (1) shall be made at a time and manner to be in effect for the 2014 crop year as determined by the Secretary.

(3) **METHOD OF UPDATING YIELDS.**—If the owner of a farm elects to update yields under this subsection, the payment yield for a covered commodity on the farm, for the purpose of calculating price loss coverage payments only, shall be equal to 90 percent of the average of the yield per planted acre for the crop of the covered commodity on the farm for the 2008 through 2012 crop years, as determined by the Secretary, excluding any crop year in which the acreage planted to the crop of the covered commodity was zero.

(4) **USE OF COUNTY AVERAGE YIELD.**—If the yield per planted acre for a crop of the covered commodity for a farm for any of the 2008 through 2012 crop years was less than 75 percent of the average of the 2008 through 2012 county yield for that commodity, the Secretary shall assign a yield for that crop year equal to 75 percent of the average of the.
2008 through 2012 county yield for the purposes of
determining the average yield under paragraph (3).

(5) Effect of lack of payment yield.—

(A) Establishment by Secretary.—For purposes of this subsection, if no payment yield
is otherwise established for a covered commodity
on a farm, the Secretary shall establish an ap-
propriate updated payment yield for the covered
commodity on the farm under subparagraph (B).

(B) Use of similarly situated farms.—
To establish an appropriate payment yield for a
covered commodity on a farm as required by
subparagraph (A), the Secretary shall take into
consideration the farm program payment yields
applicable to that covered commodity for simi-
larly situated farms. The use of such data in an
appeal, by the Secretary or by the producer,
shall not be subject to any other provision of law.

SEC. 1107. FARM RISK MANAGEMENT ELECTION.

(a) In General.—

(1) Payments required.—Except as provided
in paragraph (2), if the Secretary determines that
payments are required under subsection (b)(1) or
(c)(2) for a covered commodity, the Secretary shall
make payments for that covered commodity available
under such subsection to producers on a farm pursuant to the terms and conditions of this section.

(2) **Prohibition on Payments; Exceptions.**—Notwithstanding any other provision of this title, a producer on a farm may not receive price loss coverage payments or revenue loss coverage payments if the sum of the planted acres of covered commodities on the farm is 10 acres or less, as determined by the Secretary, unless the producer is—

(A) a socially disadvantaged farmer or rancher (as defined in section 355(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(e))); or

(B) a limited resource farmer or rancher, as defined by the Secretary.

(b) **Price Loss Coverage.**—

(1) **Payments.**—For the 2014 crop year and each succeeding crop year, the Secretary shall make price loss coverage payments to producers on a farm for a covered commodity if the Secretary determines that—

(A) the effective price for the covered commodity for the crop year; is less than

(B) the reference price for the covered commodity for the crop year.
(2) EFFECTIVE PRICE.—The effective price for a covered commodity for a crop year shall be the higher of—

(A) the midseason price; or

(B) the national average loan rate for a marketing assistance loan for the covered commodity in effect for such crop year under subtitle B.

(3) PAYMENT RATE.—The payment rate shall be equal to the difference between—

(A) the reference price for the covered commodity; and

(B) the effective price determined under paragraph (2) for the covered commodity.

(4) PAYMENT AMOUNT.—If price loss coverage payments are required to be provided under this subsection for the 2014 crop year or any succeeding crop year for a covered commodity, the amount of the price loss coverage payment to be paid to the producers on a farm for the crop year shall be equal to the product obtained by multiplying—

(A) the payment rate for the covered commodity under paragraph (3); and

(B) the payment yield for the covered commodity; and
(C) the payment acres for the covered commodity.

(5) **TIME FOR PAYMENTS.**—If the Secretary determines under this subsection that price loss coverage payments are required to be provided for the covered commodity, the payments shall be made beginning October 1, or as soon as practicable thereafter, after the end of the applicable marketing year for the covered commodity.

(6) **SPECIAL RULE FOR BARLEY.**—In determining the effective price for barley in paragraph (2), the Secretary shall use the all-barley price.

(7) **SPECIAL RULE FOR TEMPERATE JAPONICA RICE.**—The Secretary shall provide a reference price with respect to temperate japonica rice in an amount equal to 115 percent of the amount established in subparagraphs (F) and (G) of section 1104(16) in order to reflect price premiums.

(c) **REVENUE LOSS COVERAGE.—**

(1) **AVAILABLE AS AN ALTERNATIVE.**—As an alternative to receiving price loss coverage payments under subsection (b) for a covered commodity, all of the owners of the farm may make a one-time, irrevocable election on a covered commodity-by-covered-commodity basis to receive revenue loss coverage pay-
ments for each covered commodity in accordance with this subsection. If any of the owners of the farm make different elections on the same covered commodity on the farm, all of the owners of the farm shall be deemed to have not made the election available under this paragraph.

(2) PAYMENTS.—In the case of owners of a farm that make the election described in paragraph (1) for a covered commodity, the Secretary shall make revenue loss coverage payments available under this subsection for the 2014 crop year and each succeeding crop year if the Secretary determines that—

(A) the actual county revenue for the crop year for the covered commodity; is less than

(B) the county revenue loss coverage trigger for the crop year for the covered commodity.

(3) TIME FOR PAYMENTS.—If the Secretary determines under this subsection that revenue loss coverage payments are required to be provided for the covered commodity, payments shall be made beginning October 1, or as soon as practicable thereafter, after the end of the applicable marketing year for the covered commodity.

(4) ACTUAL COUNTY REVENUE.—The amount of the actual county revenue for a crop year of a covered
commodity shall be equal to the product obtained by multiplying—

(A) the actual county yield, as determined by the Secretary, for each planted acre for the crop year for the covered commodity; and

(B) the higher of—

(i) the midseason price; or

(ii) the national average loan rate for a marketing assistance loan for the covered commodity in effect for such crop year under subtitle B.

(5) County revenue loss coverage trigger.—

(A) In general.—The county revenue loss coverage trigger for a crop year for a covered commodity on a farm shall equal 85 percent of the benchmark county revenue.

(B) Benchmark county revenue.—

(i) In general.—The benchmark county revenue shall be the product obtained by multiplying—

(I) subject to clause (ii), the average historical 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) YIELD CONDITIONS.—If the historical county yield in clause (i)(I) for any of the 5 most recent crop years, as determined by the Secretary, is less than 70 percent of the transitional yield, as determined by the Secretary, the amounts used for any of those years in clause (i)(I) shall be 70 percent of the transitional yield.

(iii) REFERENCE PRICE.—If the national marketing year average price in clause (i)(II) for any of the 5 most recent crop years is lower than the reference price for the covered commodity, the Secretary shall use the reference price for any of those years for the amounts in clause (i)(II).

(6) PAYMENT RATE.—The payment rate shall be equal to the lesser of—

(A) the difference between—
(i) the county revenue loss coverage trigger for the covered commodity; and

(ii) the actual county revenue for the crop year for the covered commodity; or

(B) 10 percent of the benchmark county revenue for the crop year for the covered commodity.

(7) PAYMENT AMOUNT.—If revenue loss coverage payments under this subsection are required to be provided for the 2014 crop year or any succeeding crop year of a covered commodity, the amount of the revenue loss coverage payment to be provided to the producers on a farm for the crop year shall be equal to the product obtained by multiplying—

(A) the payment rate under paragraph (6); and

(B) the payment acres of the covered commodity on the farm.

(8) DUTIES OF THE SECRETARY.—In providing revenue loss coverage payments under this subsection, the Secretary—

(A) shall ensure that producers on a farm do not reconstitute the farm of the producers to void or change the election made under paragraph (1);
(B) to the maximum extent practicable, shall use all available information and analysis, including data mining, to check for anomalies in the provision of revenue loss coverage payments;

(C) to the maximum extent practicable, shall calculate a separate county revenue loss coverage trigger for irrigated and nonirrigated covered commodities and a separate actual county revenue for irrigated and nonirrigated covered commodities;

(D) shall assign a benchmark county yield for each planted acre 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—

(i) the Secretary cannot establish the benchmark county yield for each planted acre for a crop year for a covered commodity in the county in accordance with paragraph (5); or

(ii) the yield determined under paragraph (5) is an unrepresentative average yield for the county (as determined by the Secretary); and
(E) to the maximum extent practicable, shall ensure that in order to be eligible for a payment under this subsection, the producers on the farm suffered an actual loss on the covered commodity for the crop year for which payment is sought.

(d) Annual Report.—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 annually containing an evaluation of the impact of price loss coverage and revenue loss coverage—

(1) on the planting, production, price, and export of covered commodities; and

(2) on the cost of each commodity program.

(e) Cap on Total Obligations and Expenditures.—Notwithstanding any other provision of this section, the total amount of price loss coverage payments and revenue loss coverage payments made under this section during the period of fiscal years 2014 through 2020 shall not exceed $16,956,500,000. Producer agreements required by section 1108 shall specifically state that payments made under this section shall be reduced as necessary to comply with this subsection.
SEC. 1108. PRODUCER AGREEMENTS.

(a) Compliance With Certain Requirements.—

(1) Requirements.—Before the producers on a farm may receive payments under this subtitle with respect to the farm, 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.); and

(C) to effectively control noxious weeds and otherwise maintain the land in accordance with sound agricultural practices, as determined by the Secretary.

(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 con-
sistent with the objectives of this subsection, as deter-
mined 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 payments under this subtitle are provided shall result in the termination of the 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 a payment under this subtitle dies, becomes incom-
petent, or is otherwise unable to receive the payment, the Secretary shall make the payment in accordance with rules issued by the Secretary.

(c) Acreage Reports.—As a condition on the receipt of any benefits under this subtitle or subtitle B, the Sec-
retary shall require producers on a farm to submit to the Secretary annual acreage reports with respect to all crop-
land on the farm.
(d) TENANTS AND SHARECROPPERS.—In carrying out this subtitle, the Secretary shall provide adequate safeguards to protect the interests of tenants and sharecroppers.

(e) SHARING OF PAYMENTS.—The Secretary shall provide for the sharing of payments made under this subtitle among the producers on a farm on a fair and equitable basis.

Subtitle B—Marketing Loans

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 the 2014 crops and each succeeding annual 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 condi-
tions 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.—As a condition of the receipt of a marketing assistance loan under subsection (b), the producer shall 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.) and applicable wetland protection requirements under subtitle C of title XII of that Act (16 U.S.C. 3821 et seq.) during the term of the loan.

(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 NONRECOUSE MARKETING

ASSISTANCE LOANS.

(a) IN GENERAL.—For purposes of the 2014 crop year and each succeeding crop year, 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 2014 crop year and each succeeding 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 ac-
cordance 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 and section 1207, 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\(\frac{3}{32}\)-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, 2019, 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
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 the 2014 crop year and each succeeding crop year, 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, ex-
cept that the rates shall be reduced by 10 percent.

(h) Repayment Rate for Peanuts.—The Secretary
shall permit producers on a farm to repay a marketing as-
sistance loan for peanuts under section 1201 at a rate that
is the lesser of—

(1) the loan rate established for peanuts under
section 1202(a)(20), plus interest (determined in ac-
cordance 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 Fed-
eral 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 Repay-
ment Rates.—

(1) Adjustment Authority.—In the event of a
severe disruption to marketing, transportation, or re-
lated 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 crop year and each succeeding crop year, 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 crop year and each succeeding crop year, 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 crop year and each succeeding crop year, 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 payment yield in effect for the calculation of price loss coverage 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 in a manner consistent with section 1106(c) of this Act.

(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 multi-
plying—

(A) the loan deficiency payment rate deter-
mined 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 pro-
ducer elects to forgo harvesting of triticale;
and

(ii)(I) the payment yield in effect for
the calculation of price loss coverage 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 man-
ner consistent with section 1106(c) of this
Act.

(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 estab-
lish 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 crop or suc-
cceeding annual 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 eligi-
ble 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 MARKETING LOAN PROVISIONS FOR UPLAND COTTON.

(a) Special Import Quota.—

(1) Definition of special import quota.—In this subsection, the term “special import quota” means a quantity of imports that is not subject to the over-quota tariff rate of a tariff-rate quota.

(2) Establishment.—

(A) In general.—The President shall carry out an import quota program beginning on August 1, 2014, as provided in this subsection.

(B) Program requirements.—Whenever the Secretary determines and announces that for any consecutive 4-week period, the Friday through Thursday average price quotation for the lowest-priced United States growth, as quoted for Middling (M) 1 3/32-inch cotton, delivered to a definable and significant international market, as determined by the Secretary, exceeds the prevailing world market price, there shall immediately be in effect a special import quota.

(3) Quantity.—The quota shall be equal to the consumption during a 1-week period of cotton by domestic mills at the seasonally adjusted average rate of the most recent 3 months for which official data of the
Department of Agriculture are available or, in the absence of sufficient data, as estimated by the Secretary.

(4) APPLICATION.—The quota shall apply to upland cotton purchased not later than 90 days after the date of the Secretary’s announcement under paragraph (2) and entered into the United States not later than 180 days after that date.

(5) OVERLAP.—A special quota period may be established that overlaps any existing quota period if required by paragraph (2), except that a special quota period may not be established under this subsection if a quota period has been established under subsection (b).

(6) PREFERENTIAL TARIFF TREATMENT.—The quantity under a special import quota shall be considered to be an in-quota quantity for purposes of—

(A) section 213(d) of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703(d));

(B) section 204 of the Andean Trade Preference Act (19 U.S.C. 3203);

(C) section 503(d) of the Trade Act of 1974 (19 U.S.C. 2463(d)); and

(D) General Note 3(a)(iv) to the Harmonized Tariff Schedule.
(7) LIMITATION.—The quantity of cotton entered into the United States during any marketing year under the special import quota established under this subsection may not exceed the equivalent of 10 weeks’ consumption of upland cotton by domestic mills at the seasonally adjusted average rate of the 3 months immediately preceding the first special import quota established in any marketing year.

(b) LIMITED GLOBAL IMPORT QUOTA FOR UPLAND COTTON.—

(1) DEFINITIONS.—In this subsection:

(A) DEMAND.—The term “demand” means—

(i) the average seasonally adjusted annual rate of domestic mill consumption of cotton during the most recent 3 months for which official data of the Department of Agriculture are available or, in the absence of sufficient data, as estimated by the Secretary; and

(ii) the larger of—

(I) average exports of upland cotton during the preceding 6 marketing years; or
(II) cumulative exports of upland cotton plus outstanding export sales for the marketing year in which the quota is established.

(B) LIMITED GLOBAL IMPORT QUOTA.—The term “limited global import quota” means a quantity of imports that is not subject to the over-quota tariff rate of a tariff-rate quota.

(C) SUPPLY.—The term “supply” means, using the latest official data of the Department of Agriculture—

(i) the carry-over of upland cotton at the beginning of the marketing year (adjusted to 480-pound bales) in which the quota is established;

(ii) production of the current crop; and

(iii) imports to the latest date available during the marketing year.

(2) PROGRAM.—The President shall carry out an import quota program that provides that whenever the Secretary determines and announces that the average price of the base quality of upland cotton, as determined by the Secretary, in the designated spot markets for a month exceeded 130 percent of the average price of the quality of cotton in the markets for
the preceding 36 months, notwithstanding any other
provision of law, there shall immediately be in effect
a limited global import quota subject to the following
conditions:

(A) QUANTITY.—The quantity of the quota
shall be equal to 21 days of domestic mill con-
sumption of upland cotton at the seasonally ad-
justed average rate of the most recent 3 months
for which official data of the Department of Ag-
riculture are available or, in the absence of suffi-
cient data, as estimated by the Secretary.

(B) QUANTITY IF PRIOR QUOTA.—If a quota
has been established under this subsection during
the preceding 12 months, the quantity of the
quota next established under this subsection shall
be the smaller of 21 days of domestic mill con-
sumption calculated under subparagraph (A) or
the quantity required to increase the supply to
130 percent of the demand.

(C) PREFERENTIAL TARIFF TREATMENT.—
The quantity under a limited global import
quota shall be considered to be an in-quota quan-
tity for purposes of—
(i) section 213(d) of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703(d));

(ii) section 204 of the Andean Trade Preference Act (19 U.S.C. 3203);

(iii) section 503(d) of the Trade Act of 1974 (19 U.S.C. 2463(d)); and

(iv) General Note 3(a)(iv) to the Harmonized Tariff Schedule.

(D) QUOTA ENTRY PERIOD.—When a quota is established under this subsection, cotton may be entered under the quota during the 90-day period beginning on the date the quota is established by the Secretary.

(3) NO OVERLAP.—Notwithstanding paragraph (2), a quota period may not be established that overlaps an existing quota period or a special quota period established under subsection (a).

(c) ECONOMIC ADJUSTMENT ASSISTANCE TO USERS OF UPLAND COTTON.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall, on a monthly basis, make economic adjustment assistance available to domestic users of upland cotton in the form of payments for all documented use of that upland cotton during the previous
monthly period regardless of the origin of the upland cotton.

(2) **VALUE OF ASSISTANCE.**—Effective beginning on August 1, 2013, the value of the assistance provided under paragraph (1) shall be 3 cents per pound.

(3) **ALLOWABLE PURPOSES.**—Economic adjustment assistance under this subsection shall be made available only to domestic users of upland cotton that certify that the assistance shall be used only to acquire, construct, install, modernize, develop, convert, or expand land, plant, buildings, equipment, facilities, or machinery.

(4) **REVIEW OR AUDIT.**—The Secretary may conduct such review or audit of the records of a domestic user under this subsection as the Secretary determines necessary to carry out this subsection.

(5) **IMPROPER USE OF ASSISTANCE.**—If the Secretary determines, after a review or audit of the records of the domestic user, that economic adjustment assistance under this subsection was not used for the purposes specified in paragraph (3), the domestic user shall be—

(A) liable for the repayment of the assistance to the Secretary, plus interest, as determined by the Secretary; and
(B) ineligible to receive assistance under this subsection for a period of 1 year following the determination of the Secretary.

SEC. 1208. SPECIAL COMPETITIVE PROVISIONS FOR EXTRA LONG STAPLE COTTON.

(a) COMPETITIVENESS PROGRAM.—Notwithstanding any other provision of law, 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. 1209. AVAILABILITY OF RECONCOURSE 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 the 2014 crop and each succeeding annual crop 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-moist-
ture 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 estab-
lished 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 de-
termined by multiplying—
(A) the acreage of the corn or grain sor-
ghum in a high moisture state harvested on the
farm of the producer; by
(B) the lower of the farm program payment
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 the 2014 crop and each succeeding annual crop
of upland cotton and extra long staple cotton, the Secretary
shall make available recourse seed cotton loans, as deter-
mined by the Secretary, on any production.

(c) Repayment Rates.—Repayment of a recourse
loan made under this section shall be at the loan rate estab-
lished for the commodity by the Secretary, plus interest (de-
termined in accordance with section 163 of the Federal Ag-
riculture Improvement and Reform Act of 1996 (7 U.S.C.
7283)).

SEC. 1210. 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 prac-
ticable, 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 subtitle C.

(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) Types of Adjustments.—Loan rate adjustments under paragraph (1) may include—

(A) 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;
(B) 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

(C) 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 adjustments to the administration of the loan program for upland cotton, by revok-
ing or revising any adjustment taken under para-
graph (2).

(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 Fed-
eral Agriculture Improvement and Reform Act of
1996 (7 U.S.C. 7272(a)(5)) is amended by striking
“the 2012 crop year” and inserting “the 2012 crop
year and each succeeding crop year”.

(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
“each of the 2009 through 2012 crop years” and in-
serting “the 2009 crop year and each succeeding crop
year”.

(3) Effective Period.—Section 156(i) of the
Federal Agriculture Improvement and Reform Act of
1996 (7 U.S.C. 7272(i)) is repealed.
(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 “each of the 2008 through 2012 crop years” and inserting “the 2008 crop year and each succeeding crop year”.

(2) **Effective Period.**—Section 359i(a) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359ii(a)) is amended by striking “only for the 2008 through 2012 crop years” and inserting “for the 2008 crop year and each succeeding crop year”.

**Subtitle D—Dairy**

**PART I—DAIRY PRODUCER MARGIN INSURANCE PROGRAM**

**SEC. 1401. DAIRY PRODUCER MARGIN INSURANCE PROGRAM.**

Subtitle E of title I of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8771 et seq.) is amended by adding at the end the following new section:

“(a) **Definitions.**—In this section:

“(1) **Actual Dairy Producer Margin.**—The term ‘actual dairy producer margin’ means the dif-
ference between the all-milk price and the average feed
cost, as calculated under subsection (b)(2).

“(2) ALL-MILK PRICE.—The term ‘all-milk price’
means the average price received, per hundredweight
of milk, by dairy producers for all milk sold to plants
and dealers in the United States, as reported by the
National Agricultural Statistics Service.

“(3) 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 subsection (b)(1) using the sum of
the following:

“(A) The product determined by multi-
plying—

“(i) 1.0728; by

“(ii) the price of corn per bushel.

“(B) The product determined by multi-
plying—

“(i) 0.00735; by

“(ii) the price of soybean meal per ton.

“(C) The product determined by multi-
plying—

“(i) 0.0137; by

“(ii) the price of alfalfa hay per ton.
“(4) 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.

“(5) Dairy Producer.—The term ‘dairy producer’ means an individual or entity that directly or indirectly (as determined by the Secretary)—

“(A) shares in the risk of producing milk;

and

“(B) makes contributions (including land, labor, management, equipment, or capital) to the dairy operation of the individual or entity that are at least commensurate with the share of the individual or entity of the proceeds of the operation.

“(6) Margin Insurance Program.—The term ‘margin insurance program’ means the dairy producer margin insurance program required by this section.

“(7) Participating Dairy Producer.—The term ‘participating dairy producer’ means a dairy producer that registers under subsection (d)(2) to participate in the margin insurance program.
“(8) Production History.—The term ‘production history’ means the quantity of annual milk marketings determined for a dairy producer under subsection (e)(1).

“(9) United States.—The term ‘United States’, in a geographical sense, means the 50 States.

“(b) Calculation of Average Feed Cost and Actual Dairy Producer Margins.—

“(1) Calculation of Average Feed Cost.—

The Secretary shall calculate the national average feed cost for each month using the following data:

“(A) The price of corn for a month shall be the price received during that month by agricultural producers in the United States for corn, as reported in the monthly Agriculture Prices report by the Secretary.

“(B) 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.

“(C) The price of alfalfa hay for a month shall be the price received during that month by agricultural producers in the United States for alfalfa hay, as reported in the monthly Agriculture Prices report by the Secretary.
“(2) Calculation of Actual Dairy Producer Margins.—The Secretary shall calculate the actual dairy producer margin for each consecutive 2-month period by subtracting—

“(A) the average feed cost for that consecutive 2-month period, determined in accordance with paragraph (1); from

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

“(c) Establishment of Dairy Producer Margin Insurance Program.—The Secretary shall establish and administer a dairy producer margin insurance program for the purpose of protecting dairy producer income by paying participating dairy producers margin insurance payments when actual dairy producer margins are less than the threshold levels for the payments.

“(d) Eligibility and Registration of Dairy Producers for Margin Insurance Program.—

“(1) Eligibility.—All dairy producers in the United States shall be eligible to participate in the margin insurance program.

“(2) Registration Process.—

“(A) Registration.—

“(i) Annual Registration.—On an annual basis, the Secretary shall register all
interested dairy producers in the margin insurance program.

“(ii) MANNER AND FORM.—The Secretary shall specify the manner and form by which a dairy producer shall register for the margin insurance program.

“(B) TREATMENT OF MULTI-PRODUCER OPERATIONS.—If a dairy operation consists of more than 1 dairy producer, all of the dairy producers of the operation shall be treated as a single dairy producer for purposes of—

“(i) purchasing margin insurance; and

“(ii) payment of producer premiums under subsection (f)(4).

“(C) TREATMENT OF PRODUCERS WITH MULTIPLE DAIRY OPERATIONS.—If a dairy producer operates 2 or more dairy operations, each dairy operation of the producer shall require a separate registration to participate and purchase margin insurance.

“(3) TIME FOR REGISTRATION.—

“(A) EXISTING DAIRY PRODUCERS.—During the 1-year period beginning on the date of enactment of this section, and annually thereafter, a dairy producer that is actively engaged
in a dairy operation as of that date may register
with the Secretary to participate in the margin
insurance program.

“(B) NEW ENTRANTS.—A dairy producer
that has no existing interest in a dairy oper-
ation as of the date of enactment of this section,
but that, after that date, establishes a new dairy
operation, may register with the Secretary dur-
ing the 180-day period beginning on the date on
which the dairy operation first markets milk
commercially to participate in the margin insur-
ance program.

“(4) RETROACTIVITY.—

“(A) NOTICE OF AVAILABILITY OF RETRO-
ACTIVE PROTECTION.—Not later than 30 days
after the effective date of this section, the Sec-
retary shall publish a notice in the Federal Reg-
ister to inform dairy producers of the avail-
ability of retroactive margin insurance, subject
to the condition that interested producers must
file a notice of intent (in such form and manner
as the Secretary specifies in the Federal Register
notice) to participate in the margin insurance
program.

“(B) RETROACTIVE MARGIN INSURANCE.—
“(i) **AVAILABILITY.**—If a dairy producer files a notice of intent under subparagraph (A) to participate in the margin insurance program before the initiation of the sign-up period for the margin insurance program and subsequently signs up for the margin insurance program, the producer shall receive margin insurance retroactive to the effective date of this section.

“(ii) **DURATION.**—Retroactive margin insurance under this paragraph for a dairy producer shall apply from the effective date of this section until the date on which the producer signs up for the margin insurance program.

“(C) **NOTICE OF INTENT AND OBLIGATION TO PARTICIPATE.**—In no way does filing a notice of intent under this paragraph obligate a dairy producer to sign up for the margin insurance program once the program rules are final, but if a producer does file a notice of intent and subsequently signs up for the margin insurance program, that dairy producer is obligated to pay premiums for any retroactive margin insurance selected in the notice of intent.
“(5) **Reconstitution.**—The Secretary shall ensure that a dairy producer does not reconstitute a dairy operation for the sole purpose of purchasing margin insurance.

“(e) **Production History of Participating Dairy Producers.**—

“(1) **Determination of Production History.**—

“(A) **In General.**—The Secretary shall determine the production history of the dairy operation of each participating dairy producer in the margin insurance program.

“(B) **Calculation.**—Except as provided in subparagraphs (C) and (D), the production history of a participating dairy producer shall be equal to the highest annual milk marketings of the dairy producer during any 1 of the 3 calendar years immediately preceding the registration of the dairy producer for participation in the margin insurance program.

“(C) **Updating Production History.**—So long as a participating producer remains registered, the production history of the participating producer shall be annually updated based on the highest annual milk marketings of the
dairy producer during any one of the 3 immediately preceding calendar years.

“(D) NEW PRODUCERS.—If a dairy producer has been in operation for less than 1 year, the Secretary shall determine the initial production history of the dairy producer under subparagraph (B) by extrapolating the actual milk marketings for the months that the dairy producer has been in operation to a yearly amount.

“(2) REQUIRED INFORMATION.—A participating dairy producer shall provide all information that the Secretary may require in order to establish the production history of the dairy operation of the dairy producer.

“(3) TRANSFER OF PRODUCTION HISTORY.—

“(A) TRANSFER BY SALE.—

“(i) REQUEST FOR TRANSFER.—If an existing dairy producer sells an entire dairy operation to another party, the seller and purchaser may jointly request that the Secretary transfer to the purchaser the interest of the seller in the production history of the dairy operation.

“(ii) TRANSFER.—If the Secretary determines that the seller has sold the entire
dairy operation to the purchaser, the Secretary shall approve the transfer and, thereafter, the seller shall have no interest in the production history of the sold dairy operation.

“(B) TRANSFER BY LEASE.—

“(i) REQUEST FOR TRANSFER.—If an existing dairy producer leases an entire dairy operation to another party, the lessor and lessee may jointly request that the Secretary transfer to the lessee for the duration of the term of the lease the interest of the lessor in the production history of the dairy operation.

“(ii) TRANSFER.—If the Secretary determines that the lessor has leased the entire dairy operation to the lessee, the Secretary shall approve the transfer and, thereafter, the lessor shall have no interest for the duration of the term of the lease in the production history of the leased dairy operation.

“(C) COVERAGE LEVEL.—A purchaser or lessee to whom the Secretary transfers a production history under this paragraph may not obtain a different level of margin insurance cov-
verage held by the seller or lessor from whom the transfer was obtained.

“(D) NEW ENTRANTS.—The Secretary may not transfer the production history determined for a dairy producer described in subsection (d)(3)(B) to another person.

“(4) MOVEMENT AND TRANSFER OF PRODUCTION HISTORY.—

“(A) MOVEMENT AND TRANSFER AUTHORIZED.—Subject to subparagraph (B), if a dairy producer moves from 1 location to another location, the dairy producer may maintain the production history associated with the operation.

“(B) NOTIFICATION REQUIREMENT.—A dairy producer shall notify the Secretary of any move of a dairy operation under subparagraph (A).

“(C) SUBSEQUENT OCCUPATION OF VACATED LOCATION.—A party subsequently occupying a dairy operation location vacated as described in subparagraph (A) shall have no interest in the production history previously associated with the operation at that location.

“(f) MARGIN INSURANCE.—
“(1) In general.—At the time of the registration of a dairy producer in the margin insurance program under subsection (d) and annually thereafter during the duration of the margin insurance program, an eligible dairy producer may purchase margin insurance.

“(2) Selection of payment threshold.—A participating dairy producer purchasing margin insurance shall elect a coverage level in any increment of $0.50, with a minimum of $4.00 and a maximum of $8.00.

“(3) Selection of coverage percentage.—A participating dairy producer purchasing margin insurance shall elect a percentage of coverage, equal to not more than 80 percent nor less than 25 percent, of the production history of the dairy operation of the participating dairy producer.

“(4) Producer premiums.—

“(A) Premiums required.—A participating dairy producer that purchases margin insurance shall pay an annual premium equal to the product obtained by multiplying—

“(i) the percentage selected by the dairy producer under paragraph (3);
“(ii) the production history applicable to the dairy producer; and

“(iii) the premium per hundredweight of milk, as specified in the applicable table under subparagraph (B) or (C).

“(B) 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:

<table>
<thead>
<tr>
<th>“Coverage Level</th>
<th>Premium per Cwt.</th>
</tr>
</thead>
<tbody>
<tr>
<td>$4.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>$4.50</td>
<td>$0.01</td>
</tr>
<tr>
<td>$5.00</td>
<td>$0.02</td>
</tr>
<tr>
<td>$5.50</td>
<td>$0.035</td>
</tr>
<tr>
<td>$6.00</td>
<td>$0.045</td>
</tr>
<tr>
<td>$6.50</td>
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</tr>
<tr>
<td>$7.00</td>
<td>$0.18</td>
</tr>
<tr>
<td>$7.50</td>
<td>$0.60</td>
</tr>
<tr>
<td>$8.00</td>
<td>$0.95</td>
</tr>
</tbody>
</table>

“(C) 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:
•HR 2642 EAH1S

<table>
<thead>
<tr>
<th>Coverage Level</th>
<th>Premium per Cwt.</th>
</tr>
</thead>
<tbody>
<tr>
<td>$4.00</td>
<td>$0.030</td>
</tr>
<tr>
<td>$4.50</td>
<td>$0.045</td>
</tr>
<tr>
<td>$5.00</td>
<td>$0.066</td>
</tr>
<tr>
<td>$5.50</td>
<td>$0.110</td>
</tr>
<tr>
<td>$6.00</td>
<td>$0.185</td>
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<tr>
<td>$6.50</td>
<td>$0.290</td>
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<tr>
<td>$7.00</td>
<td>$0.380</td>
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<tr>
<td>$7.50</td>
<td>$0.830</td>
</tr>
<tr>
<td>$8.00</td>
<td>$1.060</td>
</tr>
</tbody>
</table>

“(D) **TIME FOR PAYMENT.**—

“(i) **FIRST YEAR.**—As soon as practicable after a dairy producer registers to participate in the margin insurance program and purchases margin insurance, the dairy producer shall pay the premium determined under subparagraph (A) for the dairy producer for the first calendar year of the margin insurance.

“(ii) **SUBSEQUENT YEARS.**—

“(I) **IN GENERAL.**—When the dairy producer first purchases margin insurance, the dairy producer shall also elect the method by which the dairy producer will pay premiums under this subsection for subsequent years in accordance with 1 of the schedules described in subclauses (II) and (III).
“(II) Single Annual Payment.—The participating dairy producer may elect to pay 100 percent of the annual premium determined under subparagraph (A) for the dairy producer for a calendar year by not later than January 15 of the calendar year.

“(III) Semi-Annual Payments.—The participating dairy producer may elect to pay—

“(aa) 50 percent of the annual premium determined under subparagraph (A) for the dairy producer for a calendar year by not later than January 15 of the calendar year; and

“(bb) the remaining 50 percent of the premium by not later than June 15 of the calendar year.

“(5) Producer Premium Obligations.—

“(A) Pro-Ration of First Year Premium.—A participating dairy producer that purchases margin insurance after initial registration in the margin insurance program shall
pay a pro-rated premium for the first calendar year based on the date on which the producer purchases the coverage.

“(B) SUBSEQUENT PREMIUMS.—Except as provided in subparagraph (A), the annual premium for a participating dairy producer shall be determined under paragraph (4) for each year in which the margin insurance program is in effect.

“(C) LEGAL OBLIGATION.—

“(i) IN GENERAL.—Except as provided in clauses (ii) and (iii), a participating dairy producer that purchases margin insurance shall be legally obligated to pay the applicable premiums for the entire period of the margin insurance program (as provided in the payment schedule elected under paragraph (4)(B)), and may not opt out of the margin insurance program.

“(ii) DEATH.—If the dairy producer dies, the estate of the deceased may cancel the margin insurance and shall not be responsible for any further premium payments.
“(iii) Retirement.—If the dairy producer retires, the producer may request that Secretary cancel the margin insurance if the producer has terminated the dairy operation entirely and certifies under oath that the producer will not be actively engaged in any dairy operation for at least the next 7 years.

“(6) Payment Threshold.—A participating dairy producer with margin insurance shall receive a margin insurance payment whenever the average actual dairy producer margin for a consecutive 2-month period is less than the coverage level threshold selected by the dairy producer under paragraph (2).

“(7) Margin Insurance Payments.—

“(A) In general.—The Secretary shall make a margin insurance protection payment to each participating dairy producer whenever the average actual dairy producer margin for a consecutive 2-month period is less than the coverage level threshold selected by the dairy producer under paragraph (2).

“(B) Amount of payment.—The margin insurance payment for the dairy operation of a
participating dairy producer shall be determined as follows:

“(i) The Secretary shall calculate the difference between—

“(I) the coverage level threshold selected by the dairy producer under paragraph (2); and

“(II) the average actual dairy producer margin for the consecutive 2-month period.

“(ii) The amount determined under clause (i) shall be multiplied by—

“(I) the percentage selected by the dairy producer under paragraph (3); and

“(II) the lesser of—

“(aa) the quotient obtained by dividing—

“(AA) the production history applicable to the producer under subsection (e)(1); by

“(BB) 6; and

“(bb) the actual quantity of milk marketed by the dairy oper-
"(g) Effect of Failure to Pay Premiums.—

"(1) Loss of Benefits.—A participating dairy producer that is in arrears on premium payments for margin insurance—

"(A) remains legally obligated to pay the premiums; and

"(B) may not receive margin insurance until the premiums are fully paid.

"(2) Enforcement.—The Secretary may take such action as is necessary to collect premium payments for margin insurance.

"(h) Use of Commodity Credit Corporation.—The Secretary shall use the funds, facilities, and the authorities of the Commodity Credit Corporation to carry out this section.

"(i) Program Start Date.—The Secretary shall conduct the margin insurance program beginning on October 1, 2013.”.
administration of the margin insurance program, shall be made—

(1) without regard to chapter 35 of title 44, United States Code (commonly known as the Paperwork Reduction Act);

(2) without regard to 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

(3) subject to subsection (b), pursuant to section 553 of title 5, United States Code.

(b) SPECIAL RULEMAKING REQUIREMENTS.—

(1) INTERIM RULES AUTHORIZED.—With respect to the margin insurance program, the Secretary may promulgate interim rules under the authority provided in subparagraph (B) of section 553(b) of title 5, United States Code, if the Secretary determines such interim rules to be needed. Any such interim rules for the margin insurance program shall be effective on publication.

(2) FINAL RULES.—With respect to the margin insurance program, the Secretary shall promulgate final rules, with an opportunity for public notice and
comment, no later than 21 months after the date of
the enactment of this Act.

(c) Inclusion of Additional Order.—Section
143(a)(2) of the Federal Agriculture Improvement and Re-
form Act of 1996 (7 U.S.C. 7253(a)(2)) is amended by add-
ing at the end the following new sentence: “Subsection
(b)(2) does not apply to the authority of the Secretary under
this subsection.”.

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

SEC. 1411. REPEAL OF DAIRY PRODUCT PRICE SUPPORT
AND MILK INCOME LOSS CONTRACT PRO-
GRAMS.

(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 Pro-
gram.—Section 1506 of the Food, Conservation, and En-
ergy Act of 2008 (7 U.S.C. 8773) is repealed.

SEC. 1412. REPEAL OF DAIRY EXPORT INCENTIVE PRO-
GRAM.

(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. 1413. 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. 1414. EXTENSION OF DAIRY INDEMNITY PROGRAM.

Section 3 of Public Law 90–484 (7 U.S.C. 450l) is amended by striking “2012” and inserting “2018”.

SEC. 1415. 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”.

•HR 2642 EAH1S
SEC. 1416. REPEAL OF FEDERAL MILK MARKETING ORDER REVIEW COMMISSION.

Section 1509 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 1726) is repealed.

PART III—EFFECTIVE DATE

SEC. 1421. EFFECTIVE DATE.

This subtitle and the amendments made by this subtitle shall take effect on October 1, 2013.

Subtitle E—Supplemental Agricultural Disaster Assistance Programs

SEC. 1501. SUPPLEMENTAL AGRICULTURAL DISASTER ASSISTANCE.

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

(3) 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.

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

(b) LIVESTOCK INDEMNITY PAYMENTS.—

(1) PAYMENTS.—For fiscal year 2012 and each succeeding fiscal year, the Secretary shall use such sums as are necessary of the funds of the Commodity Credit Corporation to make livestock indemnity pay-
ments 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 and avian predators; 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 75 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) 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 a qualifying drought or fire condition, as determined by the Secretary, the eligible livestock producer—

(I) owned;

(II) leased;

(III) purchased;

(IV) entered into a contract to purchase;

(V) is a contract grower; or

(VI) sold or otherwise disposed of due to qualifying drought conditions during—

(aa) the current production year; or

(bb) subject to paragraph (3)(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 qualifying drought or fire condition, 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 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 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 drought;

(III) certifies grazing 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.

(D) 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 (3)(D)(i), that would be expected from the grazing land or pastureland for livestock during the normal grazing period, in the absence of a drought or fire that diminishes the production of the grazing land or pastureland.

(E) 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 (3)(D)(i).

(2) PROGRAM.—For fiscal year 2012 and each succeeding fiscal year, the Secretary shall use such sums as are necessary of the funds of the Commodity Credit Corporation to provide compensation for losses to eligible livestock producers due to grazing losses for covered livestock due to—

(A) a drought condition, as described in paragraph (3); or

(B) fire, as described in paragraph (4).

(3) ASSISTANCE FOR LOSSES DUE TO DROUGHT CONDITIONS.—

(A) ELIGIBLE LOSSES.—

(i) IN GENERAL.—An eligible livestock producer may receive assistance under this subsection only for grazing losses for covered livestock that occur 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 subsection for grazing 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.).

(B) **Monthly Payment Rate.**—

(i) **In general.**—Except as provided in clause (ii), the payment rate for assistance under this paragraph for 1 month 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 live-
stock 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 deter-
mined 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 pre-
ceding 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 pre-
ceding that March 1; by

(II) 56.

(D) Normal grazing period and
drought monitor intensity.—

(i) FSA county committee deter-
minations.—

(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 committee.

(II) CHANGES.—No change to the
normal carrying capacity or normal
grazing period established for a county
under subclause (I) shall be made un-
less the change is requested by the ap-
propriate State and county Farm
Service Agency committees.

(ii) DROUGHT INTENSITY.—

(I) D2.—An eligible livestock pro-
ducer that owns or leases grazing land
or pastureland that is physically lo-
cated 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 pe-
riod for the county, as determined by
the Secretary, shall be eligible to re-
ceive assistance under this paragraph
in an amount equal to 1 monthly pay-
ment 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 Sec-
retary, shall be eligible to receive as-
sistance 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 coun-
ty 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).

(4) 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 grazing losses occur on range-land that is managed by a Federal agency; and

(ii) the eligible livestock producer is prohibited by the Federal agency from graz-
ing 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 (3)(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.
(5) **NO DUPLICATIVE PAYMENTS.**—An eligible livestock producer may elect to receive assistance for grazing or pasture feed losses due to drought conditions under paragraph (3) or fire under paragraph (4), but not both for the same loss, as determined by the Secretary.

(d) **EMERGENCY ASSISTANCE FOR LIVESTOCK, HONEY BEES, AND FARM-RAISED FISH.**—

(1) **IN GENERAL.**—For fiscal year 2012 and each succeeding fiscal year, the Secretary shall use not more than $20,000,000 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 (including cattle tick fever), 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 fiscal year 2012 and each succeeding fiscal year, 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 $125,000 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 per-
son or legal entity shall be entitled to receive payments under this subsection may not exceed 500 acres.

(f) Payment Limitations.—

(1) Definitions of Legal Entity and Person.—In this subsection, 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)).

(2) 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 $125,000 for any crop year.

(3) Direct Attribution.—Subsections (e) and (f) 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.

SEC. 1502. NATIONAL DROUGHT COUNCIL AND NATIONAL DROUGHT POLICY ACTION PLAN.

(a) Definitions.—In this section:

(1) Council.—The term “Council” means the National Drought Council established by this section.
(2) DROUGHT.—The term “drought” means a natural disaster that is caused by a deficiency in precipitation—

(A) that may lead to a deficiency in surface and subsurface water supplies (including rivers, streams, wetlands, ground water, soil moisture, reservoir supplies, lake levels, and snow pack); and

(B) that causes or may cause—

(i) substantial economic or social impacts; or

(ii) physical damage or injury to individuals, property, or the environment.

(3) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(4) MEMBER.—The term “member”, with respect to the National Drought Council, means a member of the Council specified or appointed under this section or, in the absence of the member, the member’s designee.

(5) MITIGATION.—The term “mitigation” means a short- or long-term action, program, or policy that
is implemented in advance of or during a drought to minimize any risks and impacts of drought.

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

(7) STATE.—The term “State” means the several States, the District of Columbia, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, and the United States Virgin Islands.

(8) TRIGGER.—The term “trigger” means the thresholds or criteria that must be satisfied before mitigation or emergency assistance may be provided to an area—

(A) in which drought is emerging; or

(B) that is experiencing a drought.

(9) WATERSHED.—The term “watershed” means a region or area with common hydrology, an area drained by a waterway that drains into a lake or reservoir, the total area above a given point on a stream that contributes water to the flow at that point, or the topographic dividing line from which surface streams flow in two different directions. In no case shall a watershed be larger than a river basin.

(10) WATERSHED GROUP.—The term “watershed group” means a group of individuals, formally recog-
nized by the appropriate State or States, who rep-
resent the broad scope of relevant interests within a
watershed and who work together in a collaborative
manner to jointly plan the management of the nat-
ural resources contained within the watershed.

(b) EFFECT OF SECTION.—This section does not af-
fect—

(1) the authority of a State to allocate quantities
of water under the jurisdiction of the State; or

(2) any State water rights established as of the
date of enactment of this Act.

(c) NATIONAL DROUGHT COUNCIL.—

(1) ESTABLISHMENT.—There is established in
the Office of the Secretary of Agriculture a council to
be known as the “National Drought Council”.

(2) MEMBERSHIP.—

(A) COMPOSITION.—The Council shall be
composed of—

(i) the Secretary (or the designee of the
Secretary);

(ii) the Secretary of Commerce (or the
designee of the Secretary of Commerce);

(iii) the Secretary of the Army (or the
designee of the Secretary of the Army);
(iv) the Secretary of the Interior (or the designee of the Secretary of the Interior);

(v) the Director of the Federal Emergency Management Agency (or the designee of the Director);

(vi) the Administrator of the Environmental Protection Agency (or the designee of the Administrator);

(vii) 4 members appointed by the Secretary, in coordination with the National Governors Association, each of whom shall be the Governor of a State (or the designee of the Governor) and who collectively shall represent the geographic diversity of the Nation;

(viii) 1 member appointed by the Secretary, in coordination with the National Association of Counties;

(ix) 1 member appointed by the Secretary, in coordination with the United States Conference of Mayors;

(x) 1 member appointed by the Secretary of the Interior, in coordination with
Indian tribes, to represent the interests of tribal governments; and

(xi) 1 member appointed by the Secretary, in coordination with the National Association of Conservation Districts, to represent local soil and water conservation districts.

(B) DATE OF APPOINTMENT.—The appointment of each member of the Council shall be made not later than 120 days after the date of enactment of this Act.

(3) TERM; VACANCIES.—

(A) TERM.—A non-Federal member of the Council appointed under paragraph (2) shall be appointed for a term of two years.

(B) VACANCIES.—A vacancy on the Council—

(i) shall not affect the powers of the Council; and

(ii) shall be filled in the same manner as the original appointment was made.

(C) TERMS OF MEMBERS FILLING VACANCIES.—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member’s predecessor was appointed
shall be appointed only for the remainder of that term.

(4) MEETINGS.—

(A) IN GENERAL.—The Council shall meet at the call of the co-chairs.

(B) FREQUENCY.—The Council shall meet at least semiannually.

(5) QUORUM.—A majority of the members of the Council shall constitute a quorum, but a lesser number may hold hearings or conduct other business.

(6) COUNCIL LEADERSHIP.—

(A) IN GENERAL.—There shall be a Federal co-chair and non-Federal co-chair of the Council.

(B) APPOINTMENT.—

(i) FEDERAL CO-CHAIR.—The Secretary shall be the Federal co-chair.

(ii) NON-FEDERAL CO-CHAIR.—The non-Federal members of the Council shall elect, on a biannual basis, a non-Federal co-chair of the Council from among the members appointed under paragraph (2).

(d) DUTIES OF THE COUNCIL.—

(1) IN GENERAL.—The Council shall—

(A) not later than one year after the date of the first meeting of the Council, develop a
comprehensive National Drought Policy Action Plan that—

(i)(I) delineates and integrates responsibilities for activities relating to drought (including drought preparedness, mitigation, research, risk management, training, and emergency relief) among Federal agencies; and

(II) ensures that those activities are coordinated with the activities of the States, local governments, Indian tribes, and neighboring countries;

(ii) is consistent with—

(I) this Act and other applicable Federal laws; and

(II) the laws and policies of the States for water management;

(iii) is integrated with drought management programs of the States, Indian tribes, local governments, watershed groups, and private entities; and

(iv) avoids duplicating Federal, State, tribal, local, watershed, and private drought preparedness and monitoring programs in
existence on the date of enactment of this Act;

(B) evaluate Federal drought-related programs in existence on the date of enactment of this Act and make recommendations to Congress and the President on means of eliminating—

(i) discrepancies between the goals of the programs and actual service delivery;

(ii) duplication among programs; and

(iii) any other circumstances that interfere with the effective operation of the programs;

(C) make recommendations to the President, Congress, and appropriate Federal agencies on—

(i) the establishment of common inter-agency triggers for authorizing Federal drought mitigation programs; and

(ii) improving the consistency and fairness of assistance among Federal drought relief programs;

(D) encourage and facilitate the development of drought preparedness plans under subtitle C, including establishing the guidelines under this section;
(E) based on a review of drought preparedness plans, develop and make available to the public drought planning models to reduce water resource conflicts relating to water conservation and droughts;

(F) develop and coordinate public awareness activities to provide the public with access to understandable and informative materials on drought, including—

(i) explanations of the causes of drought, the impacts of drought, and the damages from drought;

(ii) descriptions of the value and benefits of land stewardship to reduce the impacts of drought and to protect the environment;

(iii) clear instructions for appropriate responses to drought, including water conservation, water reuse, and detection and elimination of water leaks;

(iv) information on State and local laws applicable to drought; and

(v) opportunities for assistance to resource-dependent businesses and industries in times of drought; and
(G) establish operating procedures for the Council.

(2) CONSULTATION.—In carrying out this subsection, the Council shall consult with groups affected by drought emergencies.

(3) REPORTS TO CONGRESS.—

(A) ANNUAL REPORT.—

(i) IN GENERAL.—Not later than one year after the date of the first meeting of the Council, and annually thereafter, the Council shall submit to Congress a report on the activities carried out under this section.

(ii) INCLUSIONS.—

(I) IN GENERAL.—The annual report shall include a summary of drought preparedness plans.

(II) INITIAL REPORT.—The initial report submitted under subparagraph (A) shall include any recommendations of the Council.

(B) FINAL REPORT.—Not later than seven years after the date of enactment of this Act, the Council shall submit to Congress a report that recommends—

(i) amendments to this section; and
(ii) whether the Council should continue.

(e) POWERS OF THE COUNCIL.—

(1) HEARINGS.—The Council may hold hearings, meet and act at any time and place, take any testimony and receive any evidence that the Council considers advisable to carry out this section.

(2) INFORMATION FROM FEDERAL AGENCIES.—

(A) IN GENERAL.—The Council may obtain directly from any Federal agency any information that the Council considers necessary to carry out this section.

(B) PROVISION OF INFORMATION.—

(i) IN GENERAL.—Except as provided in clause (ii), on request of the Secretary or the non-Federal co-chair of the Council, the head of a Federal agency may provide information to the Council.

(ii) LIMITATION.—The head of a Federal agency shall not provide any information to the Council that the Federal agency head determines the disclosure of which may cause harm to national security interests.

(3) POSTAL SERVICES.—The Council may use the United States mail in the same manner and
under the same conditions as other agencies of the Federal Government.

(4) GIFTS.—The Council may accept, use, and dispose of gifts or donations of services or property.

(f) COUNCIL PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—

(A) NON-FEDERAL EMPLOYEES.—A member of the Council who is not an officer or employee of the Federal Government shall serve without compensation.

(B) FEDERAL EMPLOYEES.—A member of the Council who is an officer or employee of the United States shall serve without compensation in addition to the compensation received for services of the member as an officer or employee of the Federal Government.

(2) TRAVEL EXPENSES.—A member of the Council shall be allowed travel expenses at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Council.
(g) TERMINATION OF COUNCIL.—The Council shall termi-
minate at the end of the eighth fiscal year beginning on
or after the date of the enactment of this Act.

Subtitle F—Administration

SEC. 1601. ADMINISTRATION GENERALLY.

(a) USE OF COMMODITY CREDIT CORPORATION.—The
Secretary of Agriculture shall use the funds, facilities, and
authorities of the Commodity Credit Corporation to carry
out this title.

(b) DETERMINATIONS BY SECRETARY.—A determina-
tion 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 im-
plement this title and the amendments made by this
title.

(2) PROCEDURE.—The promulgation of the regu-
lations and administration of this title and the
amendments made by this title and sections 10003
and 10016 of this Act shall be made—
(A) pursuant to section 553 of title 5, United States Code, including by interim rules effective on publication under the authority provided in subparagraph (B) of subsection (b) of such section if the Secretary determines such interim rules to be needed and final rules, with an opportunity for notice and comment, no later than 21 months after the date of the enactment of this Act;

(B) without regard to chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act”); and

(C) without regard to 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.

(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 al-
lowable 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. REPEAL OF PERMANENT PRICE SUPPORT AUTHORITY.

(a) Agricultural Adjustment Act of 1938.—

(1) Repeals.—The following provisions of the Agricultural Adjustment Act of 1938 are repealed:

(A) Parts II through V of subtitle B of title III (7 U.S.C. 1326 et seq.).

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

(C) Title IV (7 U.S.C. 1401 et seq.).

(2) Inapplicability to upland cotton.—Section 377 of the Agricultural Adjustment Act of 1938
(7 U.S.C. 1377) is amended by striking “was not fully planted” and inserting “was not fully planted:

Provided further, That effective on the date of the enactment of the Federal Agriculture Reform and Risk Management Act of 2013, this section shall not apply to upland cotton”.

(b) AGRICULTURAL ACT OF 1949.—The following provisions of the Agricultural Act of 1949 are repealed:

(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, 1340), is repealed.

SEC. 1603. PAYMENT LIMITATIONS.

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

(1) in subsection (a), by striking paragraph (3)

and inserting the following:

“(3) Legal entity.—

“(A) In General.—The term ‘legal entity’ means—

“(i) an organization that (subject to the requirements of this section and section 1001A) is eligible to receive a payment under a provision of law referred to in subsection (b), (c), or (d);

“(ii) a corporation, joint stock company, association, limited partnership, limited liability company, limited liability partnership, charitable organization, estate, irrevocable trust, grantor of a revocable trust, or other similar entity (as determined by the Secretary); and

“(iii) an organization that is participating in a farming operation as a partner
in a general partnership or as a participant in a joint venture.

“(B) EXCLUSION.—The term ‘legal entity’ does not include a general partnership or joint venture.”;

(2) by striking subsections (b) through (d) and inserting the following:

“(b) LIMITATION ON PAYMENTS FOR COVERED COMMODITIES AND PEANUTS.—The total amount of payments received, directly or indirectly, by a person or legal entity for any crop year for 1 or more covered commodities and peanuts under title I of the Federal Agriculture Reform and Risk Management Act of 2013 may not exceed $125,000, of which—

“(1) not more than $75,000 may consist of marketing loan gains and loan deficiency payments under subtitle B of title I of the Federal Agriculture Reform and Risk Management Act of 2013; and

“(2) not more than $50,000 may consist of any other payments made for covered commodities and peanuts under title I of the Federal Agriculture Reform and Risk Management Act of 2013.

“(c) SPOUSAL EQUITY.—

“(1) IN GENERAL.—Notwithstanding subsection (b), except as provided in paragraph (2), if a person
and the spouse of the person are covered by paragraph
(2) and receive, directly or indirectly, any payment
or gain covered by this section, the total amount of
payments or gains (as applicable) covered by this sec-
tion that the person and spouse may jointly receive
during any crop year may not exceed an amount
equal to twice the applicable dollar amounts specified
in subsection (b).

“(2) EXCEPTIONS.—

“(A) SEPARATE FARMING OPERATIONS.—In
the case of a married couple in which each
spouse, before the marriage, was separately en-
gaged in an unrelated farming operation, each
spouse shall be treated as a separate person with
respect to a farming operation brought into the
marriage by a spouse, subject to the condition
that the farming operation shall remain a sepa-
rate farming operation, as determined by the
Secretary.

“(B) ELECTION TO RECEIVE SEPARATE PAY-
MENTS.—A married couple may elect to receive
payments separately in the name of each spouse
if the total amount of payments and benefits de-
scribed in subsection (b) that the married couple
receives, directly or indirectly, does not exceed an
amount equal to twice the applicable dollar
amounts specified in those subsections.”;

(3) in paragraph (3)(B) of subsection (f), by
adding at the end the following:

“(iii) IRREVOCABLE TRUSTS.—In pro-
mulgating regulations to define the term
‘legal entity’ as the term applies to irrev-
ocable trusts, the Secretary shall ensure that
irrevocable trusts are legitimate entities that
have not been created for the purpose of
avoiding a payment limitation.”; and

(4) in subsection (h), in the second sentence, by
striking “or other entity” and inserting “or legal en-
tity”.

(b) CONFORMING AMENDMENTS.—

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

(A) in subsection (e), by striking “sub-
sections (b) and (c)” each place it appears in
paragraphs (1) and (3)(B) and inserting “sub-
section (b)”;

(B) in subsection (f)—

(i) in paragraph (2), by striking “Sub-
sections (b) and (c)” and inserting “Sub-
section (b)”;

...
(ii) in paragraph (4)(B), by striking “subsection (b) or (c)” and inserting “subsection (b)”;

(iii) in paragraph (5)—

(I) in subparagraph (A), by striking “subsection (d)”; and

(II) in subparagraph (B), by striking “subsection (b), (c), or (d)” and inserting “subsection (b)”; and

(iv) in paragraph (6)—

(I) in subparagraph (A), by striking “Notwithstanding subsection (d), except as provided in subsection (g)” and inserting “Except as provided in subsection (f)”; and

(II) in subparagraph (B), by striking “subsections (b), (c), and (d)” and inserting “subsection (b)”;

(C) in subsection (g)—

(i) in paragraph (1)—

(I) by 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)”;

(D) by redesignating subsections (e) through (h) as subsections (d) 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) of section 1001” and inserting “section 1001(b)”;

(B) in subsection (b)(1), by striking “subsection (b) or (c) of section 1001” and inserting “section 1001(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) of section 1001” and inserting “section 1001(b)”.

(c) APPLICATION.—The amendments made by this section shall apply beginning with the 2014 crop year.
SEC. 1603A. 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 “ac-
tive personal management or”;

(C) in paragraph (5)—

(i) by striking “(5)” and all that fol-
lows through “(A) IN GENERAL.—A person”
and inserting the following:

“(5) CUSTOM FARMING SERVICES.—A person”;

(ii) by inserting “under usual and cus-
tomary 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 en-
gaged 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 part-
nership, 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)(i) is the only person in the farming operation qualifying as actively engaged in farming by using the farm manager special class designation under this paragraph; and

“(ii) together with any other persons in the farming operation qualifying as actively engaged in farming under subsection (b)(2) or as part of a special class under this subsection, does not collectively receive, directly or indirectly, an amount equal to more than the applicable limits under section 1001(b);

“(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. 1604. ADJUSTED GROSS INCOME LIMITATION.

(a) LIMITATIONS AND COVERED BENEFITS.—Section 1001D(b) of the Food Security Act of 1985 (7 U.S.C. 1308–3a(b)) is amended—

(1) in the subsection heading, by striking “LIMITATIONS” and inserting “LIMITATIONS ON COMMODITY AND CONSERVATION PROGRAMS”;

(2) by striking paragraphs (1) and (2) and inserting the following new paragraphs:

“(1) LIMITATION.—Notwithstanding any other provision of law, a person or legal entity shall not be eligible to receive any benefit described in paragraph (2) during a crop, fiscal, or program year, as appropriate, if the average adjusted gross income of the person or legal entity exceeds $950,000.

“(2) COVERED BENEFITS.—Paragraph (1) applies with respect to a payment or benefit under subtitle A, B, or E of title I, or title II of the Federal Agriculture Reform and Risk Management Act of 2013, title II of the Farm Security and Rural Investment Act of 2002, title II of the Food, Conservation, and Energy Act of 2008, title XII of the Food Secu-
rity Act of 1985, section 524(b) of the Federal Crop
Insurance Act (7 U.S.C. 1524(b)), or section 196 of
the Federal Agriculture Improvement and Reform Act
of 1996 (7 U.S.C. 7333).”.

(b) Elimination of Unused Definitions.—Paragraph (1) of section 1001D(a) of the Food Security Act of
1985 (7 U.S.C. 1308–3a(a)) is amended to read as follows:

“(1) Average Adjusted Gross Income.—In
this section, the term ‘average adjusted gross income’,
with respect to a person or legal entity, means the av-
erage of the adjusted gross income or comparable
measure of the person or legal entity over the 3 tax-
able years preceding the most immediately preceding
complete taxable year, as determined by the Sec-
retary.”.

(c) Income Determination.—Section 1001D of the
Food Security Act of 1985 (7 U.S.C. 1308–3a) is amend-
ed—

(1) by striking subsection (c); and

(2) by redesignating subsections (d), (e), and (f)
as subsections (c), (d), and (e), respectively.

(d) Conforming Amendments.—Section 1001D of
the Food Security Act of 1985 (7 U.S.C. 1308–3a) is
amended—

(1) in subsection (a)(2)—
(A) by striking “subparagraph (A) or (B) of”; and

(B) by striking “, the average adjusted gross farm income, and the average adjusted gross nonfarm income”;

(2) in subsection (a)(3), by striking “, average adjusted gross farm income, and average adjusted gross nonfarm income” both places it appears;

(3) in subsection (c) (as redesignated by subsection (c)(2) of this section)—

(A) in paragraph (1), by striking “, average adjusted gross farm income, and average adjusted gross nonfarm income” both places it appears; and

(B) in paragraph (2), by striking “paragraphs (1)(C) and (2)(B) of subsection (b)” and inserting “subsection (b)(2)”;

(4) in subsection (d) (as redesignated by subsection (c)(2) of this section)—

(A) by striking “paragraphs (1)(C) and (2)(B) of subsection (b)” and inserting “subsection (b)(2)”;

(B) by striking “, average adjusted gross farm income, or average adjusted gross nonfarm income”.
(e) **Effective Period.**—Subsection (e) of section 1001D of the Food Security Act of 1985 (7 U.S.C. 1308–3a), as redesignated by subsection (c)(2) of this section, is repealed.

(f) **Limitation on Applicability.**—Section 1001(d) of the Food Security Act of 1985 (7 U.S.C. 1308) is amended by inserting before the period at the end the following: “or title I of the Federal Agriculture Reform and Risk Management Act of 2013”.

(g) **Transition.**—Section 1001D of the Food Security Act of 1985 (7 U.S.C. 1308–3a), as in effect on the day before the date of the enactment of this Act, shall apply with respect to the 2013 crop, fiscal, or program year, as appropriate, for each program described in paragraphs (1)(C) and (2)(B) of subsection (b) of that section (as so in effect on that day).

SEC. 1605. **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 “each of fiscal years 2009 through 2012” and inserting “fiscal year 2009 and each succeeding fiscal year”.
SEC. 1606. PERSONAL LIABILITY OF PRODUCERS FOR DEFICIENCIES.


SEC. 1607. 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 determined 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. 1608. TECHNICAL CORRECTIONS.

(a) MISSING PUNCTUATION.—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) ERRONEOUS CROSS REFERENCE.—
(1) Amendment.—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) Effective Date.—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).

(c) Continued Applicability of Appropriations

General Provision.—Section 767 of division A of Public Law 108–7 (7 U.S.C. 7911 note; 117 Stat. 48) is amended—

(1) in subsection (a)—

(A) by striking “sections 1101 and 1102 of Public Law 107–171” and inserting “subtitle A of title I of the Federal Agriculture Reform and Risk Management Act of 2013”; and

(B) by striking “such section 1102” and inserting “such subtitle”; and

(2) by striking subsection (b) and inserting the following new subsection:
“(b) This section, as amended by section 1608(c) of the Federal Agriculture Reform and Risk Management Act of 2013, shall take effect beginning with the 2014 crop year.”

SEC. 1609. 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. 1610. 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. 1611. SIGNATURE AUTHORITY.

(a) IN GENERAL.—In carrying out this title and title II and amendments made by those titles, if the Secretary approves a document, the Secretary shall not subsequently determine the document is inadequate or invalid because of the lack of authority of any person signing the document on behalf of the applicant or any other individual, entity, general partnership, or joint venture, or the documents re-
lied 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. 1612. 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 pa-
perwork, 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) MAINTENANCE OF BASE ACRES AND PAYMENT YIELDS.—

(1) IN GENERAL.—The Secretary shall maintain, for each covered commodity and upland cotton, base acres and payment yields on a farm established under—

(A)(i) in the case of covered commodities and upland cotton, sections 1101 and 1102 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7911, 7912); and

(ii) in the case of peanuts, section 1302 of that Act (7 U.S.C. 7952); and

(B)(i) in the case of covered commodities and upland cotton, sections 1101 and 1102 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8711, 8712); and
(ii) in the case of peanuts, section 1302 of that Act (7 U.S.C. 8752).

(2) SPECIAL RULE FOR LONG GRAIN AND MEDIUM GRAIN RICE.—

(A) IN GENERAL.—The Secretary shall maintain separate base acres for long grain rice and medium grain rice.

(B) LIMITATION.—In carrying out this paragraph, the Secretary shall use the same total base acres and payment yields established with respect to rice under sections 1108 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8718), as in effect on the day before the date of enactment of this Act, subject to any adjustment under section 1105.

(c) IMPLEMENTATION.—The Secretary shall make available to the Farm Service Agency to carry out this title $100,000,000.

SEC. 1613. PROTECTION OF PRODUCER INFORMATION.

(a) PROHIBITION OF PUBLIC DISCLOSURE OF PROTECTED INFORMATION.—Except as provided in subsection (b), the Secretary, any officer or employee of the Department of Agriculture, any contractor or cooperator of the Department, and any officer or employee of another Federal agency shall not disclose—
(1) information submitted by a producer or owner of agricultural land to the Federal Government pursuant to title I or II of this Act; or

(2) other information provided by a producer or owner of agricultural land concerning the agricultural operation, farming or conservation practices, or the land itself in order to participate in programs of the Department of Agriculture or other Federal agencies.

(b) EXCEPTIONS.—Information described in subsection (a) may be disclosed if—

(1) the information is required to be made publicly available under any other provision of Federal law;

(2) the producer or owner of agricultural land who provided the information has lawfully publicly disclosed the information;

(3) the producer or owner of agricultural land who provided the information consents to the disclosure; or

(4) the information is disclosed to the Attorney General, to the extent necessary, to ensure compliance and law enforcement.

(c) NOTICE OF DISCLOSURE.—Any disclosure of information pursuant to an exception provided in subsection (b)
shall be reported to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate within 24 hours after the disclosure.

(d) PRODUCER DEFINED.—In this section, the term “producer” has the meaning given that term in section 1104(14) of this Act.

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 the enactment of the Federal Agriculture Reform and Risk Management Act of 2013”;

(2) by striking paragraph (2) and redesignating paragraph (3) as paragraph (2);
(3) by inserting before paragraph (4) the following new paragraph:

“(3) grasslands that—

“(A) contain forbs or shrubland (including improved rangeland and pastureland) for which grazing is the predominant use;

“(B) are located in an area historically dominated by grasslands; 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 or riparian buffers devoted to trees, shrubs, or grasses”; and

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

“(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 as a conservation 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.—Subsection (d) of section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831) is amended to read as follows:

“(d) ENROLLMENT.—

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

“(A) fiscal year 2014, no more than 27,500,000 acres;

“(B) fiscal year 2015, no more than 26,000,000 acres;

“(C) fiscal year 2016, no more than 25,000,000 acres;

“(D) fiscal year 2017, no more than 24,000,000 acres; and

“(E) fiscal year 2018, no more than 24,000,000 acres.
“(2) GRASSLANDS.—

“(A) LIMITATION.—For purposes of applying the limitations in paragraph (1), no more than 2,000,000 acres of the land described in subsection (b)(3) may be enrolled in the program at any one 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 on a continuous enrollment basis with one or more ranking periods.”.

(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 new paragraph:

“(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 pre-
scribed under paragraph (1), 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 “WATER-
SHEDS.—Watersheds” and inserting “AREAS.—
Areas”; and

(3) in paragraph (3), by striking “a watershed’s
designation—” and all that follows through the pe-
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 habi-
tat impacts related to agricultural production activi-
ties.”.

SEC. 2002. FARMABLE WETLAND PROGRAM.

(a) EXTENSION.—Section 1231B(a)(1) of the Food Se-
curity 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) **ACREAGE LIMITATION.**—Section 1231B(c)(1)(B) of the Food Security Act of 1985 (16 U.S.C. 3831b(c)(1)(B)) is amended by striking “1,000,000” and inserting “750,000”.

(d) **CLERICAL AMENDMENT.**—The heading of section 1231B of the Food Security Act of 1985 (16 U.S.C. 3831b) is amended to read as follows: **FARMABLE WETLAND PROGRAM**.

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 subsection (b) or (c) of section 1233;”.

(b) **CONSERVATION PLAN REQUIREMENTS.**—Subsection (b) of section 1232 of the Food Security Act of 1985 (16 U.S.C. 3832) is amended to read as follows:

“(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 under the conservation reserve program, 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 crop-
the production of an agricultural commodity on
a farm or ranch to a less intensive use;

“(B) the retirement of any base history that
the owner or operator agrees to retire perma-
nently; and

“(C) the development and management of
grasslands for multiple natural resource con-
servation benefits, including to soil, water, air,
and wildlife.

“(b) SPECIFIED ACTIVITIES PERMITTED.—The Sec-
retary shall permit certain activities or commercial uses of
land that is subject to a contract under the conservation
reserve program in a manner that is consistent with a plan
approved by the Secretary, as follows:

“(1) Harvesting, grazing, or other commercial
use of the forage in response to a drought or other
emergency created by a natural disaster, without any
reduction in the rental rate.

“(2) Consistent with the conservation of soil,
water quality, and wildlife habitat (including habitat
during nesting seasons for 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 managed harvesting, the Secretary, in coordination with the State technical committee—

“(i) shall develop appropriate vegetation management requirements; and

“(ii) shall identify periods during which managed harvesting may be conducted, such that the frequency is not more than once every three years;

“(B) routine grazing or prescribed grazing for the control of invasive species, except that in permitting such routine grazing or prescribed 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 two 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

“(C) 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 wildlife and wildlife habitat; and

“(iii) the purposes of the conservation reserve program under this subchapter.

“(3) The intermittent and seasonal use of vegetative buffer practices incidental to agricultural production on lands adjacent to the buffer such that the per-
mitted use does not destroy the permanent vegetative cover.

“(c) AUTHORIZED ACTIVITIES ON GRASSLANDS.—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 nesting season for critical bird species in the area.

“(3) Fire presuppression, fire-related 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 enrolled 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) RE-ENROLLMENT PROHIBITED.—Land improved under paragraph (1) may not be re-enrolled in the conservation reserve program for 5 years after the date of termination of the contract.”.

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) 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 “or other eligible lands” after “highly erodible cropland” both places it appears; and

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

“(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) GRASSLANDS.—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.”.

(c) PAYMENT SCHEDULE.—Subsection (d) of section 1234 of the Food Security Act of 1985 (16 U.S.C. 3834) is amended to read as follows:

“(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) ADVANCE PAYMENT.—Payments under this subchapter may be made in advance of determination of performance.”.

(d) 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.

(a) EARLY TERMINATION BY OWNER OR OPERATOR.—Section 1235(e) of the Food Security Act of 1985 (16 U.S.C. 3835(e)) is amended—

(1) in paragraph (1)(A)—

(A) by striking “The Secretary” and inserting “During fiscal year 2014, the Secretary”;

and

(B) by striking “before January 1, 1995,”;

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

“(C) Land devoted to hardwood trees.
“(D) Wildlife habitat, duck nesting habitat, pollinator habitat, upland bird habitat buffer, wildlife food plots, State acres for wildlife enhancement, shallow water areas for wildlife, and rare and declining habitat.

“(E) Farmable wetland and restored wetland.

“(F) Land that contains diversions, erosion control structures, flood control structures, contour grass strips, living snow fences, salinity reducing vegetation, cross wind trap strips, and sediment retention structures.

“(G) Land located within a federally-designated wellhead protection area.

“(H) Land that is covered by an easement under the conservation reserve program.

“(I) Land located within an average width, according to the applicable Natural Resources Conservation Service field office technical guide, of a perennial stream or permanent water body.”; and

(3) in paragraph (3), by striking “60 days after the date on which the owner or operator submits the notice required under paragraph (1)(C)” and inserting “upon approval by the Secretary”.
(b) Transition Option for Certain Farmers or Ranchers.—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 (A)(i), by inserting “, including preparing to plant an agricultural crop” after “improvements”;

(C) in subparagraph (D), by striking “the farmer or rancher” and inserting “the covered farmer or rancher”; and

(D) 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 pursuant to section 1234(c)(2)(A)(ii)”.
(c) **Final Year Contract.**—Section 1235 of the Food Security Act of 1985 (16 U.S.C. 3835) is amended by adding at the end the following new subsections:

“(g) **Final Year of Contract.**—The Secretary shall not consider an owner or operator to be in violation of a term or condition of the conservation reserve contract if—

“(1) during the year prior to expiration of the contract, the land is enrolled in the conservation stewardship program; and

“(2) the activity required under the conservation stewardship program pursuant to such enrollment is consistent with this subchapter.

“(h) **Land Enrolled in Agricultural Conservation Easement Program.**—The Secretary may terminate or modify a contract entered into under this subchapter if eligible land that is subject to such contract is transferred into the agricultural conservation easement program under subtitle H.”.

**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 amend-
ment made by section 2001(d), which shall take effect on the date of the 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 of land subject to 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 section 1233(b) of that Act (as amended by section 2004), as determined appropriate by the Secretary.
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 or tribal land on which

agricultural commodities, livestock, or for-
est-related products are produced; and

“(ii) lands associated with the land de-
scribed in clause (i) on which priority re-
source concerns could be addressed through

a contract under the program.

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

includes—

“(i) cropland;

“(ii) grassland;

“(iii) rangeland;

“(iv) pasture land;

“(v) nonindustrial private forest land;

and

“(vi) other agricultural areas (includ-
ing cropped woodland, marshes, and agri-
cultural land used or capable of being used

for the production of livestock), as deter-
mined 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 a 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 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, unless—

“(i) the conservation reserve contract will expire at the end of the fiscal year in which the land is to be enrolled in the program; and

“(ii) conservation reserve program payments for land enrolled in the program cease before the first program payment is made to the applicant under this subchapter.

“(B) Land enrolled in a wetland easement through the agricultural conservation easement program.

“(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 to the Secretary 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, meets or exceeds 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 across the entire 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 submitted under subsection (a), 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 sub-
section (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 con-
tract 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 stew-
 ardship plan that describes the program
 purposes to be achieved through 1 or more
 conservation activities;

“(ii) to maintain and supply informa-
tion as required by the Secretary to deter-
mine compliance with the conservation
stewardship plan and any other require-
ments 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 requiring that 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) the producer shall forfeit all rights to receive payments under the contract; and

“(II) the producer shall 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, the producer shall 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 eligible land covered by a contract under the program, the transferee of the land provides written notice to the Secretary that all 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 initial contract;
“(2) agrees to adopt and continue to integrate conservation activities across the entire agricultural operation, as determined by the Secretary; and

“(3) agrees, by the end of the contract period—

“(A) to meet the stewardship threshold of at least two additional priority resource concerns on the agricultural operation; or

“(B) to exceed the stewardship threshold of two existing priority resource concerns that are specified by the Secretary in the initial contract.

“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, one 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 paragraph (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, 2021, the Secretary shall, to the maximum extent practicable—

“(1) enroll in the program an additional 8,695,000 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 Sec-
retary shall provide annual payments under the pro-
gram to compensate the producer for—

“(A) installing and adopting additional
conservation activities; and

“(B) improving, maintaining, and man-
ing conservation activities in place at the ag-
ericultural 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 de-
termined by the Secretary and based, to the max-
imum extent practicable, on the following factors:

“(A) Costs incurred by the producer associ-
ated with planning, design, materials, installa-
tion, labor, management, maintenance, or train-
ing.

“(B) Income forgone by the producer.

“(C) Expected conservation benefits.

“(D) The extent to which priority resource
concerns will be addressed through the installa-
tion 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 ag-
gricultural operation for all applicable priority
resource concerns over the term of the contract.

“(G) Such other factors as determined ap-
propriate by the Secretary.

“(3) EXCLUSIONS.—A payment to a producer
under this subsection shall not be provided for—

“(A) the design, construction, or mainte-
nance of animal waste storage or treatment fa-
cilities 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 pro-
ducer.

“(4) DELIVERY OF PAYMENTS.—In making pay-
ments under this subsection, 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 payments in each fiscal year; and

“(B) make 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 or improve 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 beneficial 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) of this title) may be used to administer and make payments to program participants that 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 new subparagraph:

“(B) developing and improving wildlife habitat; and”;

(2) in paragraph (4), by striking “; and” and inserting a period; and

(3) by striking paragraph (5).
SEC. 2202. 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 new paragraph:

“(2) TERM.—A contract under the program shall have a term that does not exceed 10 years.”;

(3) in subsection (d)(4)—

(A) 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

(B) by striking subparagraph (B) and inserting the following new subparagraph:

“(B) ADVANCE PAYMENTS.—

“(i) IN GENERAL.—Not more than 50 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 dur-
ing the 90-day period beginning on the date
of receipt of the funds, the funds shall be re-
turned within a reasonable time frame, as
determined by the Secretary.”;

(4) by striking subsection (f) and inserting the
following new subsection:

“(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, 7.5 percent of the funds
made available for payments under the program shall
be targeted at practices benefitting wildlife habitat.”;

(5) in subsection (g)—

(A) in the subsection heading, by striking
“Federally Recognized Native American
Indian Tribes and Alaska Native Corpora-
tions” and inserting “Indian Tribes”;

(B) by striking “federally recognized Native
American Indian Tribes and Alaska Native Cor-
porations (including their affiliated membership
organizations)” and inserting “Indian tribes”; and
(C) by striking “or Native Corporation”;

and

(6) by adding at the end the following:

“(j) WILDLIFE HABITAT INCENTIVE PRACTICE.—The Secretary shall provide payments to producers under the program for practices, including recurring practices for the term of the contract, that support the restoration, development, protection, 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 appropriate by the Secretary.

“(k) FUNDING FOR COMMUNITY IRRIGATION ASSOCIATIONS.—

“(1) IN GENERAL.—The Secretary may enter into an alternative funding arrangement with an eligible irrigation association if the Secretary determines that—
“(A) the purposes of the program will be met by such an arrangement; and

“(B) statutory limitations regarding contracts with individual producers will not be exceeded by any member of the irrigation association.

“(2) Eligible irrigation associations.—In this subsection, the term ‘eligible irrigation association’ means an irrigation association that is—

“(A) comprised of producers; and

“(B) a local government entity, but does not have the authority to impose taxes or levies.”.

SEC. 2203. 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. 2204. 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. 2205. LIMITATION ON PAYMENTS.

Section 1240G of the Food Security Act of 1985 (16 U.S.C. 3839aa–7) is amended to read as follows:

“SEC. 1240G. LIMITATION ON PAYMENTS.

“A person or legal entity may not receive, directly or indirectly, cost-share or incentive payments under this chapter that, in aggregate, exceed $450,000 for all contracts entered into under this chapter by the person or legal entity during the period of fiscal years 2014 through 2018, regardless of the number of contracts entered into under this chapter by the person or legal entity.”.

SEC. 2206. 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 (a)(2)—

(A) in subparagraph (C), by striking “; and” and inserting a semicolon;

(B) in subparagraph (D), by striking the period and inserting a semicolon; and

(C) by adding at the end the following new subparagraphs:

“(E) facilitate on-farm conservation research and demonstration activities; and
“(F) facilitate pilot testing of new technologies or innovative conservation practices.”;

and

(2) by striking subsection (b) and inserting the following new subsection:

“(b) REPORTING.—Not later than December 31, 2014, and every two 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. 2207. 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 subtitle 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 Octo-
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 new subtitle:

“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, as such sections were in effect on September 30, 2013;
“(2) restore, protect, and enhance wetlands on eligible land;

“(3) protect the agricultural use and related conservation values of eligible land by limiting non-agricultural 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 purpose of protecting natural resources and the agricultural nature of the land; and

“(B) permits the landowner the right to continue agricultural production and related uses subject to an agricultural land easement plan, as approved by the Secretary.

“(2) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—

“(A) an agency of State or local government or an Indian tribe (including a 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 of an agricultural land easement from an eligible entity;

“(ii) that—

“(I) has prime, unique, or other productive soil;

“(II) contains historical or archeological 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 predominate 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 wetlands, together with 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—

“(I) a closed basin lake and adjacent land that is functionally dependent upon it, if the State or other entity is willing to provide 50 percent share of the cost of an easement; and

“(II) a pothole and adjacent land that is functionally dependent on it;

“(iii) farmed wetlands and adjoining lands that—
“(I) are enrolled in the conservation reserve program;
“(II) have the highest wetland functions and values, as determined by the Secretary; and
“(III) are likely to return to production after they leave the conservation reserve program;
“(iv) riparian areas that link wetlands that are protected by easements or some other device that achieves the same purpose as an easement; or
“(v) other wetlands of an owner that would not otherwise be eligible, if the Secretary determines that the inclusion of such wetlands in a wetland easement would significantly add to the functional value of the easement; or
“(C) in the case of either an agricultural land easement or wetland easement, other land that is incidental to land described in subparagraph (A) or (B), 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 protect the agricultural use, including grazing, and related
conservation values of eligible land through cost-share assistance to eligible entities for purchasing agricultural land easements.

“(2) Scope of assistance available.—

“(A) Federal share.—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 Practice;

“(ii) an area-wide market analysis or survey; or

“(iii) another industry-approved method.

“(B) Non-Federal share.—

“(i) In general.—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) EXCEPTION.—In the case of grassland of special environmental significance, as determined by the Secretary, the Secretary may provide an amount not to exceed 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 de-
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 applica-
tions solely on the basis of lesser cost to the pro-
gram.

“(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 agree-
ment 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 five years;

and

“(ii) for all other eligible entities, at
least three, but not more than five 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) permit effective enforcement of the conservation purposes of such easements;

“(iii) include a right of enforcement for the Secretary, that may be used only if the terms of the easement are not enforced by the holder of the easement;

“(iv) subject the land in which an interest is 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 grasslands according to a grasslands management plan; and

“(III) includes a conservation plan, where appropriate, and requires, at the option of the Secretary, the con-
version of highly erodible cropland to less intensive uses; and

“(v) 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 Secretary may terminate the agreement; 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 such 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 three years to ensure that such entities are meeting the criteria established under subparagraph (B).

“(ii) REVOCATION.—If the Secretary finds that the certified eligible entity no longer meets the criteria established under subparagraph (B), the Secretary may—

“(I) allow the certified eligible 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 eligible entity, if, after the specified pe-
riod of time, the certified eligible entity
does not meet such criteria.

“(c) METHOD OF ENROLLMENT.—The Secretary shall
enroll eligible land under this section through the use of—
“(1) permanent easements; or
“(2) easements for the maximum duration al-
lowed under applicable State laws.

“(d) 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 wetlands through—
“(1) wetland easements and related wetland ease-
ment plans; and
“(2) technical assistance.
“(b) EASEMENTS.—
“(1) METHOD OF ENROLLMENT.—The Secretary
shall enroll eligible land under this section 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 (which shall be considered to be 30-year easements for the purposes of this subtitle).

“(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 wetlands or converted wetlands where the conversion was not commenced prior to December 23, 1985.

“(B) CHANGES IN OWNERSHIP.—No wetland 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 a wetland easement, including the potential environmental benefits if the land was removed from agricultural production;
“(ii) the cost-effectiveness of each wetland easement, 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 wetland easement 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 wetland easements based on the value of the wetland 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 developed for the eligible land under subsection (f);
“(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 base 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 wildlife 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 a wetland easement, the wetland 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 developed for the land under subsection (f) 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 a wetland 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 the long-term protection and enhancement goals for which the easement was established; and

“(III) complies with the wetland easement plan developed for the land under subsection (f); and

“(ii) the agreement provides for a commensurate reduction in the easement payment to account for the grazing value, as determined by the Secretary.

“(6) Compensation.—

“(A) Determination.—
“(i) **PERMANENT EASEMENTS**.—The Secretary shall pay as compensation for a permanent wetland easement acquired under the program 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 Practice 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) **30-YEAR EASEMENTS**.—Compensation for a 30-year wetland easement shall be not less than 50 percent, but not more than 75 percent, of the compensation that would be paid for a permanent wetland easement.

“(B) **FORM OF PAYMENT**.—Compensation for a wetland easement 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 $500,000 or less.—For wetland 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 wetland 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 owners of eligible land 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 developed for the eligible land under subsection (f).
“(2) PAYMENTS.—The Secretary shall—

“(A) in the case of a permanent wetland easement, pay an amount that is not less than 75 percent, but not more than 100 percent, of the eligible costs, as determined by the Secretary; and

“(B) in the case of a 30-year wetland easement, pay an amount that is not less than 50 percent, but not more than 75 percent, of the eligible costs, as determined by the Secretary.

“(d) TECHNICAL ASSISTANCE.—

“(1) IN GENERAL.—The Secretary shall assist owners in complying with the terms and conditions of wetland easements.

“(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 a wetland 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 program.

“(f) Administration.—

“(1) Wetland Easement Plan.—The Secretary
shall develop a wetland easement plan for eligible
lands subject to a wetland easement, which shall in-
clude practices and activities necessary to restore,
protect, enhance, and maintain the enrolled lands.

“(2) Delegation of Easement Administration.—The Secretary may delegate—

“(A) 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 dele-
gated responsibilities; and

“(B) any of the easement management re-
sponsibilities of the Secretary to other conserva-
tion organizations if the Secretary determines
the organization has the appropriate expertise
and resources.

“(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 under subsection (c), 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 under this section 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 use program funds for the purposes of acquiring an easement on—

“(1) lands owned by an agency of the United States, other than land held in trust for Indian tribes;

“(2) lands 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; or

“(4) lands 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 wet-
land or related area with the highest functions and
value 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 subordi-
nate, exchange, modify, or terminate any interest in
land, or portion of such interest, administered by the
Secretary, either directly or on behalf of the Com-
modity Credit Corporation under the program if the
Secretary determines that—

“(A) it is in the Federal Government’s in-
terest to subordinate, exchange, modify, or termi-
nate the interest in land;

“(B) the subordination, exchange, modific-
tion, or termination action—

“(i) will address a compelling public
need for which there is no practicable alter-
native; or

“(ii) such action will further the prac-
tical administration of the program; and

“(C) the subordination, exchange, modifica-
tion, or termination action will result in com-
parable conservation value and equivalent or greater economic value to the United States.

“(2) Consultation.—The Secretary shall work with the owner, and eligible entity if applicable, to address any subordination, exchange, modification, or termination 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 Conservation Reserve Program.—The Secretary may terminate or modify a contract entered into under section 1231(a) if eligible land that is subject to such contract is transferred into the 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 for agricultural land easements—

“(1) no less than 40 percent in each of fiscal years 2014 through 2017; and
“(2) no less than 50 percent in fiscal year 2018.”.

(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; Calculation.**—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 new paragraph:

“(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 wetland easements under section 1265C”; and

(ii) in subparagraph (B), by striking “an easement acquired under subchapter C of chapter 1 of subtitle D” and inserting “a wetland easement under section 1265C”; and

(B) by adding at the end the following new paragraph:

“(5) CALCULATION.—In calculating the percentages described in paragraph (1), the Secretary shall include any acreage that was included in calculations
of percentages made under such paragraph, as in ef-
fect on September 30, 2013, and that remains enrolled
when the calculation is made after that date under
paragraph (1).”.

(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 PRO-
GRAM.

(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 new subtitle:

“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 on eligible land through—

“(1) partnership agreements with eligible part-
ners; and

“(2) contracts with producers.

“(b) PURPOSES.—The purposes of the program are as
follows:
“(1) To use covered programs to accomplish pur-
poses and functions similar to those of the following
programs, as in effect on September 30, 2013:

“(A) The agricultural water enhancement
program established under section 1240I.

“(B) The Chesapeake Bay watershed pro-
gram established under section 1240Q.

“(C) The cooperative conservation partner-
ship initiative established under section 1243.

“(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 eligible land on a regional or
watershed scale.

“(3) To encourage eligible partners to cooperate
with producers in—

“(A) meeting or avoiding the need for na-
tional, State, and local natural resource regu-
latory requirements related to production on eli-
gible land; and

“(B) implementing projects that will result
in the carrying out of eligible activities that af-
flect multiple agricultural or nonindustrial pri-
vate forest operations on a local, regional, State, or multistate basis.

“SEC. 1271A. DEFINITIONS.

“In this subtitle:

“(1) COVERED PROGRAM.—The term ‘covered program’ means the following:

“(A) The agricultural conservation easement program.

“(B) The environmental quality incentives program.

“(C) The conservation stewardship program.


“(2) ELIGIBLE ACTIVITY.—The term ‘eligible activity’ means any of the following conservation activities:

“(A) Water quality or quantity conservation, restoration, or enhancement projects relating to surface water and groundwater resources, including—

“(i) the conversion of irrigated crop-
sive agricultural commodities or dryland farming; or

“(ii) irrigation system improvement and irrigation efficiency enhancement.

“(B) Drought mitigation.

“(C) Flood prevention.

“(D) Water retention.

“(E) Air quality improvement.

“(F) Habitat conservation, restoration, and enhancement.

“(G) Erosion control and sediment reduction.

“(H) Other related activities that the Secretary determines will help achieve conservation benefits.

“(3) ELIGIBLE LAND.—The term ‘eligible land’ means land on which agricultural commodities, livestock, or forest-related products are produced, including—

“(A) cropland;

“(B) grassland;

“(C) rangeland;

“(D) pastureland;

“(E) nonindustrial private forest land; and
“(F) other land incidental to agricultural
production (including wetlands and riparian
buffers) on which significant natural resource
issues could be addressed under the program.

“(4) ELIGIBLE PARTNER.—The term ‘eligible
partner’ means any of the following:

“(A) An agricultural or silvicultural pro-
ducer association or other group of producers.

“(B) A State or unit of local government.

“(C) An Indian tribe.

“(D) A farmer cooperative.

“(E) A water district, irrigation district,
rural water district or association, or other orga-
nization with specific water delivery authority to
producers on agricultural land.

“(F) An institution of higher education.

“(G) An organization or entity with an es-
tablished history of working cooperatively with
producers on agricultural land, as determined by
the Secretary, to address—

“(i) local conservation priorities re-
related to agricultural production, wildlife
habitat development, or nonindustrial pri-
ivate forest land management; or
“(ii) critical watershed-scale soil erosion, water quality, sediment reduction, or other natural resource issues.

“(5) Partnership Agreement.—The term ‘partnership agreement’ means an agreement entered into under section 1271B between the Secretary and an eligible partner.

“(6) 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 on eligible land.

“(b) Length.—A partnership agreement shall be for a period not to exceed 5 years, except that the Secretary may extend the agreement one 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 non-industrial private forest land operations affected;

“(iii) the local, State, multistate, or other geographic area covered; and

“(iv) the planning, outreach, implementation, and assessment to be conducted;

“(B) conduct outreach 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.—An eligible partner shall provide a significant portion of the overall costs of the scope of the project that is the subject of the agreement entered into under subsection (a), 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 toward 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) eligible 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) PRIORITY TO CERTAIN APPLICATIONS.—The Secretary may give a higher priority to applications that—

“(A) assist producers in meeting or avoiding the need for a natural resource regulatory requirement;

“(B) have a high percentage of eligible producers in the area to be covered by the agreement;

“(C) significantly leverage non-Federal financial and technical resources and coordinate with other local, State, or national efforts;

“(D) deliver high percentages of applied conservation to address conservation priorities or
regional, State, or national conservation initia-
tives;

“(E) provide innovation in conservation
methods and delivery, including outcome-based
performance measures and methods; or

“(F) meet other factors that are important
for achieving the purposes of the program, as de-
termined by the Secretary.

“SEC. 1271C. ASSISTANCE TO PRODUCERS.

“(a) IN GENERAL.—The Secretary shall enter into con-
tracts with producers to provide financial and technical as-
sistance 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 con-
servation area designated under section 1271F, but
who are seeking to implement an eligible activity on
eligible land independent of a partner.

“(b) TERMS AND CONDITIONS.—

“(1) CONSISTENCY WITH PROGRAM RULES.—Ex-
cept as provided in paragraph (2), 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
243

project, as described in the application under section 1271B(d)(3)(C).

“(2) ADJUSTMENTS.—Except with respect to statutory program requirements governing appeals, payment limitations, and conservation compliance, the Secretary may adjust the discretionary program rules of a covered program—

“(A) to provide a simplified application and evaluation process; and

“(B) to better reflect unique local circumstances and purposes if the Secretary determines such adjustments are necessary to achieve the purposes of the program.

“(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 PRODUCERS IN STATES WITH WATER QUANTITY CONCERNS.—The Secretary may provide payments to producers participating in a project that addresses water quantity concerns for a period of five years in an amount sufficient to en-
courage conversion from irrigated farming to dryland farming.

“(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.

“(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 6 percent of the funds and acres made available for a covered program for each of fiscal years 2014 through 2018 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 established under subtitle G;

“(2) 50 percent of the funds and acres to projects based on a national competitive process to be established by the Secretary; and

“(3) 25 percent of the funds and acres to projects for the critical conservation areas designated under 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 eligible 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 every two 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 eligible partners and producers participating in the partnership agreements selected;

“(2) the number of producers receiving assistance; and

“(3) total funding committed to projects, including from Federal and non-Federal resources.

“SEC. 1271F. CRITICAL CONSERVATION AREAS.

“(a) IN GENERAL.—In administering funds under section 1271D(d)(3), the Secretary shall select applications for partnership agreements and producer contracts within critical conservation areas designated under this section.

“(b) CRITICAL CONSERVATION AREA DESIGNATIONS.—

“(1) PRIORITY.—In designating critical conservation areas under this section, the Secretary shall
give priority to geographical areas based on the degree to which the geographical 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) would benefit from water quality improvement, including through reducing erosion, promoting sediment control, and addressing nutrient management activities affecting large bodies of water of regional, national, or international significance;

“(D) would benefit from water quantity improvement, including improvement relating to—

“(i) groundwater, surface water, aquifer, or other water sources; or

“(ii) a need to promote water retention and flood prevention; or

“(E) contains producers that need assistance in meeting or avoiding the need for a natural resource regulatory requirement that could
have a negative economic impact on agricultural
operations within the area.

“(2) LIMITATION.—The Secretary may not des-
ignate more than 8 geographical areas as critical con-
servation areas under this section.

“(c) ADMINISTRATION.—

“(1) IN GENERAL.—Except as provided in para-
graph (2), the Secretary shall administer any part-
nership 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 prac-
ticable, ensure that eligible activities carried out in
critical conservation areas designated under this sec-
tion complement and are consistent with other Fed-
eral and State programs and water quality and
quantity strategies.

“(3) ADDITIONAL AUTHORITY.—For a critical
conservation area described in subsection (b)(1)(D),
the Secretary may use authorities under the Water-
shed Protection and Flood Prevention Act (16 U.S.C.
1001 et seq.), other than section 14 of such Act (16
U.S.C. 1012), to carry out projects for the purposes
of this section.”.
(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 by striking “2012” and inserting “2018”.

**SEC. 2502. GRASSROOTS SOURCE WATER PROTECTION PROGRAM.**

Section 1240O(b) of the Food Security Act of 1985 (16 U.S.C. 3839bb–2) is amended to read as follows:

“(b) **FUNDING.**—

“(1) **AUTHORIZATION OF APPROPRIATIONS.**—

There is authorized to be appropriated to carry out this section $20,000,000 for each of fiscal years 2008 through 2018.

“(2) **AVAILABILITY OF FUNDS.**—In addition to funds made available under paragraph (1), of the funds of the Commodity Credit Corporation, the Secretary shall use $5,000,000, to remain available until expended.”.
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 by inserting before the period at the end the following: “and $30,000,000 for the period of fiscal years 2014 through 2018”.

(b) REPORT ON PROGRAM EFFECTIVENESS.—Not later than two years after the date of the 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 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 each State and tribal government;
(3) evaluating the extent of improved access on eligible lands, 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.
SEC. 2504. AGRICULTURE CONSERVATION EXPERIENCED SERVICES PROGRAM.

(a) FUNDING.—Subsection (c) of section 1252 of the Food Security Act of 1985 (16 U.S.C. 3851) is amended to read as follows:

“(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.

(a) AVAILABILITY OF FUNDS.—Section 14(h)(1) of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012(h)(1)) is amended—

(1) in subparagraph (E), by striking “; and” and inserting a semicolon;

(2) in subparagraph (F), by striking the period and inserting a semicolon;

(3) in subparagraph (G), by striking the period and inserting “; and”; and

(4) by adding at the end the following new sub-paragraph:
“(H) $250,000,000 for fiscal year 2014, to remain available until expended.”.

(b) AUTHORIZATION OF APPROPRIATIONS.—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. AGRICULTURAL MANAGEMENT ASSISTANCE PROGRAM.

(a) USES.—Section 524(b)(2) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)(2)) is amended—

(1) by striking subparagraph (B) and redesignating subparagraphs (C) through (F) as subparagraphs (B) through (E), respectively; and

(2) in subparagraph (B) (as so redesignated)—

(A) in the matter preceding clause (i), by striking “or resource conservation practices”;

and

(B) by striking clause (i) and redesignating clauses (ii) through (iv) as clauses (i) through (iii), respectively.

(b) COMMODITY CREDIT CORPORATION.—

(1) FUNDING.—Section 524(b)(4)(B) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)(4)(B)) is amended to read as follows:
“(B) FUNDING.—The Commodity Credit Corporation shall make available to carry out this subsection not less than $10,000,000 for each fiscal year.”.

(2) CERTAIN USES.—Section 524(b)(4)(C) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)(4)(C)) is amended—

(A) in clause (i)—

(i) by striking “50” and inserting “30”; and

(ii) by striking “(A), (B), and (C)” and inserting “(A) and (B)”;

(B) in clause (iii), by striking “40” and inserting “60”.

SEC. 2507. EMERGENCY WATERSHED PROTECTION PROGRAM.

Section 403 of the Agricultural Credit Act of 1978 (16 U.S.C. 2203) is amended by adding at the end the following new sentence: “In evaluating requests for assistance under this section, the Secretary shall give priority consideration to projects that address runoff retardation and soil-erosion preventive measures needed to mitigate the risks and remediate the effects of catastrophic wildfire on land that is the source of drinking water for landowners and land users.”.
Subtitle G—Funding and Administration

SEC. 2601. FUNDING.

(a) In general.—Subsection (a) of section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) is amended to read as follows:

“(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, $25,000,000 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 agriculture conservation easement program under subtitle H, using, to the maximum extent practicable—

“(A) $425,000,000 in fiscal year 2014;

“(B) $450,000,000 in fiscal year 2015;

“(C) $475,000,000 in fiscal year 2016;
“(D) $500,000,000 in fiscal year 2017; and

“(E) $200,000,000 in 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, $1,750,000,000 for each of fiscal years 2014 through 2018.”.

(b) REGIONAL EQUITY; GUARANTEED AVAILABILITY OF FUNDS.—Section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) is amended—

(1) by striking subsection (d);

(2) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(3) by inserting after subsection (a) the following new subsection:

“(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 speci-
fied in such subsection during a fiscal year through modi-
fications, cancellations, terminations, and other related ad-
ministrative actions and not obligated in that fiscal year
shall remain available for obligation during subsequent fis-
cal 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.

(a) IN GENERAL.—Subsection (c) of section 1241 of
the Food Security Act of 1985 (16 U.S.C. 3841), as redesig-
nated by section 2601(b)(2) of this Act, is amended to read
as follows:

“(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 imple-
ment 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 subsection that would be helpful to such committees.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

SEC. 2603. RESERVATION OF FUNDS TO PROVIDE ASSISTANCE TO CERTAIN FARMERS OR RANCHERS FOR CONSERVATION ACCESS.

(a) IN GENERAL.—Subsection (g) of section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) is amended—

(1) in paragraph (1) by striking “2012” and inserting “2018”; and
(2) by adding at the end the following new paragraph:

“(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).”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2013.

SEC. 2604. ANNUAL REPORT ON PROGRAM ENROLLMENTS AND ASSISTANCE.

(a) In General.—Subsection (h) of section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) is amended—

(1) in paragraph (1), by striking “wetlands reserve program” and inserting “agricultural conservation easement program”;

(2) by striking paragraphs (2) and (3) and redesignating paragraphs (4), (5), and (6) as paragraphs (2), (3), and (4), respectively; and

(3) in paragraph (3) (as so redesignated)—
(A) by striking “agricultural water enhancement program” and inserting “regional conservation partnership program”; and

(B) by striking “1240I(g)” and inserting “1271C(c)(3)”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2013.

SEC. 2605. REVIEW OF CONSERVATION PRACTICE STANDARDS.


SEC. 2606. ADMINISTRATIVE REQUIREMENTS APPLICABLE TO ALL CONSERVATION PROGRAMS.

(a) IN GENERAL.—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 new subparagraph:

“(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 “coun-
try” and inserting “county”; and

(B) in paragraph (3), by striking “sub-
section (c)(2)(B) or (f)(4)” and inserting “sub-
section (c)(2)(A)(ii) or (f)(2)”;

(4) in subsection (h)(2), by inserting “, includ-
ing, to the extent practicable, practices that maximize benefits for honey bees” after “pollinators”; and

(5) by adding at the end the following new sub-
sections:

“(j) IMPROVED ADMINISTRATIVE EFFICIENCY AND Ef-
FECTIVENESS.—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 plan-
ning and program resources; and

“(2) take advantage of new technologies to en-
hance 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 addi-
tion 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 Federal Agriculture Reform and Risk
Management Act of 2013.

“(4) Any law that succeeds a law specified in
paragraph (1), (2), or (3).”.

(b) EFFECTIVE DATE.—The amendments made by this
section shall take effect on October 1, 2013.

SEC. 2607. STANDARDS FOR STATE TECHNICAL COMMIT-
TEES.

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 nec-
essay”.

SEC. 2608. 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 new section:
"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 pursuant to section 553 of title 5, United States Code, including by interim rules effective on publication under the authority provided in subparagraph (B) of subsection (b) of such section if the Secretary determines such interim rules to be needed and final rules, with an opportunity for notice and comment, no later than 21 months after
the date of the enactment of the Federal Agriculture Reform and Risk Management Act of 2013.”.

SEC. 2609. WETLANDS MITIGATION.

Section 1222 of the Food Security Act of 1985 (16 U.S.C. 3822) is amended—

(1) in subsection (f)—

(A) in paragraph (2)(D), by striking “unless more acreage is needed to provide equivalent functions and values that will be lost as a result of the wetland conversion to be mitigated”; and

(B) in paragraph (2)(E)—

(i) by inserting “not” before “greater than”; and

(ii) by striking “if more acreage is needed to provide equivalent functions and values that will be lost as a result of the wetland conversion that is mitigated”; and

(2) by striking subsection (g).

SEC. 2610. LESSER PRAIRIE-CHICKEN CONSERVATION REPORT.

(a) In General.—Not later than 90 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 containing the results of
a review and analysis of each of the programs administered
by the Secretary that pertain to the conservation of the less-
er prairie-chicken, including the conservation reserve pro-
gram, the environmental quality incentives program, the
wildlife habitat incentive program, and the Lesser Prairie-
Chicken Initiative.

(b) CONTENTS.—The Secretary shall include in the re-
port required by this section, at a minimum—

(1) with respect to each program described in
subsection (a) as it relates to the conservation of the
lesser prairie-chicken, findings regarding—

(A) the cost of the program to the Federal
Government, impacted State governments, and
the private sector;

(B) the conservation effectiveness of the pro-
gram; and

(C) the cost-effectiveness of the program;

and

(2) a ranking of the programs described in sub-
section (a) based on their relative cost-effectiveness.
Subtitle H—Repeal of Superseded Program Authorities and Transitional Provisions; Technical Amendments

SEC. 2701. COMPREHENSIVE CONSERVATION ENHANCEMENT PROGRAM.

(a) REPEAL.—Section 1230 of the Food Security Act of 1985 (16 U.S.C. 3830) is repealed.

(b) CONFORMING AMENDMENT.—The heading of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3830 et seq.) is amended to read as follows: “CONSERVATION RESERVE”.

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 they existed 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.**—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 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.

(2) **FUNDING.**—The Secretary may use funds made available to carry out the agricultural conserva-
tion easement program under subtitle H of title XII of the Food Security Act of 1985, as added by section 2301 of this Act, to continue to carry out contracts referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts as they existed 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) **Conforming Amendment.**—The heading of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838 et seq.) is amended by striking “AND FARMLAND PROTECTION”.

(c) **Transitional Provisions.**—

(1) **Effect on Existing Contracts.**—The amendments made by this section shall not affect the validity or terms of any contract 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 con-
nection with the contract.

(2) **FUNDING.**—The Secretary may use funds
made available to carry out the agricultural conserva-
tion easement program under subtitle H of title XII
of the Food Security Act of 1985, as added by section
2301 of this Act, to continue to carry out contracts
referred to in paragraph (1) using the provisions of
law and regulation applicable to such contracts as
they existed on September 30, 2013.

(d) **EFFECTIVE DATE.**—The amendments 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.**—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 D of chap-
ter 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 con-
nection with the contract.
(2) FUNDING.—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 of this Act, to continue to carry out contracts referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts as they existed 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.—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 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.

(2) FUNDING.—The Secretary may use funds made available to carry out the regional conservation partnership program under subtitle I of title XII of
the Food Security Act of 1985, as added by section 2401 of this Act, to continue to carry out contracts referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts as they existed 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.—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 provi-
sions of law and regulation applicable to such con-
tracts as they existed 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.**—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 1240Q of the
Food Security Act of 1985 (16 U.S.C. 3839bb–4) be-
fore 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 regional conservation
partnership program under subtitle I of title XII of
the Food Security Act of 1985, as added by section
2401 of this Act, to continue to carry out contracts
referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts as they existed 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.**—The amendment made by this section shall not affect the validity or terms of any contract entered into by the Secretary of Agriculture under section 1243 of the Food Security Act of 1985 (16 U.S.C. 3843) before October 1, 2013, or any payments required to be made in connection with the contract.

(2) **Funding.**—The Secretary may use funds made available to carry out the regional conservation partnership program under subtitle I of title XII of the Food Security Act of 1985, as added by section 2401 of this Act, to continue to carry out contracts referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts as they existed 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) DEFINITIONS.—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) PROGRAM INELIGIBILITY.—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) SPECIALTY CROP PRODUCERS.—Section 1242(i) of the Food Security Act of 1985 (16 U.S.C. 3842(i)) is amended in the header by striking “SPECIALITY” and inserting “SPECIALTY”.

TITLE III—TRADE

Subtitle A—Food for Peace Act

SEC. 3001. GENERAL AUTHORITY.

Section 201 of the Food for Peace Act (7 U.S.C. 1721) is amended—
(1) in the matter preceding paragraph (1), by inserting “(to be implemented by the Administrator)” after “under this title”; and

(2) by striking paragraph (7) and the second sentence and inserting the following new paragraph:

“(7) build resilience to mitigate and prevent food crises and reduce the future need for emergency aid.”.

SEC. 3002. SUPPORT FOR ORGANIZATIONS THROUGH WHICH ASSISTANCE IS PROVIDED.

Section 202(e)(1) of the Food for Peace Act (7 U.S.C. 1722(e)(1)) is amended by striking “13 percent” and inserting “11 percent”.

SEC. 3003. FOOD AID QUALITY.

Section 202(h) of the Food for Peace Act (7 U.S.C. 1722(h)) is amended—

(1) in paragraph (1)—

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

(i) by striking “The Administrator shall use funds made available for fiscal year 2009” and inserting “In consultation with the Secretary, the Administrator shall use funds made available for fiscal year 2013”; and
(ii) by inserting “to establish a mechanism” after “this title”; 

(B) by striking “and” at the end of subparagraph (B); and 

(C) by striking subparagraph (C) and inserting the following new subparagraphs:

“(C) to evaluate, as necessary, the use of current and new agricultural commodities and products thereof in different program settings and for particular recipient groups, including the testing of prototypes;

“(D) to establish and implement appropriate protocols for quality assurance of food products procured by the Secretary for food aid programs; and

“(E) to periodically update program guidelines on the recommended use of agricultural commodities and food products in food aid programs to reflect findings from the implementation of this subsection and other relevant information.”;

(2) in paragraph (2), by striking “The Administrator” and inserting “In consultation with the Secretary, the Administrator”; and
(3) in paragraph (3), by striking “section 207(f)” and all that follows through the period at the end and inserting the following: “section 207(f)—

“(A) for fiscal years 2009 through 2013, not more than $4,500,000 may be used to carry out this subsection; and

“(B) for fiscal years 2014 through 2018, not more than $1,000,000 may be used to carry out this subsection.”.

SEC. 3004. 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. 3005. FOOD AID CONSULTATIVE GROUP.

(a) Membership.—Section 205(b) of the Food for Peace Act (7 U.S.C. 1725(b)) is amended—

(1) by striking “and” at the end of paragraph (6);

(2) by redesignating paragraph (7) as paragraph (8); and

(3) by inserting after paragraph (6) the following new paragraph:
“(7) representatives from the United States agricultural processing sector involved in providing agricultural commodities for programs under this Act; and”.

(b) CONSULTATION.—Section 205(d) of the Food for Peace Act (7 U.S.C. 1725(d)) is amended—

(1) by striking the first sentence and inserting the following:

“(1) CONSULTATION IN ADVANCE OF ISSUANCE OF IMPLEMENTATION REGULATIONS, HANDBOOKS, AND GUIDELINES.—Not later than 45 days before a proposed regulation, handbook, or guideline implementing this title, or a proposed significant revision to a regulation, handbook, or guideline implementing this title, becomes final, the Administrator shall provide the proposal to the Group for review and comment.”; and

(2) by adding at the end the following new paragraph:

“(2) CONSULTATION REGARDING FOOD AID QUALITY EFFORTS.—The Administrator shall seek input from and consult with the Group on the implementation of section 202(h).”.

•HR 2642 EAH1S
(c) Reauthorization.—Section 205(f) of the Food for Peace Act (7 U.S.C. 1725(f)) is amended by striking “2012” and inserting “2018”.

SEC. 3006. OVERSIGHT, MONITORING, AND EVALUATION.

(a) Regulations and Guidance.—Section 207(c) of the Food for Peace Act (7 U.S.C. 1726a(c)) is amended—

(1) in the subsection heading, by inserting “AND GUIDANCE” after “REGULATIONS”;

(2) in paragraph (1), by adding at the end the following new sentence: “Not later than 270 days after the date of the enactment of the Federal Agriculture Reform and Risk Management Act of 2013, the Administrator shall issue all regulations and revisions to agency guidance necessary to implement the amendments made to this title by such Act.”; and

(3) in paragraph (2), by inserting “and guidance” after “develop regulations”.

(b) Funding.—Section 207(f) of the Food for Peace Act (7 U.S.C. 1726a(f)) is amended—

(1) in paragraph (2)—

(A) by inserting “and” at the end of sub-paragraph (D);

(B) by striking “; and” at the end of sub-paragraph (E) and inserting the period; and

(C) by striking subparagraph (F);
(2) by striking paragraphs (3) and (4); and

(3) by redesignating paragraphs (5) and (6) as paragraphs (3) and (4), respectively; and

(4) in paragraph (4) (as so redesignated)—

(A) in subparagraph (A), by striking “2012” and all that follows through the period at the end and inserting “2013, and up to $10,000,000 of such funds for each of fiscal years 2014 through 2018.”; and

(B) in subparagraph (B)(i), by striking “2012” and inserting “2018”.

(c) IMPLEMENTATION REPORTS.—Not later than 270 days after the date of the enactment of this Act, the Administrator of the Agency for International Development shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committees on Agriculture and Foreign Affairs of the House of Representatives a report describing—

(1) the implementation of section 207(c) of the Food for Peace Act (7 U.S.C. 1726a(c));

(2) the surveys, studies, monitoring, reporting, and audit requirements for programs conducted under title II of such Act (7 U.S.C. 1721 et seq.) by an eligible organization that is a nongovernmental organizat-
tion (as such term is defined in section 402 of such Act (7 U.S.C. 1732)); and

(3) the surveys, studies, monitoring, reporting, and audit requirements for such programs by an eligible organization that is an intergovernmental organization, such as the World Food Program or other multilateral organization.

SEC. 3007. 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. 3008. GENERAL PROVISIONS.

(a) IMPACT ON LOCAL FARMERS AND ECONOMY.—Section 403(b) of the Food for Peace Act (7 U.S.C. 1733(b)) is amended by adding at the end the following new sentence: “The Secretary or the Administrator, as appropriate, shall seek information, as part of the regular proposal and submission process, from implementing agencies on the potential benefits to the local economy of sales of agricultural commodities within the recipient country.”.
(b) Prevention of Price Disruptions.—Section 403(e) of the Food for Peace Act (7 U.S.C. 1733(e)) is amended—

(1) in paragraph (2), by striking “reasonable market price” and inserting “fair market value”; and

(2) by adding at the end the following new paragraph:

“(3) Coordination on Assessments.—The Secretary and the Administrator shall coordinate in assessments to carry out paragraph (1) and in the development of approaches to be used by implementing agencies for determining the fair market value described in paragraph (2).”.

(c) Report on Use of Funds.—Section 403 of the Food for Peace Act (7 U.S.C. 1733) is amended by adding at the end the following new subsection:

“(m) Report on Use of Funds.—Not later than 180 days after the date of the enactment of the Federal Agriculture Reform and Risk Management Act of 2013, and annually thereafter, the Administrator shall submit to Congress a report—

“(1) specifying the amount of funds (including funds for administrative costs, indirect cost recovery, and internal transportation, storage and handling, and associated distribution costs) provided to each cli-
gible organization that received assistance under this
Act in the previous fiscal year; and
“(2) describing how those funds were used by the
eligible organization.”.

SEC. 3009. PREPOSITIONING OF AGRICULTURAL COMMOD-
ITIES.

Section 407(c)(4) of the Food for Peace Act (7 U.S.C.
1736a(c)(4)) is amended—

(1) in subparagraph (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
2013 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 striking subparagraph (B) and inserting
the following new subparagraph:

“(B) ADDITIONAL PREPOSITIONING
SITES.—The Administrator may establish addi-
tional sites for prepositioning in foreign coun-
tries or change the location of current sites for
prepositioning in foreign countries after con-
ducting, and based on the results of, assessments
of need, the availability of appropriate technology for long-term storage, feasibility, and cost.”.

SEC. 3010. ANNUAL REPORT REGARDING FOOD AID PROGRAMS AND ACTIVITIES.

Section 407(f)(1) of the Food for Peace Act (7 U.S.C. 1736a(f)(1)) is amended—

(1) in the paragraph heading, by striking “AGRICULTURAL TRADE” and inserting “FOOD AID”;

(2) in subparagraph (B)(ii), by inserting before the semicolon at the end the following: “and the total number of beneficiaries of the project and the activities carried out through such project”; and

(3) in subparagraph (B)(iii)—

(A) in the matter preceding subclause (I), by inserting “; and the total number of beneficiaries in,” after “commodities made available to”;

(B) by striking “and” at the end of subclause (I);

(C) by inserting “and” at the end of subclause (II); and

(D) by inserting after subclause (II) the following new subclause:
“(III) the McGovern-Dole International Food for Education and Child Nutrition Program established by section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1);”.

SEC. 3011. 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. 3012. AUTHORIZATION OF APPROPRIATIONS.

(a) Authorization of Appropriations.—Section 412(a)(1) of the Food for Peace Act (7 U.S.C. 1736f(a)(1)) is amended by striking “for fiscal year 2008 and each fiscal year thereafter, $2,500,000,000” and inserting “$2,500,000,000 for each of fiscal years 2008 through 2013 and $2,000,000,000 for each of fiscal years 2014 through 2018”.

(b) Minimum Level of Nonemergency Food Assistance.—Paragraph (1) of section 412(e) of the Food for Peace Act (7 U.S.C. 1736f(e)) is amended to read as follows:

“(1) Funds and Commodities.—For each of fiscal years 2014 through 2018, of the amounts made available to carry out emergency and nonemergency food assistance programs under title II, not less than
$400,000,000 shall be expended for nonemergency food assistance programs under such title.”.

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 OGNOWSKI AND DOUG BEREUTER FARM-ER-TO-FARMER PROGRAM.

Section 501 of the Food for Peace Act (7 U.S.C. 1737) is amended—

(1) in subsection (d), in the matter preceding paragraph (1), by striking “2012” and inserting “2013, and not less than the greater of $15,000,000 or 0.5 percent of the amounts made available for each of fiscal years 2014 through 2018,”; and

(2) in subsection (e)(1), by striking “2012” and inserting “2018”.
Subtitle B—Agricultural Trade Act of 1978

SEC. 3101. FUNDING FOR EXPORT CREDIT GUARANTEE PROGRAM.

Section 211(b) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641(b)) is amended by striking “2012” and inserting “2018”.

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).

SEC. 3202. BILL EMERSON HUMANITARIAN TRUST ACT.

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 EX allureS 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.”.

(c) U.S. ATLANTIC SPINY DOGFISH STUDY.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall conduct an economic study on the existing market in the United States for U.S. Atlantic Spiny Dogfish.

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 “section” and all that follows through the period and inserting the following: “section—

“(1) $60,000,000 for the period of fiscal years 2008 through 2013; and

“(2) $50,000,000 for the period of fiscal years 2014 through 2018.”.

SEC. 3207. UNDER SECRETARY OF AGRICULTURE FOR FOREIGN AGRICULTURAL SERVICES.

(a) IN GENERAL.—Subtitle B of the Department of Agriculture Reorganization Act of 1994 is amended by inserting after section 225 (7 U.S.C. 6931) the following new section:

*HR 2642 EAH*1S
“SEC. 225A. UNDER SECRETARY OF AGRICULTURE FOR FOREIGN AGRICULTURAL SERVICES.

“(a) Authorization.—The Secretary is authorized to establish in the Department the position of Under Secretary of Agriculture for Foreign Agricultural Services.

“(b) Confirmation Required.—If the Secretary establishes the position of Under Secretary of Agriculture for Foreign Agricultural Services under subsection (a), the Under Secretary shall be appointed by the President, by and with the advice and consent of the Senate.

“(c) Functions of Under Secretary.—

“(1) Principal Functions.—Upon establishment, the Secretary shall delegate to the Under Secretary of Agriculture for Foreign Agricultural Services those functions under the jurisdiction of the Department that are related to foreign agricultural services.

“(2) Additional Functions.—The Under Secretary of Agriculture for Foreign Agricultural Services shall perform such other functions as may be required by law or prescribed by the Secretary.

“(d) Succession.—Any official who is serving as Under Secretary of Agriculture for Farm and Foreign Agricultural Services on the date of the enactment of this section and who was appointed by the President, by and with the advice and consent of the Senate, shall not be required to
be reappointed under subsection (b) or section 225(b) to the
successor position authorized under subsection (a) or section
225(a) if the Secretary establishes the position, and the offi-
cial occupies the new position, with 180 days after the date
of the enactment of this section (or such later date set by
the Secretary if litigation delays rapid succession).”.

(b) CONFORMING AMENDMENTS.—Section 225 of the
Department of Agriculture Reorganization Act of 1994 (7
U.S.C. 6931) is amended—

(1) by striking “Under Secretary of Agriculture
for Farm and Foreign Agricultural Services” each
place it appears and inserting “Under Secretary of
Agriculture for Farm Services”; and

(2) in subsection (c)(1), by striking “and foreign
agricultural”.

(c) PERMANENT AUTHORITY.—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 a semicolon; and

(3) by adding at the end the following new para-
graph:
“(8) the authority of the Secretary to establish in
the Department the position of Under Secretary of
Agriculture for Foreign Agricultural Services in ac-
cordance with section 225A;”.

SEC. 3208. DEPARTMENT OF AGRICULTURE CERTIFICATES
OF ORIGIN.

The Secretary of Agriculture shall seek to ensure that
Department of Agriculture certificates of origin are accept-
ed by any country with respect to which the United States
has entered into a free trade agreement providing for pref-
errorential duty treatment.

TITLE IV—SUPPLEMENTAL NUTRI TION ASSISTANCE PROGRAM

SEC. 4000. SHORT TITLE.

This title may be cited as the “Nutrition Reform and
Work Opportunity Act of 2013”.

SEC. 4001. PREVENTING PAYMENT OF CASH TO RECIPIENTS
OF SUPPLEMENTAL NUTRITION ASSISTANCE
BENEFITS FOR THE RETURN OF EMPTY BOT-
TLES AND CANS USED TO CONTAIN FOOD
PURCHASED WITH BENEFITS PROVIDED
UNDER THE PROGRAM.

Section 3(k)(1) of the Food and Nutrition Act of 2008
(7 U.S.C. 2012(k)(1)) is amended—
(1) by striking “and hot foods” and inserting “hot foods”; and
(2) by adding at the end the following: “and any deposit fee in excess of amount of the State fee reimbursement (if any) required to purchase any food or food product contained in a returnable bottle or can, regardless of whether such fee is included in the shelf price posted for such food or food product,”.

SEC. 4002. RETAILERS.

(a) Definition of Retail Food Store.—Section 3(p)(1)(A) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(p)(1)(A)) 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 retailers (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 ac-
quiring, and arrange for the implementation of, electronic benefit transfer point-of-sale equipment and supplies.

“(B) EXEMPTIONS.—The Secretary may exempt from subparagraph (A)—

“(i) farmers’ markets and other direct-to-consumer 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 effective date 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 retailers to accept manual vouchers as payment, unless the Secretary deter-
mines 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 retailers or individual retailers from subparagraph (A) based on criteria established by the Secretary.

“(5) UNIQUE IDENTIFICATION NUMBER REQUIRED.—In an effort to enhance the antifraud protections of the program, the Secretary shall require all parties providing electronic benefit transfer services to provide for and maintain a unique business identification and a unique terminal identification number information through the supplemental nutrition assistance program electronic benefit transfer transaction routing system. In developing the regulations implementing this paragraph, the Secretary shall consider existing commercial practices for other point-of-sale debit transactions. The Secretary shall issue proposed regulations implementing this paragraph not earlier than 2 years after the date of enactment of this paragraph.”.

(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 WHOLE-SALE Food CONCERNS.—Section 9 of the Food and Nutrition Act of 2008 (7 U.S.C. 2018) is amended—

(1) in the 2d sentence of subsection (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)”;

(2) 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. 4003. ENHANCING SERVICES TO ELDERLY AND DIS-ABLED SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM PARTICIPANTS.

(a) ENHANCING SERVICES TO ELDERLY AND DIS-ABLED PROGRAM PARTICIPANTS.—Section 3(p) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(p)) is amended—

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

(2) in paragraph (4) by striking the period at the end and inserting “; and”; and

(3) by inserting after paragraph (4) the following:
“(5) a governmental or private nonprofit food purchasing and delivery service that—

“(A) purchases food for, and delivers such food to, individuals who are—

“(i) unable to shop for food; and

“(ii)(I) not less than 60 years of age;

or

“(II) physically or mentally handicapped or otherwise disabled;

“(B) clearly notifies the participating household at the time such household places a food order—

“(i) of any delivery fee associated with the food purchase and delivery provided to such household by such service; and

“(ii) that a delivery fee cannot be paid with benefits provided under supplemental nutrition assistance program; and

“(C) sells food purchased for such household at the price paid by such service for such food and without any additional cost markup.”.

(b) IMPLEMENTATION.—

(1) ISSUANCE OF RULES.—The Secretary of Agriculture shall issue regulations that—
(A) establish criteria to identify a food purchasing and delivery service referred to in section 3(p)(5) of the Food and Nutrition Act of 2008 as amended by this Act; and

(B) establish procedures to ensure that such service—

(i) does not charge more for a food item than the price paid by the such service for such food item;

(ii) offers food delivery service at no or low cost to households under such Act;

(iii) ensures that benefits provided under the supplemental nutrition assistance program are used only to purchase food, as defined in section 3 of such Act;

(iv) limits the purchase of food, and the delivery of such food, to households eligible to receive services described in section 3(p)(5) of such Act as so amended;

(v) has established adequate safeguards against fraudulent activities, including unauthorized use of electronic benefit cards issued under such Act; and

(vi) such other requirements as the Secretary deems to be appropriate.
(2) LIMITATION.—Before the issuance of rules under paragraph (1), the Secretary of Agriculture may not approve more than 20 food purchasing and delivery services referred to in section 3(p)(5) of the Food and Nutrition Act of 2008 as amended by this Act, to participate as retail food stores under the supplemental nutrition assistance program.

SEC. 4004. FOOD DISTRIBUTION PROGRAM ON INDIAN RESERVATIONS.


SEC. 4005. UPDATING PROGRAM ELIGIBILITY.

Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(1) in the 2d sentence of subsection (a) by striking “households in which each member receives benefits” and inserting “households in which each member receives cash assistance”; and

(2) in subsection (j) by striking “or who receives benefits under a State program” and inserting “or who receives cash assistance under a State program”.

•HR 2642 EAH1S
SEC. 4006. EXCLUSION OF MEDICAL MARIJUANA FROM EXCESS MEDICAL EXPENSE DEDUCTION.

Section 5(e)(5) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(e)(5)) is amended by adding at the end the following:

“(C) EXCLUSION OF MEDICAL MARIJUANA.—The Secretary shall promulgate rules to ensure that medical marijuana is not treated as a medical expense for purposes of this paragraph.”.

SEC. 4007. 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) by striking subclause (I) of clause (iv) and inserting the following:

“(I) IN GENERAL.—Subject to subclause (II), if a State agency elects to use a standard utility allowance that reflects heating and cooling costs, the standard utility allowance shall be
made available to households that received a payment, or on behalf of which a payment was made, under the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.) or other similar energy assistance program, if in the current month or in the immediately preceding 12 months, the household either received such payment, or such payment was made on behalf of the household, that was greater than $20 annually, as determined by the Secretary.”; and

(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 the following: “, 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 were greater than $20 annually, consistent with section 5(e)(6)(C)(iv)(I) of that Act (7 U.S.C. 2014(e)(6)(C)(iv)(I)), as determined by the Secretary of Agriculture”.

(c) EFFECTIVE DATE AND IMPLEMENTATION.—
(1) IN GENERAL.—Except as provided in paragraph (2), this section and the amendments made by this section shall take effect on October 1, 2013, and shall apply with respect to certification periods that begin after such 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 reduces the effect of the amendments made by this section on households that received a standard utility allowance as of the date of enactment of this Act, for not more than a 180-day period that begins on the date on which such amendments would otherwise apply to the respective household.

SEC. 4008. 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. 4009. REPEAL OF STATE WORK PROGRAM WAIVER AU-
THORITY.

Section 6(o) of the Food and Nutrition Act of 2008
(7 U.S.C. 2015(o)) is amended—

(1) in paragraph (2)(D) by striking “(5), or (6)”

and inserting “or (5)”; (2) by striking paragraph (4);

(3) in paragraph (6)—

(A) in subparagraph (A)(ii)—

(i) by striking subclause (II);

(ii) in subclause (V) by striking “(5)”

and inserting “(4)”; and

(iii) by redesignating subclauses (III),

(IV), and (V) as subclauses (II), (III), and

(IV), respectively;

(B) in subparagraph (B) by striking “(G)”

and inserting “(H)”;
(C) in subparagraph (D) by striking “and each subsequent fiscal year” and inserting “through fiscal year 2013”; 

(D) in subparagraph (F) by striking “and each subsequent fiscal year” and inserting “through fiscal year 2013”; and 

(E) by adding at the end the following:

“(H) FISCAL YEAR 2014 AND THEREAFTER.—Subject to subparagraph (G), for fiscal year 2014 and each subsequent fiscal year, a State agency may provide a number of exemptions such that the average monthly number of the exemptions in effect during the fiscal year does not exceed 15 percent of the number of individuals identified as ‘Nondisabled Adults Age 18–49 in Childless Households’ in the table ‘B.5 Distribution of Participating Households by Household Composition and by State’ of the report entitled Characteristics of Supplemental Nutrition Assistance Program Households: Fiscal Year 2011 (Supplemental Nutrition Assistance Program Report No. SNAP–12–CHAR) prepared for and published by the Office of Research and Analysis of the Food and Nutrition Service.
of the Department of Agriculture in November 2012.”; and

(4) by redesignating paragraphs (5), (6), and (7) as paragraphs (4), (5), and (6), respectively.

SEC. 4010. 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 gambling 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 2d 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. 4011. 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) in the heading by striking “CARD FEE” and inserting “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 house-
hold 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. 4012. DEMONSTRATION PROJECTS ON ACCEPTANCE OF BENEFITS OF MOBILE TRANSACTIONS.

Section 7(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)) is amended by adding at the end the following:

“(14) Demonstration projects on acceptance of benefits of mobile transactions.—
“(A) IN GENERAL.—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, farmers markets, and other direct producer-to-consumer marketing outlets to accept benefits from recipients of supplemental nutrition assistance through mobile transactions.

“(B) DEMONSTRATION PROJECTS.—To be eligible to participate in a demonstration project under subsection (a), a retail food store, farmers market, or other direct producer-to-consumer marketing outlet 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, farmers market or other direct producer-to-consumer marketing outlet 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 Sec-
retary may require.
“(C) DATE OF COMPLETION.—The dem-
onstration projects under this paragraph shall be
completed and final reports submitted to the Sec-
retary by not later than July 1, 2016.
“(D) REPORT TO CONGRESS.—The Sec-
retary shall 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 a finding,
based on the data provided under subparagraph
(C) whether or not implementation in all States
is in the best interest of the supplemental nutri-
tion assistance program.”.

SEC. 4013. USE OF BENEFITS FOR PURCHASE OF COMMU-
NITY-SUPPORTED AGRICULTURE SHARE.

Section 10 of the Food and Nutrition Act of 2008 (7
U.S.C. 2019) is amended in the 1st 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-sup-
ported agriculture share,” after “food so purchased,”.
SEC. 4014. 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)(C) by striking the period at the end 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 se-
curity 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 in-
dividual recipients authorized to partici-
pate in the program, including any infor-
mation on whether the individual recipient
is elderly, disabled, or homeless; and
“(ii) an assessment of whether the pro-
gram is meeting an established need, as doc-
umented under subparagraph (A)(i).”.

(b) APPROVAL OF RETAIL FOOD STORES AND WHOLE-
SALE FOOD CONCERNS.—Section 9 of the Food and Nutri-
tion Act of 2008 (7 U.S.C. 2018) 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 de-
scribed in paragraphs (3), (4), and (9) of section 3(k)
may be authorized to accept and redeem benefits un-
less 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 effective date 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 determines to terminate a contract with a private establishment that is in effect on the effective date 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, 2014, 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 Agri-
culture, 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 Sec-
retary 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. 4015. MANDATING STATE IMMIGRATION
VERIFICATION.

Section 11(p) of the Food and Nutrition Act of 2008
(7 U.S.C. 2020(p)) is amended to read as follows:
“(p) STATE VERIFICATION OPTION.—In carrying out
the supplemental nutrition assistance program, a State
agency shall be required to use an income and eligibility,
or an immigration status, verification system established
under section 1137 of the Social Security Act (42 U.S.C.
1320b–7), in accordance with standards set by the Sec-
retary.”.
SEC. 4016. DATA EXCHANGE STANDARDIZATION FOR IMPROVED INTEROPERABILITY.

(a) Data Exchange Standardization.—Section 11 of the Food and Nutrition Act of 2008 (7 U.S.C. 2020) is amended by adding at the end the following:

“(v) Data Exchange Standards for Improved Interoperability.—

“(1) Designation.—The Secretary shall, in consultation with an interagency work group established by the Office of Management and Budget, and considering State government perspectives, designate data exchange standards to govern, under this part—

“(A) necessary categories of information that State agencies operating such programs are required under applicable law to electronically exchange with another State agency; and

“(B) Federal reporting and data exchange required under applicable law.

“(2) Requirements.—The data exchange standards required by paragraph (1) shall, to the extent practicable—

“(A) incorporate a widely accepted, non-proprietary, searchable, computer-readable format, such as the eXtensible Markup Language;

“(B) contain interoperable standards developed and maintained by intergovernmental part-
nerships, such as the National Information Exchange Model;

“(C) incorporate interoperable standards developed and maintained by Federal entities with authority over contracting and financial assistance;

“(D) be consistent with and implement applicable accounting principles;

“(E) be implemented in a manner that is cost-effective and improves program efficiency and effectiveness; and

“(F) be capable of being continually upgraded as necessary.

“(3) RULES OF CONSTRUCTION.—Nothing in this subsection shall be construed to require a change to existing data exchange standards for Federal reporting found to be effective and efficient.”.

(b) EFFECTIVE DATE.—The Secretary shall issue a proposed rule within 24 months after the date of the enactment of this Act. The rule shall identify federally required data exchanges, include specification and timing of exchanges to be standardized, and address the factors used in determining whether and when to standardize data exchanges. It should also specify state implementation options and describe future milestones.
SEC. 4017. PILOT PROJECTS TO IMPROVE FEDERAL-STATE COOPERATION IN IDENTIFYING AND REDUCING FRAUD IN THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

Section 12 of the Food and Nutrition Act of 2008 (7 U.S.C. 2021) is amended by adding at the end the following:

“(i) Pilot Projects To Improve Federal-State Cooperation in Identifying and Reducing Fraud in the Supplemental Nutrition Assistance Program.—

“(1) In general.—The Secretary shall carry out, under such terms and conditions as determined by the Secretary, pilot projects to test innovative Federal-State partnerships to identify, investigate, and reduce retailer fraud in the supplemental nutrition assistance program, including allowing States to operate retail Food Store investigation programs. At least 1 such pilot project shall be carried out in an urban area that is among the 10 largest urban areas in the United States (based on population) if the supplemental nutrition assistance program is separately administered in such area and if the administration of such program in such area complies with the other applicable requirements of such program.

“(2) Selection criteria.—Pilot projects shall be selected based on criteria the Secretary establishes,
“(A) enhancing existing efforts by the Secretary to reduce retailer fraud;

“(B) requiring participant States to maintain their overall level of effort at addressing recipient fraud, as determined by the Secretary, prior to participation in the pilot project;

“(C) collaborating with other law enforcement authorities as necessary to carry out an effective pilot project;

“(D) commitment of the participant State agency to follow Federal rules and procedures with respect to retailer investigations; and

“(E) the extent to which a State has committed resources to recipient fraud and the relative success of those efforts.

“(3) EVALUATION.—

“(A) The Secretary shall evaluate the projects selected under this subsection to measure the impact of the pilot projects.

“(B) Such evaluation shall include—

“(i) each pilot project’s impact on increasing the Secretary’s capacity to address retailer fraud;
“(ii) the effectiveness of the pilot projects in identifying, preventing and reducing retailer fraud; and

“(iii) the cost effectiveness of such pilot projects.

“(4) REPORT TO CONGRESS.—Not later than September 30, 2017, 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 includes a description of the results of each pilot project, including an evaluation of the impact of the project on retailer fraud and the costs associated with each pilot project.

“(5) FUNDING.—Any costs incurred by the State to operate the pilot projects in excess of the amount expended under this Act for retailer fraud in the respective State in the previous fiscal year shall not be eligible for Federal reimbursement under this Act.”.

SEC. 4018. PROHIBITING GOVERNMENT-SPONSORED RECRUITMENT ACTIVITIES.

(a) ADMINISTRATIVE COST-SHARING AND QUALITY CONTROL.—Section 16(a)(4) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(a)(4)) is amended by inserting after “recruitment activities” the following: “designed to per-
suade an individual to apply for program benefits or that promote the program via television, radio, or billboard advertisements”.

(b) LIMITATION ON USE OF FUNDS AUTHORIZED TO BE APPROPRIATED UNDER ACT.—Section 18 of the Food and Nutrition Act of 2008 (7 U.S.C. 2027) is amended by adding at the end the following:

“(g) BAN ON RECRUITMENT AND PROMOTION ACTIVITIES.—(1) Except as provided in paragraph (2), no funds authorized to be appropriated under this Act shall be used by the Secretary for—

“(A) recruitment activities designed to persuade an individual to apply for supplemental nutrition assistance program benefits;

“(B) television, radio, or billboard advertisements that are designed to promote supplemental nutrition assistance program benefits and enrollment; or

“(C) any agreements with foreign governments designed to promote supplemental nutrition assistance program benefits and enrollment.

“(2) Paragraph (1)(B) shall not apply to programmatic activities undertaken with respect to benefits made available in response to a natural disaster.”.

(c) BAN ON RECRUITMENT ACTIVITIES BY ENTITIES THAT RECEIVE FUNDS.—Section 18 of the Food and Nutri-
tion Act of 2008 (7 U.S.C. 2027) is amended by adding at the end the following:

“(h) Ban on Recruitment by Entities That Receive Funds.—The Secretary shall issue regulations that forbid entities that receive funds under this Act to compensate any person for conducting outreach activities relating to participation in, or for recruiting individuals to apply to receive benefits under, the supplemental nutrition assistance program if the amount of such compensation would be based on the number of individuals who apply to receive such benefits.”.

SEC. 4019. REPEAL OF BONUS PROGRAM.

Section 16(d) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(d)) is repealed.

SEC. 4020. FUNDING OF EMPLOYMENT AND TRAINING PROGRAMS.

Section 16(h)(1)(A) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(h)(1)(A)) is amended by striking “$90,000,000” and all that follows through “$79,000,000”, and inserting “$79,000,000 for each fiscal year”.

SEC. 4021. MONITORING EMPLOYMENT AND TRAINING PROGRAMS.

(a) Reporting Measures.—Section 16(h)(5) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(h)(5)) is amended to read:
“(5)(A) IN GENERAL.—The Secretary shall monitor the employment and training programs carried out by State agencies under section 6(d)(4) and assess their effectiveness in—

“(i) preparing members of households participating in the supplemental nutrition assistance program for employment, including the acquisition of basic skills necessary for employment; and

“(ii) increasing the numbers of household members who obtain and retain employment subsequent to their participation in such employment and training programs.

“(B) REPORTING MEASURES.—The Secretary, in consultation with the Secretary of Labor, shall develop reporting measures that identify improvements in the skills, training education or work experience of members of households participating in the supplemental nutrition assistance program. Measures shall be based on common measures of performance for federal workforce training programs, so long as they reflect the challenges facing the types of members of households participating in the supplemental nutrition assistance program who participate in a specific employment and training component. The Secretary
shall require that each State employment and training plan submitted under section 11(e)(19) identify appropriate reporting measures for each of their proposed components that serve at least 100 people. Such measures may include:

“(i) the percentage and number of program participants who received employment and training services and are in unsubsidized employment subsequent to the receipt of those services;

“(ii) the percentage and number of program participants who obtain a recognized postsecondary credential, including a registered apprenticeship, or a regular secondary school diploma or its recognized equivalent, while participating in or within 1 year after receiving employment and training services;

“(iii) the percentage and number of program participants who are in an education or training program that is intended to lead to a recognized postsecondary credential, including a registered apprenticeship or on-the-job training program, a regular secondary school diploma or its recognized equivalent, or unsubsidized employment;
“(iv) subject to the terms and conditions set by the Secretary, measures developed by each State agency to assess the skills acquisition of employment and training program participants that reflect the goals of their specific employment and training program components, which may include, but are not limited to—

“(I) the percentage and number of program participants who are meeting program requirements in each component of the State’s education and training program; and

“(II) the percentage and number of program participants who are gaining skills likely to lead to employment as measured through testing, quantitative or qualitative assessment or other method; and

“(v) other indicators as approved by the Secretary.

“(C) STATE REPORT.—Each State agency shall annually prepare and submit to the Secretary a report on the State’s employment and training program that includes the numbers of supplemental nutrition assistance program participants who have gained skills, training, work or experience that will increase
their ability to obtain regular employment using measures identified in subparagraph (B).

“(D) MODIFICATIONS TO THE STATE EMPLOYMENT AND TRAINING PLAN.—Subject to the terms and conditions established by the Secretary, if the Secretary determines that the state agency’s performance with respect to employment and training outcomes is inadequate, the Secretary may require the State agency to make modifications to their employment and training plan to improve such outcomes.

“(E) PERIODIC EVALUATION.—

“(i) IN GENERAL.—Subject to terms and conditions established by the Secretary, not later than October 1, 2016, and not less frequently than once every 5 years thereafter, the Secretary shall conduct a study to review existing practice and research to identify employment and training program components and practices that—

“(I) effectively assist members of households participating in the supplemental nutrition assistance program in gaining skills, training, work, or experience that will increase their ability to obtain regular employment, and
“(II) are best integrated with statewide workforce development systems.

“(ii) REPORT TO CONGRESS.—The Secretary shall submit a report that describes the results of the study under clause (i) to the Committee on Agriculture in the House of Representatives, and the Committee on Agriculture, Nutrition and Forestry in the Senate.”.

(b) EFFECTIVE DATE.—Notwithstanding section 4(c) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(a)), the Secretary shall issue interim final regulations implementing the amendment made by subsection (a) no later than 18 months after the date of enactment of this Act. States shall include such reporting measures in their employment and training plans for the 1st fiscal year thereafter that begins no sooner than 6 months after the date that such regulations are published.

SEC. 4022. COOPERATION WITH PROGRAM RESEARCH AND EVALUATION.

Section 17 of the Food and Nutrition Act of 2008 (7 U.S.C. 2026) is amended by adding at the end the following:

“(l) Cooperation With Program Research and Evaluation.—States, State agencies, local agencies, institutions, facilities such as data consortiums, and contractors participating in programs authorized under this Act shall
cooperate with officials and contractors acting on behalf of the Secretary in the conduct of evaluations and studies under this Act and shall submit information at such time and in such manner as the Secretary may require.”

SEC. 4023. PILOT PROJECTS TO REDUCE DEPENDENCY AND INCREASE WORK EFFORT IN THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

Section 17 of the Food and Nutrition Act of 2008 (7 U.S.C. 2026), as amended by section 121, is amended by adding at the end the following:

“(m) PILOT PROJECTS TO REDUCE DEPENDENCY AND INCREASE WORK EFFORT IN THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.—

“(1) IN GENERAL.—The Secretary shall carry out, under such terms and conditions as the Secretary considers to be appropriate, pilot projects to identify best practices for employment and training programs under this Act to raise the number of work registrants who obtain unsubsidized employment, increase their earned income, and reduce their reliance on public assistance, including but not limited to the supplemental nutrition assistance program.

“(2) SELECTION CRITERIA.—Pilot projects shall be selected based on criteria the Secretary establishes, that shall include—
“(A) enhancing existing employment and training programs in the State;

“(B) agreeing to participate in the evaluation described in paragraph (3), including making available data on participants’ employment activities and post-participation employment, earnings, and public benefit receipt;

“(C) collaborating with the State workforce board and other job training programs in the State and local area;

“(D) the extent to which the pilot project’s components can be easily replicated by other States or political subdivisions; and

“(E) such additional criteria that ensure that the pilot projects—

“(i) target a variety of populations of work registrants, including childless adults, parents, and individuals with low skills or limited work experience;

“(ii) are selected from a range of existing employment and training programs including programs that provide—

“(I) section 20 workfare;
“(II) skills development for work registrants with limited employment history;

“(III) post-employment support services necessary for maintaining employment; and

“(IV) education leading to a recognized postsecondary credential, registered apprenticeship, or secondary school diploma or its equivalent;

“(iii) are located in a range of geographic areas, including rural, urban, and Indian reservations; and

“(iv) include participants who are exempt and not exempt under section (6)(d)(2).

“(3) EVALUATION.—The Secretary shall provide for an independent evaluation of projects selected under this subsection to measure the impact of the pilot projects on the ability of each pilot project target population to find and retain employment that leads to increased household income and reduced dependency, compared to what would have occurred in the absence of the pilot project.
“(4) REPORT TO CONGRESS.—By September 30, 2017, 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 includes a description of—

“(A) the results of each pilot project, including an evaluation of the impact of the project on the employment, income, and public benefit receipt of the targeted population of work registrants;

“(B) the Federal, State, and other costs of each pilot project;

“(C) the planned dissemination of the reports’ findings with State agencies; and

“(D) the steps and funding necessary to incorporate components of pilot projects that demonstrate increased employment and earnings into State employment and training programs.

“(5) FUNDING.—From amounts made available under section 18(a)(1), the Secretary shall make $10,000,000 available for each of the fiscal years 2014, 2015, and 2016 to carry out this subsection. Such amounts shall remain available until expended.

“(6) USE OF FUNDS.—
“(A) Funds provided under this subsection for pilot projects shall be used only for—

“(i) pilot projects that comply with the provisions of this Act;

“(ii) the costs and administration of the pilot projects;

“(iii) the costs incurred in providing information and data to the independent evaluation under paragraph (3); and

“(iv) the costs of the evaluation under paragraph (3).

“(B) Funds made available under this subsection may not be used to supplant non-Federal funds used for existing employment and training activities.”.

SEC. 4024. 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 1st sentence by striking “2012” and inserting “2016”.

SEC. 4025. LIMITATION ON USE OF BLOCK GRANT TO PUERTO RICO.

Section 19(a)(2)(B) of the Food and Nutrition Act of 2008 (7 U.S.C. 2028(a)(2)(B)) is amended by adding at the end the following:
“(iii) LIMITATION ON USE OF FUNDS.—None of the funds made available to the Commonwealth of Puerto Rico under this subparagraph may be used to provide nutrition assistance in the form of cash benefits.”.

SEC. 4026. ASSISTANCE FOR COMMUNITY FOOD PROJECTS.

(a) DEFINITION.—Section 25(a)(1)(B)(i) of the Food and Nutrition Act of 2008 (7 U.S.C. 2034(a)(1)(B)(i)) is amended—

(1) in subclause (II) by striking “and” at the end;

(2) in subclause (III) by striking “or” at the end and inserting “and”; and

(3) by adding at the end the following:

“(IV) to provide incentives for the consumption of fruits and vegetables among low-income individuals; or”.

(b) ADDITIONAL FUNDING.—Section 25(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2034) is amended 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 Sec-
retary to carry out this section not less than $10,000,000 for fiscal year 2014 and each fiscal year thereafter. Of the amount made available under this subparagraph for each such fiscal year, $5,000,000 shall be available to carry out subsection (a)(1)(B)(I)(IV).

“(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. 4027. 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 “2013 through 2016”;

(2) in paragraph (2) by striking subparagraphs (A), (B), and (C), and inserting the following:

“(A) for fiscal year 2013, $265,750,000;
“(B) for fiscal year 2014, 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, 2012 and June 30, 2013, and increased by $70,000,000;

“(C) for fiscal year 2015, the dollar amount of commodities determined for fiscal year 2014 under subparagraph (B) 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, 2014;

“(D) for fiscal year 2016, the dollar amount of commodities determined for fiscal year 2015 under subparagraph (C) adjusted by the percentage by which the thrifty food plan has been adjusted under section 3(u)(4) between June 30, 2014 and June 30, 2015, and reduced by $50,000,000; and

“(E) for each subsequent fiscal year, the dollar amount of commodities determined for the preceding fiscal year adjusted to reflect the percentage by which the thrifty food plan has been adjusted under section 3(u)(4) for the 12-month period ending on the preceding June 30.”; 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 “2016”.

SEC. 4028. NUTRITION EDUCATION.

Section 28 of the Food and Nutrition Act of 2008 (7 U.S.C. 2036a) is amended—

(1) in subsection (b) by inserting “and physical activity” after “healthy food choices”; and

(2) in subsection (d)(1)—

(A) in subparagraph (D) by striking “$401,000,000;” and inserting “$372,000,000; and’;

(B) by striking subparagraph (E); and
(C) in subparagraph (F) by striking “(F) for fiscal year 2016” and inserting “(E) for fiscal year 2015”.

SEC. 4029. RETAILER 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. RETAILER 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 retailer program integrity. Additional funds are provided to supplement the Department’s payment accuracy, and retailer and recipient integrity activities.

“(b) 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 $5,000,000 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. 4030. 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,” the last place it appears 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 nutritional 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 by striking “benefits” the last place it appears 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 “para-
graph (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—
(1) in subparagraph (B)(vii) by moving the left
margin 4 ems to the left, and
(2) in subparagraph (F)(iii) by moving the left
margin 6 ems to the left.
(e) Section 7(h) of the Food and Nutrition Act of 2008
(7 U.S.C. 2016(h)) is amended by redesignating the 2d
paragraph (12) as paragraph (13).
(f) 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)”.
(g) Section 15(b)(1) of the Food and Nutrition Act of
2008 (7 U.S.C. 2024(b)(1)) is amended in the 1st sentence
by striking “an benefit” both places it appears and insert-
ing “a benefit”.

•HR 2642 EAH1s
(h) 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.”.

(i) Section 18(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2027(e)) is amended in the 1st sentence by striking “sections 7(f)” and inserting “section 7(f)”.

(j) 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”.

(k) 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 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 PROGRAM”.

(n) 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”.

•HR 2642 EAH1S
(a) Section 3803(c)(2)(C)(vii) of title 31 of the United States Code is amended by striking “section 3(l)” and inserting “section 3(s)”.

(p) Section 115 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193) is amended—

(1) in subsection (a)(2) by striking “section 3(l)” and inserting “section 3(s)”;

(2) in subsection (b)(2) by striking “section 3(l)” and inserting “section 3(s)”;

(3) in subsection (e)(2) by striking “section 3(l)” and inserting “section 3(s)”.

(q) The Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c) is amended—

(1) in section 4(a) by striking “Food Stamp Act of 1977” and inserting “Food and Nutrition Act of 2008”; and

(2) in section 5—

(A) in subsection (i)(1) by striking “Food Stamp Act of 1977” and inserting “Food and Nutrition Act of 2008”; and

(B) in subsection (l)(2)(B) by striking “Food Stamp Act of 1977” and inserting “Food and Nutrition Act of 2008”.

•HR 2642 EAH1S
(r) The Social Security Act (42 U.S.C. 301 et seq.) is amended—

(1) in the heading of section 453(j)(10) by striking “FOOD STAMP” and inserting “SUPPLEMENTAL NUTRITION ASSISTANCE”; 

(2) in section 1137—

(A) in subsection (a)(5)(B) by striking “food stamp” and inserting “supplemental nutrition assistance”; and 

(B) in subsection (b)(4) by striking “food stamp program under the Food Stamp Act of 1977” and inserting “supplemental nutrition assistance program under the Food and Nutrition Act of 2008”; and 

(3) in the heading of section 1631(n) by striking “FOOD STAMP” and inserting “SUPPLEMENTAL NUTRITION ASSISTANCE”.

SEC. 4031. TOLERANCE LEVEL FOR EXCLUDING SMALL ERRORS.

The Secretary shall set the tolerance level for excluding small errors for the purposes of section 16(c) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(c))—

(1) for fiscal year 2014 at an amount no greater than $25; and
(2) for each fiscal year thereafter, the amount specified in paragraph (1) adjusted by the percentage by which the thrifty food plan is adjusted under section 3(u)(4) of such Act between June 30, 2012, and June 30 of the immediately preceding fiscal year.

SEC. 4032. COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS PILOT PROGRAM.

(a) STUDY.—

(1) IN GENERAL.—Prior to establishing the pilot program under subsection (b), the Secretary shall conduct a study to be completed not later than 2 years after the effective date of this section to assess—

(A) the capabilities of the Commonwealth of the Northern Mariana Islands to operate the supplemental nutrition assistance program in the same manner in which the program is operated in the States (as defined in section 3 of the Food and Nutrition Act (7 U.S.C. 2011 et seq.));

and

(B) alternative models of the supplemental nutrition assistance program operation and benefit delivery that best meet the nutrition assistance needs of the Commonwealth of the Northern Mariana Islands.
(2) **SCOPE.**—The study conducted under paragraph (1)(A) will assess the capability of the Commonwealth to fulfill the responsibilities of a State agency, including—

(A) extending and limiting participation to eligible households, as prescribed by sections 5 and 6 of the Act;

(B) issuing benefits through EBT cards, as prescribed by section 7 of the Act;

(C) maintaining the integrity of the program, including operation of a quality control system, as prescribed by section 16(c) of the Act;

(D) implementing work requirements, including operating an employment and training program, as prescribed by section 6(d) of the Act; and

(E) paying a share of administrative costs with non-Federal funds, as prescribed by section 16(a) of the Act.

(b) **ESTABLISHMENT.**—If the Secretary determines that a pilot program is feasible, the Secretary shall establish a pilot program for the Commonwealth of the Northern Mariana Islands to operate the supplemental nutrition assistance program in the same manner in which the program is operated in the States.
(c) **SCOPE.**—The Secretary shall utilize the information obtained from the study conducted under subsection (a) to establish the scope of the pilot program established under subsection (b).

(d) **REPORT.**—Not later than June 30, 2019, 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 pilot program carried out under this section, including an analysis of the feasibility of operating in the Commonwealth of the Northern Mariana Islands the supplemental nutrition assistance program as it is operated in the States.

(e) **FUNDING.**—

(1) **STUDY.**—Of the funds made available under section 18(a)(1) of the Food and Nutrition Act of 2008, the Secretary may use not more than $1,000,000 in each of fiscal years 2014 and 2015 to conduct the study described in subsection (a).

(2) **PILOT PROGRAM.**—Of the funds made available under section 18(a)(1) of the Food and Nutrition Act of 2008, for the purposes of establishing and carrying out the pilot program established under subsection (b) of this section, including the Federal costs for providing technical assistance to the Commonwealth, authorizing and monitoring retail food stores,
and assessing pilot operations, the Secretary may use not more than—

(A) $13,500,000 in fiscal year 2016; and

(B) $8,500,000 in each of fiscal years 2017 and 2018.

SEC. 4033. ANNUAL STATE REPORT ON VERIFICATION OF SNAP PARTICIPATION.

(a) ANNUAL REPORT.—Not later 1 year after the date specified by the Secretary in the 180-day period beginning on the date of the enactment of this Act, and annually thereafter, each State agency that carries out the supplemental nutrition assistance program shall submit to the Secretary a report containing sufficient information for the Secretary to determine whether the State agency has, for the then most recently concluded fiscal year preceding such annual date, verified that households to which such State agency provided such assistance in such fiscal year—

(1) did not obtain benefits attributable to a deceased individual;

(2) did not include an individual who was simultaneously included in a household receiving such assistance in another State; and

(3) did not include, during the time benefits were provided, an individual who was then disqualified from receiving benefits.
(b) **Penalty for Noncompliance.**—For any fiscal year for which a State agency fails to comply with subsection (a), the Secretary shall reduce by 50 percent the amount otherwise payable to such State agency under section 16(a) of the Food and Nutrition Act of 2008 with respect to such fiscal year.

**SEC. 4034. Termination of Existing Agreement.**

Effective on the date of the enactment of this Act, the memorandum of understanding entered into on July 22, 2004, by the Secretary of Agriculture of the United States Department of Agriculture and the Secretary of Foreign Affairs of the Republic of Mexico and known as the “Partnership for Nutrition Assistance Initiative” is null and void.

**SEC. 4035. Service of Traditional Foods in Public Facilities.**

(a) **Definitions.**—In this section:

(1) **Food Service Program.**—The term “food service program” includes—

(A) food service at a residential child care facility with a license from an appropriate State agency;

(B) a child nutrition program (as defined in section 25(b) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769f(b)));
(C) food service at a hospital or clinic or long term care facility; and

(D) a senior meal program.

(2) INDIAN; INDIAN TRIBE; INDIAN TRIBAL ORGANIZATION.—The terms “Indian”; “Indian tribe”; and “Indian Tribal Organization” have the meanings given those terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(3) TRADITIONAL FOOD.—

(A) IN GENERAL.—The term “traditional food” means food that has traditionally been prepared and consumed by an Indian tribe.

(B) INCLUSIONS.—The term “traditional food” includes—

(i) wild game meat;

(ii) fish;

(iii) seafood;

(iv) marine mammals;

(v) plants; and

(vi) berries.

(b) PROGRAM.—Notwithstanding any other provision of law, the Secretary shall allow the donation to and serving of traditional food through a food service program at a public facility, nonprofit facility, including facilities operated
by an Indian tribe or tribal organization that primarily serves Indians if the operator of the food service program—

(1) ensures that the food is received whole, gutted, gilled, as quarters, or as a roast, without further processing;

(2) makes a reasonable determination that—

(A) the animal was not diseased;

(B) the food was butchered, dressed, transported, and stored to prevent contamination, undesirable microbial growth, or deterioration; and

(C) the food will not cause a significant health hazard or potential for human illness;

(3) carries out any further preparation or processing of the food at a different time or in a different space from the preparation or processing of other food for the applicable program to prevent cross-contamination;

(4) cleans and sanitizes food-contact surfaces of equipment and utensils after processing the traditional food; and

(5) labels donated traditional food with the name of the food and stores the traditional food separately from other food for the applicable program, including through storage in a separate freezer or refrigerator or
in a separate compartment or shelf in the freezer or refrigerator.

(c) LIABILITY.—Liability for damages from donated traditional food and products to the participating food service program shall not be subject to civil or criminal liability arising from the nature, age, packaging, or condition of donated food.

SEC. 4036. TESTING APPLICANTS FOR UNLAWFUL USE OF CONTROLLED SUBSTANCES.

Section 6 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015), as amended by section 109, is amended by adding at the end the following:

“(s) TESTING APPLICANTS FOR UNLAWFUL USE OF CONTROLLED SUBSTANCES.—

“(1) Nothing in this Act, or in any other Federal law, shall be considered to prevent a State, at the full cost to such State, from—

“(A) enacting legislation to provide for testing any individual who is a member of a household applying for supplemental nutrition assistance benefits, for the unlawful use of controlled substances as a condition for receiving such benefits; and

“(B) finding an individual ineligible to participate in the supplemental nutrition assist-
ance program on the basis of the positive result
of the testing conducted by the State under such
legislation.

“(2) For purposes of this subsection, term ‘con-
trolled substance’ has the meaning given such term in
section 102 of the Controlled Substances Act ((21
U.S.C. 802)).”.

SEC. 4037. ELIGIBILITY DISQUALIFICATIONS FOR CERTAIN
CONVICTED FELONS.

(a) Amendment.—Section 6 of the Food and Nutri-
tion Act of 2008 (7 U.S.C. 2015), as amended by sections
109 and 135, is amended by adding at the end the fol-
lowing:

“(t) Disqualification for Certain Convicted
Felons.—

“(1) In general.—An individual shall not be
eligible for benefits under this Act if the individual is
convicted of—

“(A) aggravated sexual abuse under section
2241 of title 18, United States Code;

“(B) murder under section 1111 of title 18,
United States Code;

“(C) an offense under chapter 110 of title
18, United States Code;
“(D) a Federal or State offense involving
sexual assault, as defined in 40002(a) of the Vio-
lence Against Women Act of 1994 (42 U.S.C.
13925(a)); or

“(E) an offense under State law determined
by the Attorney General to be substantially simi-
lar to an offense described in subparagraph (A),
(B), or (C).

“(2) EFFECTS ON ASSISTANCE AND BENEFITS
FOR OTHERS.—The amount of benefits otherwise re-
quired to be provided to an eligible household under
this Act shall be determined by considering the indi-
vidual to whom paragraph (1) applies not to be a
member of such household, except that the income and
resources of the individual shall be considered to be
income and resources of the household.

“(3) ENFORCEMENT.—Each State shall require
each individual applying for benefits under this Act,
during the application process, to state, in writing,
whether the individual, or any member of the house-
hold of the individual, has been convicted of a crime
described in paragraph (1).”.

(b) CONFORMING AMENDMENT.—Section 5(a) of the
Food and Nutrition Act of 2008 (7 U.S.C. 2014(a)), as
amended by section 109, is amended in the 2d sentence by
striking “and (r)” and inserting “, (r), and (t)”.

(c) **Inapplicability to Convictions Occurring on or Before Enactment.**—The amendments made by this section shall not apply to a conviction if the conviction is for conduct occurring on or before the date of the enactment of this Act.

**SEC. 4038. Expungement of Unused Supplemental Nutrition Assistance Program Benefits.**

Section 11 of the Food and Nutrition Act of 2008 (7 U.S.C. 2020), as amended by section 115, is amended by adding at the end the following:

“(w) **Expungement of Unused Benefits.**—The State agency shall expunge from the EBT account of a household benefits that are not used before the expiration of the 60-day period beginning on the date such benefits are posted to such account.”.

**SEC. 4039. Pilot Projects to Promote Work and Increase State Accountability in the Supplemental Nutrition Assistance Program.**

(a) **Pilot Projects.**—Section 17 of the Food and Nutrition Act of 2008 (7 U.S.C. 2026), as amended by sections 122 and 123, is amended by adding at the end the following:
“(n) PILOT PROJECTS TO PROMOTE WORK AND INCREASE STATE ACCOUNTABILITY IN THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.—

“(1) IN GENERAL.—The Secretary shall carry out pilot projects to develop and test methods allowing States to run a work program with certain features comparable to the State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), with the intent of increasing employment and self-sufficiency through increased State accountability and thereby reducing the need for supplemental nutrition assistance benefits.

“(2) AGREEMENTS.—

“(A) IN GENERAL.—In carrying out this subsection, the Secretary shall enter into cooperative agreements with States in accordance with pilot projects that meet the criteria required under this subsection.

“(B) APPLICATION.—To be eligible to enter into a cooperative agreement to operate a pilot project under this subsection, a State shall amend its State plan under section 11(d) to include a description of its pilot project and explanations of how such project meets the criteria required under this subsection. The Secretary may
not disapprove a pilot project which meets the requirements under this subsection.

“(C) Assurances.—A State shall include in its plan assurances that its pilot project will—

“(i) operate for at least three 12-month periods but not more than five 12-month periods;

“(ii) have a robust data collection system for program administration that is designed and shared with project evaluators to ensure proper and timely evaluation; and

“(iii) intend to offer a work activity described in paragraph (3) to adults assigned and required to participate under paragraph (4)(A) and who are not exempt under paragraph (4)(B).

“(D) Number of Pilot Projects.—Any State may carry out a pilot project that meets the requirements of this subsection.

“(E) Extent of Pilot Projects.—Pilot projects shall cover no less than the entire State.

“(3) Work Activity.—(A) For purposes of this subsection, the term ‘work activity’ means any of the following:
“(i) Employment in the public or private sector that is not subsidized by any public program.

“(ii) Employment in the private sector for which the employer receives a subsidy from public funds to offset some or all of the wages and costs of employing an adult.

“(iii) Employment in the public sector for which the employer receives a subsidy from public funds to offset some or all of the wages and costs of employing an adult.

“(iv) A work activity that—

“(I) is performed in return for public benefits;

“(II) provides an adult with an opportunity to acquire the general skills, knowledge, and work habits necessary to obtain employment;

“(III) is designed to improve the employability of those who cannot find unsubsidized employment; and

“(IV) is supervised by an employer, work site sponsor, or other responsible party on an ongoing basis.
“(v) Training in the public or private sector that is given to a paid employee while he or she is engaged in productive work and that provides knowledge and skills essential to the full and adequate performance of the job.

“(vi) Job search, obtaining employment, or preparation to seek or obtain employment, including—

“(I) life skills training;

“(II) substance abuse treatment or mental health treatment, determined to be necessary and documented by a qualified medical, substance abuse, or mental health professional; or

“(III) rehabilitation activities, supervised by a public agency or other responsible party on an ongoing basis.

“(vii) Structured programs and embedded activities—

“(I) in which adults perform work for the direct benefit of the community under the auspices of public or nonprofit organizations;

“(II) that are limited to projects that serve useful community purposes in fields
such as health, social service, environmental protection, education, urban and rural redevelopment, welfare, recreation, public facilities, public safety, and child care;

“(III) that are designed to improve the employability of adults not otherwise able to obtain unsubsidized employment; and

“(IV) that are supervised on an ongoing basis; and

“(V) with respect to which a State agency takes into account, to the extent possible, the prior training, experience, and skills of a recipient in making appropriate community service assignments.

“(viii) Career and technical training programs (not to exceed 12 months with respect to any adult) that are directly related to the preparation of adults for employment in current or emerging occupations and that are supervised on an ongoing basis.

“(ix) Training or education for job skills that are required by an employer to provide an adult with the ability to obtain employment or to advance or adapt to the changing demands of
the workplace and that are supervised on an on-going basis.

“(x) Education that is related to a specific occupation, job, or job offer and that is supervised on an ongoing basis.

“(xi) In the case of an adult who has not completed secondary school or received such a certificate of general equivalence, regular attendance—

“(I) in accordance with the requirements of the secondary school or course of study, at a secondary school or in a course of study leading to such certificate; and

“(II) supervised on an ongoing basis.

“(xii) Providing child care to enable another recipient of public benefits to participate in a community service program that—

“(I) does not provide compensation for such community service;

“(II) is a structured program designed to improve the employability of adults who participate in such program; and

“(III) is supervised on an ongoing basis.
“(B) PROTECTIONS.—Work activities under this subsection shall be subject to all applicable health and safety standards. Except as described in clauses (i), (ii), and (iii) of subparagraph (A), the term ‘work activity’ shall be considered work preparation and not defined as employment for purposes of other law.

“(4) PILOT PROJECTS.—Pilot projects carried out under this subsection shall include interventions to which adults are assigned that are designed to reduce unnecessary dependence, promote self-sufficiency, increase work levels, increase earned income, and reduce supplemental nutrition assistance benefit expenditures among households eligible for, applying for, or participating in the supplemental nutrition assistance program.

“(A) Adults assigned to interventions by the State shall—

“(i) be subject to mandatory participation in work activities specified in paragraph (3);

“(ii) participate in work activities specified in paragraph (3) for a minimum of 20 hours per week per household;
“(iii) be a maximum age of not less than 50 and not more than 60, as defined by the State;

“(iv) be subject to penalties during a period of nonparticipation without good cause ranging from, at State option, a minimum of the removal of the adults from the household benefit amount, up to a maximum of the discontinuance of the entire household benefit amount; and

“(v) not be penalized for nonparticipation if child care is not available for 1 or more children under 6 years of age.

“(B) The State shall allow certain individuals to be exempt from work requirements—

“(i) those participating in work programs under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) for an equal or greater number of hours;

“(ii) those with 1 or more dependent children under 1 year of age;

“(iii) 1 adult family member per household who is needed in the home to care for a disabled family member;
“(iv) an adult who is receiving temporary or permanent disability benefits provided by a governmental entity; and

“(v) those with a good cause reason for nonparticipation, such as victims of domestic violence, as defined by the State.

“(5) EVALUATION AND REPORTING.—

“(A) EVALUATION.—

“(i) INDEPENDENT EVALUATION.—

“(I) IN GENERAL.—The Secretary shall provide for each State that enters into a cooperative agreement under paragraph (2) an independent, longitudinal evaluation of its pilot project under this subsection to determine total program savings over the entire course of the pilot project with results reported in consecutive 12-month increments.

“(II) PURPOSE.—The purpose of the evaluation is to measure the impact of interventions provided by the State under the pilot project on the ability of adults in households eligible for, applying for, or participating in
362

the supplemental nutrition assistance program to find and retain employ-
ment that leads to increased household income and reduced dependency.

“(III) REQUIREMENT.—The inde-
pendent evaluation under subclause (I) shall use valid statistical methods which can determine the difference be-
tween supplemental nutrition assist-
ance benefit expenditures, if any, as a result of the interventions as compared to a control group that—

“(aa) is not subject to the interventions provided by the State under the pilot project under this subsection; and

“(bb) maintains services pro-
vided under 16(h) in the year prior to the start of the pilot project under this subsection.

“(IV) OPTION.—States shall have the option to evaluate pilot projects by matched counties or matched geo-
graphical areas using a constructed control group design to isolate the ef-
fects of the intervention of the pilot project.

“(V) DEFINITION.—Constructed control group means there is no random assignment, and instead program participants (those subject to interventions) and non-participants (control described in subclause (III)) are equated using matching or statistical procedures on characteristics that may be associated with program outcomes.

“(B) REPORTING.—Not later than 90 days after the end of fiscal year 2014 and of each fiscal year thereafter, until the completion of the last evaluation under subparagraph (A), 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 includes a description of—

“(i) the status of each pilot project carried out under this subsection;

“(ii) the results of the evaluation completed during the previous fiscal year; and
“(iii) to the maximum extent practicable—

“(I) baseline information relevant to the stated goals and desired outcomes of the pilot project;

“(II) the impact of the interventions on appropriate employment, income, and public benefit receipt outcomes among households participating in the pilot project;

“(III) equivalent information about similar or identical measures for control groups;

“(IV) the planned dissemination of the report findings to State agencies; and

“(V) the steps and funding necessary to incorporate into State employment and training programs the components of pilot projects that demonstrate increased employment and earnings.

“(C) PUBLIC DISSEMINATION.—In addition to the reporting requirements under subparagraph (B), evaluation results shall be shared
broadly to inform policy makers, service providers, other partners, and the public in order to promote wide use of successful strategies, including by posting evaluation results on the Internet website of the Department of Agriculture.

“(6) FUNDING.—

“(A) ADDITIONAL AVAILABLE FUNDS.—

From amounts made available under section 18(a)(1), the Secretary shall make available—

“(i) up to $1,000,000 for each of the fiscal years 2014 through 2017 for evaluations described in paragraph (5) to carry out this subsection, with such amounts to remain available until expended; and

“(ii) amounts equal to one-half of the accumulated supplemental nutrition assistance benefit dollars saved over each consecutive 12-month period according to the evaluation under paragraph (5) for bonus grants to States under paragraph (7)(B).

“(B) ADMINISTRATIVE EXPENSES.—

“(i) REIMBURSEMENT.—Except as provided in clause (ii)—

“(I) if, in carrying out a pilot project under this subsection during a
fiscal year, a State incurs costs that exceed the amount allocated to the State agency under section 16(h)(1), the Secretary shall pay such State an amount equal to 50 percent of such costs; and

“(II) the Secretary shall also reimburse the State in an amount equal to 50 percent of the total amount of payments made or costs incurred by the State agency in connection with transportation costs and other expenses reasonably necessary and directly related to participation in a pilot project under this subsection, except that the amount of the reimbursement for dependent care expenses shall not exceed an amount equal to the payment made under section 6(d)(4)(I)(i)(II) but not more than the applicable local market rate, and such reimbursement shall not be made out of funds allocated under section 16(h)(1).

“(ii) LIMITATION.—For any fiscal year, the Secretary may not pay under
clause (i) to a State an amount the exceeds
the amount equal to the product of—

“(I) the amount of administrative
expenses that would be reimbursable
for such fiscal year to such State under
clause (i) without regard to this clause;
and

“(II) $277,000,000 (plus the
amount carried over, if any, under
clause (iii)), divided by the aggregate
amount of administrative expenses that
would be reimbursable for such fiscal
year to all of the States under clause
(i) without regard to this clause.

“(iii) CARRYOVER.—The amount by
which $277,000,000 exceeds the aggregate
amount paid under clause (i) for a par-
ticular fiscal year shall remain available
for payments under such clause for any sub-
sequent fiscal year.

“(C) OTHER FUNDS.—Any additional funds
required by a State to carry out a pilot project
under this subsection may be provided by the
State from funds made available to the State for
such purpose and in accordance with State and other Federal laws, including the following:

“(i) Section 403 of the Social Security Act (42 U.S.C. 603).


“(iv) The social services block grant under subtitle A of title XX of the Social Security Act (42 U.S.C. 1397 et seq.).

“(7) USE OF FUNDS.—

“(A) SPECIFIC USES.—Funds provided under this subsection for evaluation of pilot projects under paragraph (6)(A)(i) shall be used only for—

“(i) pilot projects that comply with this subsection;

“(ii) the costs incurred in gathering and providing information and data used to conduct the independent evaluation under paragraph (5); and
“(iii) the costs of the evaluation under paragraph (5).

“(B) LIMITATION.—Funds provided for bonus grants to States for pilot projects under subparagraph (6)(A)(ii) shall be used only for—

“(i) pilot projects that comply with this subsection; and

“(ii) any State purpose, not to be restricted to the supplemental nutrition assistance program or its beneficiary population.”.

(b) CONFORMING AMENDMENTS.—The Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) is amended—

(1) in section 16, as amended by section 121 of this Act—

(A) in subsection (a) by striking “subsection (k)” and inserting “subsections (k) and (h) and section 20”; and

(B) in subsection (h)—

(i) in paragraph (1)—

(I) in subparagraph (A) by inserting “under sections 6(d)(4) and 17(n)” after “programs”; and

(II) by striking subparagraph (E);
(ii) by striking paragraphs (2) and (3), and inserting the following:

“(2) Exclusion of reimbursement for administrative costs.—No funds may be paid under subsection (a) to a State agency for administrative costs incurred to carry out any of such programs in such fiscal year.”;

(iii) in paragraph (4) by inserting “or 17(n)” after “section 6(d)(4)”;

(iv) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(2) in section 20 by amending subsection (g) to read as follows:

“(g) Exclusion of reimbursement for administrative costs.—No funds may be paid under this section to a State agency for administrative costs incurred to carry out a workfare program operated under this section.”; and

(3) in section 22(d)(1)(B)(ii) by striking “, (g), (h)(2), and (h)(3)” and inserting “and (g)”.

SEC. 4040. IMPROVED WAGE VERIFICATION USING THE NATIONAL DIRECTORY OF NEW HIRES.

Effective October 1, 2013, section 11(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2020(e)) is amended—
(1) in paragraph (3) by inserting “and after compliance with the requirement specified in paragraph (24)” after “section 16(e) of this Act”,

(2) in paragraph (22) by striking “and” at the end,

(3) in paragraph (23) by striking the period at the end and inserting “; and”, and

(4) by adding at the end the following:

“(24) that the State agency shall request wage data directly from the National Directory of New Hires established under section 453(i) of the Social Security Act (42 U.S.C. 653(i)) relevant to determining eligibility to receive supplemental nutrition assistance program benefits and determining the correct amount of such benefits.”.

SEC. 4041. FEASIBILITY STUDY FOR INDIAN TRIBES.

Section 4 of the Food and Nutrition Act of 2008 (7 U.S.C. 2013) is amended by adding at the end the following:

“(d) FEASIBILITY STUDY FOR INDIAN TRIBES.—

“(1) STUDY.—Subject to the availability of appropriations to carry out this subsection, the Secretary shall conduct a study to determine the feasibility of a tribal demonstration project for tribes to administer all Federal food assistance programs, serv-
ices, functions, and activities (or portions thereof) of
the agency.

“(2) CONSIDERATIONS.—In conducting the
study, the Secretary shall consider—

“(A) the probable effects on specific pro-
grams and program beneficiaries of such a dem-
onstration project;

“(B) statutory, regulatory, or other impedi-
ments to implementation of such a demonstra-
tion project;

“(C) strategies for implementing such a
demonstration project;

“(D) probable costs or savings associated
with such a demonstration project;

“(E) methods to assure quality and ac-
countability in such a demonstration project;

“(F) such other issues that may be deter-
mimed by the Secretary or developed through
consultation with pursuant to paragraph (4).

“(3) REPORT.—Not later than 18 months after
the effective date of this subsection, the Secretary shall
submit a report to the Committee on Agriculture, Nu-
trition and Forestry of the Senate and the Committee
on Agriculture of the House of Representatives. The report shall contain—

“(A) the results of the study under this subsection;

“(B) a list of programs, services, functions, and activities (or portions thereof) within each agency with respect to which it would be feasible to include in a tribal demonstration project;

“(C) a list of programs, services, functions, and activities (or portions thereof) included in the list provided pursuant to subparagraph (B) that could be included in a tribal demonstration project without amending a statute, or waiving regulations that the Secretary may not waiver; and

“(D) a list of legislative actions required in order to include those programs, services, function, and activities (or portions thereof) included in the list provided pursuant to subparagraph (B) but not included in the list provided pursuant to subparagraph (C), in a tribal demonstration project.

“(4) CONSULTATION WITH INDIAN TRIBES.—The Secretary shall consult with Indian tribes to determine a protocol for consultation under paragraph (1)
prior to consultation under such paragraph with the other entities described in such paragraph. The protocol shall require, at a minimum, that—

“(A) the government-to-government relationship with Indian tribes forms the basis for the consultation process;

“(B) the Indian tribes and the Secretary jointly conduct the consultations required by this subsection; and

“(C) the consultation process allows for separate and direct recommendations from the Indian tribes and other entities described in paragraph (1).

“(5) AUTHORIZATION OF APPROPRIATIONS.—
There is authorized to be appropriated to carry out this subsection $1,000,000.”.

SEC. 4042. 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 1st sentence by striking “2012” and inserting “2016”.

SEC. 4043. 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 “2016”; 
(2) in the 1st sentence of subsection (d)(2) by striking “2012” and inserting “2016”; 
(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 individuals 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 effective date of this subsection shall continue to receive that assistance until the date on which the individual no longer qualifies for assistance under the eligibility criteria for the program in effect on the day before the effective date of this subsection.”.

SEC. 4044. DISTRIBUTION OF SURPLUS COMMODITIES TO SPECIAL NUTRITION PROJECTS.

•HR 2642 EAH1S
SEC. 4045. PROCESSING OF COMMODITIES.

(a) Section 17 of the Commodity Distribution Reform Act and WIC Amendments of 1987 (7 U.S.C. 612c note) is amended by—

(1) striking the heading and inserting “COMMODITY DONATIONS AND PROCESSING”; and

(2) adding at the end the following:

“(c) PROCESSING.—For any program included in subsection (b), the Secretary may, notwithstanding any other provision of State or Federal law relating to the procurement of goods and services—

“(1) retain title to commodities delivered to a processor, on behalf of a State (including a State distributing agency and a recipient agency), until such time as end products containing such commodities, or similar commodities as approved by the Secretary, are delivered to a State distributing agency or to a recipient agency; and

“(2) promulgate regulations to ensure accountability for commodities provided to a processor for processing into end products, and to facilitate processing of commodities into end products for use by recipient agencies. Such regulations may provide that—

“(A) a processor that receives commodities for processing into end products, or provides a
service with respect to such commodities or end products, in accordance with its agreement with a State distributing agency or a recipient agency, provide to the Secretary a bond or other means of financial assurance to protect the value of such commodities; and

“(B) in the event a processor fails to deliver to a State distributing agency or a recipient agency an end product in conformance with the processing agreement entered into under this Act, the Secretary take action with respect to the bond or other means of financial assurance pursuant to regulations promulgated under this paragraph and distribute any proceeds obtained by the Secretary to one or more State distributing agencies and recipient agencies as determined appropriate by the Secretary.”.

(b) DEFINITIONS.—Section 18 of the Commodity Distribution Reform Act and WIC Amendments of 1987 (7 U.S.C. 612c note) is amended by striking paragraphs (1) and (2) and inserting the following:

“(1) The term ‘commodities’ means agricultural commodities and their products that are donated by the Secretary for use by recipient agencies.
“(2) The term ‘end product’ means a food product that contains processed commodities.”.

(c) 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”;


(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 Nu-
trition 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”.

SEC. 4046. FARMERS’ MARKET NUTRITION PROGRAM.

Section 4402 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3007) is amended—

(1) in the section heading by striking “SENORS”;

(2) by amending subsection (a) to read as follows:

“(a) FUNDING.—

“(1) IN GENERAL.—Of the funds of the Commodity Credit Corporation, the Secretary of Agriculture shall use to carry out and expand the farmers market nutrition program $20,600,000 for each of fiscal years 2014 through 2016.

“(2) ADDITIONAL FUNDING.—There is authorized to be appropriated such sums as are necessary to carry out this subsection for each of the fiscal years specified in paragraph (1).

“(3) REQUIREMENT.—Not less than 50 percent of the funds made available to carry out this section in
any fiscal year shall be used to provide assistance to seniors.”;

(3) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “seniors”; and

(B) in paragraph (1) by inserting “, and low-income families who are determined to be at nutritional risk” after “low-income seniors”;

(4) in subsection (c) by striking “seniors”;

(5) in subsection (d) by striking “seniors”;

(6) in subsection (e) by striking “seniors”;

(7) by redesignating subsections (c), (d), (e), and (f) as subsections (d), (e), (f), and (g), respectively; and

(8) by inserting after subsection (b) the following:

“(c) STATE GRANTS AND OTHER ASSISTANCE.—The Secretary shall carry out the Program through grants and other assistance provided in accordance with agreements made with States, for implementation through State agencies and local agencies, that include provisions—

“(1) for the issuance of coupons or vouchers to participating individuals;
“(2) establishing an appropriate annual percentage limitation on the use of funds for administrative costs; and

“(3) specifying other terms and conditions as the Secretary deems appropriate to encourage expanding the participation of small scale farmers in Federal nutrition programs.”.

SEC. 4047. 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. 4048. FRESH FRUIT AND VEGETABLE PROGRAM.

Section 19 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769a) is amended—

(1) in the section heading, by striking “FRESH”;
(2) in subsection (a), by striking “fresh”;
(3) in subsection (b), by striking “fresh”; and
(4) in subsection (e), by striking “fresh”.

SEC. 4049. ADDITIONAL AUTHORITY FOR PURCHASE OF FRESH FRUITS, VEGETABLES, AND OTHER SPECIALTY FOOD CROPS.

Section 10603 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 612c–4) is amended—
(1) in subsection (b), by striking “2012” and inserting “2016”;

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following:

“(c) PILOT GRANT PROGRAM FOR PURCHASE OF FRESH FRUITS AND VEGETABLES.—

“(1) In general.—Using amounts made available to carry out subsection (b), the Secretary of Agriculture shall conduct a pilot program under which the Secretary will give not more than five participating States the option of receiving a grant in an amount equal to the value of the commodities that the participating State would otherwise receive under this section for each of fiscal years 2014 through 2016.

“(2) Use of grant funds.—A participating State receiving a grant under this subsection may use the grant funds solely to purchase fresh fruits and vegetables for distribution to schools and service institutions in the State that participate in the food service programs under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.).
“(3) SELECTION OF PARTICIPATING STATES.—

The Secretary shall select participating States from applications submitted by the States.

“(4) REPORTING REQUIREMENTS.—

“(A) SCHOOL AND SERVICE INSTITUTION REQUIREMENT.—Schools and service institutions in a participating State shall keep records of purchases of fresh fruits and vegetables made using the grant funds and report such records to the State.

“(B) STATE REQUIREMENT.—Each participating State shall submit to the Secretary a report on the success of the pilot program in the State, including information on—

“(i) the amount and value of each type of fresh fruit and vegetable purchased by the State; and

“(ii) the benefit provided by such purchases in conducting the school food service in the State, including meeting school meal requirements.”.

SEC. 4050. ENCOURAGING LOCALLY AND REGIONALLY GROWN AND RAISED FOOD.

(a) COMMODITY PURCHASE STREAMLINING.—The Secretary may permit each school food authority with a low
annual commodity entitlement value, as determined by the Secretary, to elect to substitute locally and regionally grown and raised food for the authority’s allotment, in whole or in part, of commodity assistance for the school meal programs under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), if—

(1) the election is requested by the school food authority;

(2) the Secretary determines that the election will reduce State and Federal administrative costs; and

(3) the election will provide the school food authority with greater flexibility to purchase locally and regionally grown and raised foods.

(b) FARM-TO-SCHOOL DEMONSTRATION PROGRAMS.—

(1) IN GENERAL.—The Secretary may establish farm-to-school demonstration programs under which school food authorities, agricultural producers producing for local and regional markets, and other farm-to-school stakeholders will collaborate with the Agriculture Marketing Service to, on a cost neutral basis, source food for the school meal programs under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) and the Child Nutrition Act
of 1966 (42 U.S.C. 1771 et seq.) from local farmers and ranchers in lieu of the commodity assistance provided to the school food authorities for the school meal programs.

(2) REQUIREMENTS.—

(A) IN GENERAL.—Each demonstration program carried out under this subsection shall—

(i) facilitate and increase the purchase of unprocessed and minimally processed locally and regionally grown and raised agricultural products to be served under the school meal programs;

(ii) test methods to improve procurement, transportation, and meal preparation processes for the school meal programs;

(iii) assess whether administrative costs can be saved through increased school food authority flexibility to source locally and regionally produced foods for the school meal programs; and

(iv) undertake rigorous evaluation and share information about results of the demonstration program, including cost savings, with the Secretary, other school food authorities, agricultural producers producing
for the local and regional market, and the
general public.

(B) PLANS.—In order to be selected to carry
out a demonstration program under this sub-
section, a school food authority shall submit to
the Secretary a plan at such time and in such
manner as the Secretary may require, and con-
taining information with respect to the require-
ments described in clauses (i) through (iv) of
subparagraph (A).

(3) TECHNICAL ASSISTANCE.—The Secretary
shall provide technical assistance to demonstration
program participants to assist such participants to
acquire bids from potential vendors in a timely and
cost-effective manner.

(4) LENGTH.—The Secretary shall determine the
appropriate length of time for each demonstration
program under this subsection.

(5) COORDINATION.—The Secretary shall coordi-
nate among relevant agencies of the Department of
Agriculture and non-governmental organizations with
appropriate expertise to facilitate the provision of
training and technical assistance necessary to success-
fully carry out demonstration programs under this
subsection.
(6) **NUMBER.**—Subject to the availability of funds to carry out this subsection, the Secretary shall select at least 10 demonstration programs to be carried out under this subsection.

(7) **DIVERSITY AND BALANCE.**—In selecting demonstration programs to be carried out under this subsection, the Secretary shall, to the maximum extent practicable, ensure—

(A) geographical diversity;

(B) that at least half of the demonstration programs are completed in collaboration with school food authorities with small annual commodity entitlements, as determined by the Secretary;

(C) that at least half of the demonstration programs are completed in rural or tribal communities;

(D) equitable treatment of school food authorities with a high percentage of students eligible for free or reduced price lunches, as determined by the Secretary; and

(E) that at least one of the demonstration programs is completed on a military installation as defined in section 2687(e)(1) of title 10, United States Code.
SEC. 4051. REVIEW OF PUBLIC HEALTH BENEFITS OF WHITE POTATOES.

The Secretary shall conduct a review of the economic and public health benefits of white potatoes on low-income families who are determined to be at nutritional risk. Not later than 1 year after the date of the enactment of this Act, the Secretary shall report the findings of this review to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

SEC. 4052. 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 fi-
nancial 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 es-

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 fund-

ing to entities with eligible projects, as de-

scribed 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 assist-

ance 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)) is amended—

(1) in paragraph (6) 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 establish and carry out the Health Food Financing Initiative under section 242.”.

SEC. 4053. REVIEW OF SOLE-SOURCE CONTRACTS IN FEDERAL NUTRITION PROGRAMS.

The Secretary shall conduct an evaluation of sole-source contracts in Federal nutrition programs, and the effect such contracts have on program participation, program goals, nonprogram consumers, retailers, and free market dynamics. Not later than 1 year after the date of the enactment of this Act, the Secretary shall report the findings of this review to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.
SEC. 4054. PURCHASE OF HALAL AND KOSHER FOOD FOR EMERGENCY FOOD ASSISTANCE PROGRAM.

Section 202 of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7502) is amended by adding at the end the following:

“(h) KOSHER AND HALAL FOOD.—As soon as practicable after the date of enactment of this subsection, the Secretary shall finalize and implement a plan—

“(1) to increase the purchase of Kosher and Halal food from food manufacturers with a Kosher or Halal certification to carry out the program established under this Act if the Kosher and Halal food purchased is cost neutral as compared to food that is not from food manufacturers with a Kosher or Halal certification; and

“(2) to modify the labeling of the commodities list used to carry out the program in a manner that enables Kosher and Halal food bank operators to identify which commodities to obtain from local food banks.”.

TITLE V—CREDIT
Subtitle A—Farm Ownership Loans

SEC. 5001. ELIGIBILITY FOR FARM OWNERSHIP LOANS.

(a) IN GENERAL.—Section 302(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1922(a)) is amended—
(1) by striking “(a) IN GENERAL.—The” and inserting the following:

“(a) IN GENERAL.—

“(1) Eligibility Requirements.—The”;

(2) in the 1st sentence, by inserting after “limited liability companies” the following: “, and such other legal entities as the Secretary deems appropriate,”; 

(3) in the 2nd sentence, by redesignating clauses (1) through (4) as clauses (A) through (D), respectively;

(4) in each of the 2nd and 3rd sentences, by striking “and limited liability companies” each place it appears and inserting “limited liability companies, and such other legal entities”;

(5) in the 3rd sentence, by striking “(3)” and “(4)” and inserting “(C)” and “(D)”, respectively; and

(6) by adding at the end the following:

“(2) Special Deeming Rules.—

“(A) Eligibility of Certain Operating-Only Entities.—An entity that is or will become only the operator of a family farm is deemed to meet the owner-operator requirements of paragraph (1) if the individuals that are the
owners of the family farm own more than 50 percent (or such other percentage as the Secretary determines is appropriate) of the entity.

“(B) Eligibility of certain embedded entities.—An entity that is an owner-operator described in paragraph (1), or an operator described in subparagraph (A) of this paragraph that is owned, in whole or in part, by other entities, is deemed to meet the direct ownership requirement imposed under paragraph (1) if at least 75 percent of the ownership interests of each embedded entity of such entity is owned directly or indirectly by the individuals that own the family farm.”.

(b) Direct Farm Ownership Experience Requirement.—Section 302(b)(1) of such Act (7 U.S.C. 1922(b)(1)) is amended by inserting “or has other acceptable experience for a period of time, as determined by the Secretary,” after “3 years”.

(c) Conforming Amendments.—

(1) Section 304(c)(2) of such Act (7 U.S.C. 1924(c)(2)) by striking “paragraphs (1) and (2) of section 302(a)” and inserting “clauses (A) and (B) of section 302(a)(1)”.

•HR 2642 EAH1S
(2) Section 310D of such Act (7 U.S.C. 1934) is amended—

(A) by inserting after “partnership” the following: “, or such other legal entities as the Secretary deems appropriate,”; and

(B) by striking “or partners” each place it appears and inserting “partners, or owners”.

SEC. 5002. CONSERVATION LOAN AND LOAN GUARANTEE PROGRAM.

(a) Eligibility.—Section 304(c) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1924(c)) is amended by inserting after “limited liability companies” the following: “, or such other legal entities as the Secretary deems appropriate,”.

(b) Limitation on Loan Guarantee Amount.—Section 304(e) of such Act (7 U.S.C. 1924(e)) is amended by striking “75 percent” and inserting “90 percent”.

(c) Extension of Program.—Section 304(h) of such Act (7 U.S.C. 1924(h)) is amended by striking “2012” and inserting “2018”.

SEC. 5003. DOWN PAYMENT LOAN PROGRAM.

(a) In General.—Section 310E(b)(1)(C) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1935(b)(1)(C)) is amended by striking “$500,000” and inserting “$667,000”.

•HR 2642 EAH1S
(b) **Technical Correction.**—Section 310E(b) of such Act (7 U.S.C. 1935(b)) is amended by striking the 2nd paragraph (2).

**SEC. 5004. ELIMINATION OF MINERAL RIGHTS APPRAISAL REQUIREMENT.**

Section 307 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1927) is amended by striking subsection (d) and redesignating subsection (e) as subsection (d).

**Subtitle B—Operating Loans**

**SEC. 5101. ELIGIBILITY FOR FARM OPERATING LOANS.**

Section 311(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1941(a)) is amended—

(1) by striking “(a) **IN GENERAL.**—The” and inserting the following:

“(a) **IN GENERAL.**—

“(1) **ELIGIBILITY REQUIREMENTS.**—The”;

(2) in the 1st sentence, by inserting after “limited liability companies” the following: “, and such other legal entities as the Secretary deems appropriate,”;

(3) in the 2nd sentence, by redesignating clauses (1) through (4) as clauses (A) through (D), respectively;
(4) in each of the 2nd and 3rd sentences, by striking “and limited liability companies” each place it appears and inserting “limited liability companies, and such other legal entities”;

(5) in the 3rd sentence, by striking “(3)” and “(4)” and inserting “(C)” and “(D)”, respectively; and

(6) by adding at the end the following:

“(2) SPECIAL DEEMING RULE.—An entity that is an operator described in paragraph (1) that is owned, in whole or in part, by other entities, is deemed to meet the direct ownership requirement imposed under paragraph (1) if at least 75 percent of the ownership interests of each embedded entity of such entity is owned directly or indirectly by the individuals that own the family farm.”

SEC. 5102. ELIMINATION OF RURAL RESIDENCY REQUIREMENT FOR OPERATING LOANS TO YOUTH.

Section 311(b)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1941(b)(1)) is amended by striking “who are rural residents”. 

•HR 2642 EAH1S
SEC. 5103. AUTHORITY TO WAIVE PERSONAL LIABILITY FOR YOUTH LOANS DUE TO CIRCUMSTANCES BEYOND BORROWER CONTROL.

Section 311(b) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1941(b)) is amended by adding at the end the following:

“(5) The Secretary may, on a case-by-case basis, waive the personal liability of a borrower for a loan made under this subsection if any default on the loan was due to circumstances beyond the control of the borrower.”.

SEC. 5104. MICROLOANS.

(a) In General.—Section 313 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1943) is amended by adding at the end the following:

“(c) Microloans.—

“(1) In General.—Subject to paragraph (2), the Secretary may establish a program to make or guarantee microloans.

“(2) Limitation.—The Secretary shall not make or guarantee a microloan under this subsection that exceeds $35,000 or that would cause the total principal indebtedness outstanding at any 1 time for microloans made under this chapter to any 1 borrower to exceed $70,000.

“(3) Applications.—To the maximum extent practicable, the Secretary shall limit the administra-
tive burdens and streamline the application and approval process for microloans under this subsection.

“(4) COOPERATIVE LENDING PROJECTS.—

“(A) IN GENERAL.—Subject to subparagraph (B), the Secretary may contract with community-based and nongovernmental organizations, State entities, or other intermediaries, as the Secretary determines appropriate—

“(i) to make or guarantee a microloan under this subsection; and

“(ii) to provide business, financial, marketing, and credit management services to borrowers.

“(B) REQUIREMENTS.—Before contracting with an entity described in subparagraph (A), the Secretary—

“(i) shall review and approve—

“(I) the loan loss reserve fund for microloans established by the entity; and

“(II) the underwriting standards for microloans of the entity; and

“(ii) establish such other requirements for contracting with the entity as the Secretary determines necessary.”.
(b) **Exceptions for Direct Loans.**—Section 311(c)(2) of such Act (7 U.S.C. 1941(e)(2)) is amended to read as follows:

“(2) Exceptions.—In this subsection, the term ‘direct operating loan’ shall not include—

“(A) a loan made to a youth under subsection (b); or

“(B) a microloan made to a beginning farmer or rancher or 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))).”.

(c) Section 312(a) of such Act (7 U.S.C. 1942(a)) is amended by inserting “(including a microloan, as defined by the Secretary)” after “A direct loan”.

(d) Section 316(a)(2) of such Act (7 U.S.C. 1946(a)(2)) is amended by inserting “a microloan to a beginning farmer or rancher or 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)), or” after “The interest rate on”.

**Subtitle C—Emergency Loans**

**SEC. 5201. Eligibility for Emergency Loans.**

Section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a)) is amended—
(1) by striking “owner-operators (in the case of loans for a purpose under subtitle A) or operators (in the case of loans for a purpose under subtitle B)” each place it appears and inserting “(in the case of farm ownership loans in accordance with subtitle A) owner-operators or operators, or (in the case of loans for a purpose under subtitle B) operators”;

(2) by inserting after “limited liability compa-
nies” the 1st place it appears the following: “, or such other legal entities as the Secretary deems appro-
riate”;

(3) by inserting after “limited liability compa-
nies” the 2nd place it appears the following: “, or other legal entities”; 

(4) by striking “and limited liability compa-
nies,” and inserting “limited liability companies, and such other legal entities”;

(5) by striking “ownership and operator” and inserting “ownership or operator”; and

(6) by adding at the end the following: “An enti-
ty that is an owner-operator or operator described in this subsection is deemed to meet the direct ownership requirement imposed under this subsection if at least 75 percent of the ownership interests of each embedded
entity of such entity is owned directly or indirectly by the individuals that own the family farm.”.

**Subtitle D—Administrative Provisions**

**SEC. 5301. BEGINNING FARMER AND RANCHER INDIVIDUAL DEVELOPMENT ACCOUNTS PILOT PROGRAM.**

Section 333B(h) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1983b(h)) is amended by striking “2012” and inserting “2018”.

**SEC. 5302. ELIGIBLE BEGINNING FARMERS AND RANCHERS.**

(a) **Conforming Amendments Relating to Changes in Eligibility Rules.**—Section 343(a)(11) of such Act (7 U.S.C. 1991(a)(11)) is amended—

(1) by inserting after “joint operation,” the 1st place it appears the following: “or such other legal entity as the Secretary deems appropriate,”;

(2) by striking “or joint operators” each place it appears and inserting “joint operators, or owners”;

and

(3) by inserting after “joint operation,” the 2nd and 3rd place it appears the following: “or such other legal entity,”.

(b) **Modification of Acreage Ownership Limitation.**—Section 343(a)(11)(F) of such Act (7 U.S.C.
1991(a)(11)(F)) is amended by striking “median acreage”
and inserting “average acreage”.

SEC. 5303. LOAN AUTHORIZATION LEVELS.

Section 346(b)(1) of the Consolidated Farm and Rural
Development Act (7 U.S.C. 1994(b)(1)) is amended in the
matter preceding subparagraph (A) by striking “2012” and
inserting “2018”.

SEC. 5304. PRIORITY FOR PARTICIPATION LOANS.

Section 346(b)(2)(A)(i) of the Consolidated Farm and
Rural Development Act (7 U.S.C. 1994(b)(2)(A)(i)) is
amended by adding at the end the following:

“(III) PRIORITY.—In order to
maximize the number of borrowers
served under this clause, the Sec-
retary—

“(aa) shall give priority to
applicants who apply under the
down payment loan program
under section 310E or joint fi-
nancing arrangements under sec-
tion 307(a)(3)(D); and

“(bb) may offer other financ-
ing options under this subtitle to
applicants only if the Secretary
determines that down payment or
other participation loan options are not a viable approach for the applicants.”.

SEC. 5305. LOAN FUND SET-ASIDES.


(1) by striking “2012” and inserting “2018”;

and

(2) by striking “of the total amount”.

SEC. 5306. CONFORMING AMENDMENT TO BORROWER TRAINING PROVISION, RELATING TO ELIGIBILITY CHANGES.

Section 359(c)(2) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2006a(c)(2)) is amended by striking “section 302(a)(2) or 311(a)(2)” and inserting “section 302(a)(1)(B) or 311(a)(1)(B)”.

Subtitle E—State Agricultural Mediation Programs

SEC. 5401. 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”.

•HR 2642 EAH1S
Subtitle F—Loans to Purchasers of Highly Fractionated Land

SEC. 5501. LOANS TO PURCHASERS OF HIGHLY FRACTIONATED LAND.

The first section of Public Law 91–229 (25 U.S.C. 488) is amended in subsection (b)(1) by striking “pursuant to section 205(c) of the Indian Land Consolidation Act (25 U.S.C. 2204(c))” and inserting “or to intermediaries in order to establish revolving loan funds for the purchase of highly fractionated land”.

TITLE VI—RURAL DEVELOPMENT

Subtitle A—Consolidated Farm and Rural Development Act

SEC. 6001. WATER, WASTE DISPOSAL, AND WASTEWATER FACILITY GRANTS.


SEC. 6002. RURAL BUSINESS OPPORTUNITY GRANTS.

Section 306(a)(11)(D) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(11)(D)) is amended by striking “$15,000,000 for each of fiscal years 2008 through 2012” and inserting “$15,000,000 for each of fiscal years 2014 through 2018”.

•HR 2642 EAH1S
SEC. 6003. ELIMINATION OF RESERVATION OF COMMUNITY FACILITIES GRANT PROGRAM FUNDS.

Section 306(a)(19) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(19)) is amended by striking subparagraph (C).

SEC. 6004. UTILIZATION OF LOAN GUARANTEES FOR COMMUNITY FACILITIES.

Section 306(a)(24) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(24)) is amended by adding at the end the following:

“(C) UTILIZATION OF LOAN GUARANTEES FOR COMMUNITY FACILITIES.—The Secretary shall consider the benefits to communities that result from using loan guarantees in the Community Facilities Program and to the maximum extent possible utilize guarantees to enhance community involvement.”.

SEC. 6005. RURAL WATER AND WASTEWATER CIRCUIT RIDER PROGRAM.

Section 306(a)(22) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(22)) is amended to read as follows:

“(22) RURAL WATER AND WASTEWATER CIRCUIT RIDER PROGRAM.—
“(A) 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 the date of enactment of this paragraph, as determined by the Secretary; and

“(ii) receives funding from the Secretary, acting through the Rural Utilities Service.

“(B) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this paragraph $20,000,000 for fiscal year 2014 and each fiscal year thereafter.”.

SEC. 6006. TRIBAL COLLEGE AND UNIVERSITY ESSENTIAL COMMUNITY FACILITIES.

Section 306(a)(25)(C) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(25)(C)) is amended by striking “$10,000,000 for each of fiscal years 2008 through 2012” and inserting “$5,000,000 for each of fiscal years 2014 through 2018”.

HR 2642 EAH1S
SEC. 6007. ESSENTIAL COMMUNITY FACILITIES TECHNICAL ASSISTANCE AND TRAINING.

Section 306(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(19)) is amended by adding at the end the following new paragraph:

“(26) ESSENTIAL COMMUNITY FACILITIES TECHNICAL ASSISTANCE AND TRAINING.—

“(A) IN GENERAL.—The Secretary may make grants to public bodies and private non-profit corporations, such as States, counties, cities, townships, and incorporated towns and villages, boroughs, authorities, districts and Indian tribes on Federal and State reservations which will serve rural areas for the purpose of enabling them to provide to associations described in this subsection technical assistance and training, with respect to essential community facilities programs authorized under this subsection, to—

“(i) assist communities in identifying and planning for community facility needs;

“(ii) identify public and private resources to finance community facilities needs;

“(iii) prepare reports and surveys necessary to request financial assistance to develop community facilities;
“(iv) prepare applications for financial assistance;

“(v) improve the management, including financial management, related to the operation of community facilities; or

“(vi) assist with other areas of need identified by the Secretary.

“(B) SELECTION PRIORITY.—In selecting recipients of grants under this paragraph, the Secretary shall give priority to private, non-profit, or public organizations that have experience in providing technical assistance and training to rural entities.

“(C) FUNDING.—Not less than 3 nor more than 5 percent of any funds appropriated to carry out each of the essential community facilities grant, loan and loan guarantee programs as authorized under this subsection for any fiscal year shall be reserved for grants under this paragraph.”.

SEC. 6008. EMERGENCY AND IMMINENT COMMUNITY WATER ASSISTANCE GRANT PROGRAM.

Section 306A(i)(2) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926a(i)(2)) is amended by striking “$35,000,000 for each of fiscal years 2008
through 2012” and inserting “$27,000,000 for each of fiscal years 2014 through 2018”.

SEC. 6009. HOUSEHOLD WATER WELL SYSTEMS.

Section 306E(d) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926e(d)) is amended by striking “$10,000,000 for each of fiscal years 2008 through 2012” and inserting “$5,000,000 for each of fiscal years 2014 through 2018”.

SEC. 6010. RURAL BUSINESS AND INDUSTRY LOAN PROGRAM.

(a) Flexibility for the Business and Loan Program.—Section 310B(a)(2)(A) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(a)(2)(A)) is amended by inserting “including working capital” after “employment”.

(b) Greater Flexibility for Adequate Collateral Through Accounts Receivable.—Section 310B(g)(7) of such Act (7 U.S.C. 1932(g)(7)) is amended by adding at the end the following: “In the discretion of the Secretary, if the Secretary determines that the action would not create or otherwise contribute to an unreasonable risk of default or loss to the Federal Government, the Secretary may take account receivables as security for the obligations entered into in connection with loans and a bor-
rrower may use account receivables as collateral to secure
a loan made or guaranteed under this subsection.”.

(c) REGULATIONS.—Not later than 6 months after the
date of the enactment of this Act, the Secretary shall pro-
mulgate such regulations as are necessary to implement the
amendments made by this section.

SEC. 6011. RURAL COOPERATIVE DEVELOPMENT GRANTS.

Section 310B(e)(12) of the Consolidated Farm and
Rural Development Act (7 U.S.C. 1932(e)(12)) is amended
by striking “$50,000,000 for each of fiscal years 2008
through 2012” and inserting “$40,000,000 for each of fiscal
years 2014 through 2018”.

SEC. 6012. LOCALLY OR REGIONALLY PRODUCED AGRICUL-
TURAL FOOD PRODUCTS.

Section 310B(g)(9)(B)(v)(I) of the Consolidated Farm
and Rural Development Act (7 U.S.C. 1932(g)(9)(B)(v)(I))
is amended—

(1) by striking “2012” and inserting “2018”; and

(2) by inserting “and not more than 7 percent”
after “5 percent”.

SEC. 6013. INTERMEDIARY RELENDING PROGRAM.

(a) IN GENERAL.—Subtitle A of the Consolidated
Farm and Rural Development Act (7 U.S.C. 1922–1936a)
is amended by adding at the end the following:
“SEC. 310H. INTERMEDIARY RELENDING PROGRAM.

“(a) IN GENERAL.—The Secretary shall make loans to the entities, for the purposes, and subject to the terms and conditions specified in the 1st, 2nd, and last sentences of section 623(a) of the Community Economic Development Act of 1981 (42 U.S.C. 9812(a)).

“(b) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.—For loans under subsection (a), there are authorized to be appropriated to the Secretary not more than $10,000,000 for each of fiscal years 2014 through 2018.”.

(b) CONFORMING AMENDMENTS.—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 adding “and” at the end;

(2) in subparagraph (B), by striking “; and” and inserting a period; and

(3) by striking subparagraph (C).

SEC. 6014. RURAL COLLEGE COORDINATED STRATEGY.

Section 331 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1981) is amended by adding at the end the following:

“(d) RURAL COLLEGE COORDINATED STRATEGY.—The Secretary shall develop a coordinated strategy across the relevant programs within the Rural Development mission areas to serve the specific, local needs of rural communities

•HR 2642 EAH1S
when making investments in rural community colleges and technical colleges through other current authorities. During the development of a coordinated strategy, the Secretary shall consult with groups representing rural-serving community colleges and technical colleges to coordinate critical investments in rural community colleges and technical colleges involved in workforce training. Nothing in this subsection shall be construed to provide a priority for funding within current authorities. The Secretary shall use the coordinated strategy and information developed for the strategy to more effectively serve rural communities with respect to investments in community colleges and technical colleges.”.

SEC. 6015. RURAL WATER AND WASTE DISPOSAL INFRASTRUCTURE.

Section 333 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1983) is amended—

(1) by striking “require”;

(2) in paragraph (1), by inserting “require” after “(1)”;

(3) in paragraph (2), by inserting “, require” after “314”;

(4) in paragraph (3), by inserting “require” after “loans,”;

(5) in paragraph (4)—
(A) by inserting “require” after “(4)”; and

(B) by striking “and” after the semicolon;

(6) in paragraph (5)—

(A) by inserting “require” after “(5)”; and

(B) by striking the period at the end and inserting “; and”; and

(7) by adding at the end the following:

“(6) with respect to water and waste disposal direct and guaranteed loans provided under section 306, encourage, to the maximum extent practicable, private or cooperative lenders to finance rural water and waste disposal facilities by—

“(A) maximizing the use of loan guarantees to finance eligible projects in rural communities where the population exceeds 5,500;

“(B) maximizing the use of direct loans to finance eligible projects in rural communities where the impact on rate payers will be material when compared to financing with a loan guarantee;

“(C) establishing and applying a materiality standard when determining the difference in impact on rate payers between a direct loan and a loan guarantee;
“(D) in the case of projects that require interim financing in excess of $500,000, requiring that such projects initially seek such financing from private or cooperative lenders; and

“(E) determining if an existing direct loan borrower can refinance with a private or cooperative lender, including with a loan guarantee, prior to providing a new direct loan.”.

SEC. 6016. SIMPLIFIED APPLICATIONS.

(a) In General.—Section 333A of the Consolidated Farm and Rural Development Act (7 U.S.C. 1983a) is amended by adding at the end the following:

“(h) SIMPLIFIED APPLICATION FORMS.—Except as provided in subsection (g)(2) of this section, the Secretary shall, to the maximum extent practicable, develop a simplified application process, including a single page application where possible, for grants and relending authorized under sections 306, 306C, 306D, 306E, 310B(b), 310B(c), 310B(e), 310B(f), 310H, 379B, and 379E.”.

(b) Report to the Congress.—Within 2 years after the date of the 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 written report that con-
tains an evaluation of the implementation of the amend-
ment made by subsection (a).

SEC. 6017. GRANTS FOR NOAA WEATHER RADIO TRANSMIT-
TERS.

Section 379B(d) of the Consolidated Farm and Rural
Development Act (7 U.S.C. 2008p(d)) is amended to read
as follows:

“(d) AUTHORIZATION OF APPROPRIATIONS.—There is
authorized to be appropriated to carry out this section
$1,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 6018. RURAL MICROENTREPRENEUR ASSISTANCE PRO-
GRAM.

Section 379E(d)(2) of the Consolidated Farm and
Rural Development Act (7 U.S.C. 2008s(d)(2)) is amended
by striking “$40,000,000 for each of fiscal years 2009
through 2012” and inserting “$20,000,000 for each of fiscal
years 2014 through 2018”.

SEC. 6019. DELTA REGIONAL AUTHORITY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section
382M(a) of the Consolidated Farm and Rural Development
Act (7 U.S.C. 2009aa–12(a)) is amended by striking
“$30,000,000 for each of fiscal years 2008 through 2012”
and inserting “$12,000,000 for each of fiscal years 2014
through 2018”.

•HR 2642 EAH1S
(b) Termination of Authority.—Section 382N of such Act (7 U.S.C. 2009aa–13) is amended by striking “2012” and inserting “2018”.

SEC. 6020. NORTHERN GREAT PLAINS REGIONAL AUTHORITY.

(a) Authorization of Appropriations.—Section 383N(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009bb–12(a)) is amended by striking “$30,000,000 for each of fiscal years 2008 through 2012” and inserting “$2,000,000 for each of fiscal years 2014 through 2018”.

(b) Termination of Authority.—Section 383O of such Act (7 U.S.C. 2009bb–13) is amended by striking “2012” and inserting “2018”.

SEC. 6021. RURAL BUSINESS INVESTMENT PROGRAM.

Section 384S of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009cc–18) is amended by striking “$50,000,000 for the period of fiscal years 2008 through 2012” and inserting “$20,000,000 for each of fiscal years 2014 through 2018”.

Subtitle B—Rural Electrification Act of 1936

SEC. 6101. RELENDING FOR CERTAIN PURPOSES.

(a) In General.—The Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.) is amended—
(1) in section 2(a), by inserting “(including relending for this purpose as provided in section 4)” after “efficiency”;  
(2) in section 4(a), by inserting “(including relending to ultimate consumers for this purpose by borrowers enumerated in the proviso in this section)” after “efficiency”; and  
(3) in section 313(b)(2)(B)—  
(A) by inserting “(acting through the Rural Utilities Service)” after “Secretary”; and  
(B) by inserting “energy efficiency (including relending to ultimate consumers for this purpose),” after “promoting”.  
(b) CURRENT AUTHORITY.—The authority provided in this section is in addition to any other relending authority of the Secretary under the Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.) or any other law.  
(c) ADMINISTRATION.—The Secretary (acting through the Rural Utilities Service) shall continue to carry out section 313 of the Rural Electrification Act of 1936 (7 U.S.C. 940c) in the same manner as on the day before enactment of this Act until such time as any regulations necessary to carry out the amendments made by this section are fully implemented.
SEC. 6102. FEES FOR CERTAIN LOAN GUARANTEES.

The Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.) is amended by inserting after section 4 the following:

“SEC. 5. FEES FOR CERTAIN LOAN GUARANTEES.

“(a) IN GENERAL.—For electrification baseload generation loan guarantees, the Secretary shall, at the request of the borrower, charge an upfront fee to cover the costs of the loan guarantee.

“(b) FEE.—The fee described in subsection (a) for a loan guarantee shall be equal to the costs of the loan guarantee (within the meaning of section 502(5)(C) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5)(C))).

“(c) LIMITATION.—Funds received from a borrower to pay the fee described in this section shall not be derived from a loan or other debt obligation that is made or guaranteed by the Federal Government.”.

SEC. 6103. RURAL UTILITIES SERVICE CONTRACTING AUTHORITY.

Section 18(c) of the Rural Electrification Act of 1936 (7 U.S.C. 918(c)) is amended—

(1) in paragraph (1), by striking “Rural Electrification Administration” each place it appears and inserting “Rural Utilities Service”; and

(2) in paragraph (4)—

(A) in the paragraph heading, by inserting “COOPERATIVE” before “AGREEMENTS”; and
(B) by inserting after the 1st sentence the following: “A contract funded by a borrower that is to be paid for out of the general funds of the borrower is not a public contract within the meaning of title 41, United States Code.”.

SEC. 6104. 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. 6105. 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. 6106. 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 (c), by striking paragraph (2) and inserting the following:

“(2) PRIORITIES.—In making or guaranteeing loans under paragraph (1), the Secretary shall give—

“(A) the highest priority to applicants that offer to provide broadband service to the greatest
proportion of households that, prior to the provision of the broadband service, had no incumbent service provider; and

“(B) priority to applicants that offer in their applications to provide broadband service not predominantly for business service, but where at least 25 percent of customers in the proposed service territory are commercial interests.”;

(2) in subsection (d)—

(A) in paragraph (5)—

(i) by striking “and” at the end of sub-
paragraph (B);

(ii) by striking the period at the end of
subparagraph (C) and inserting a semi-
colon; and

(iii) by adding at the end the follow-

“(D) the amount and type of support re-
quested; and

“(E) a list of the census block groups or tracts proposed to be so served.”; and

(B) by adding at the end the following:

“(8) ADDITIONAL PROCESS.—The Secretary shall establish a process under which an incumbent service provider which, as of the date of the publication of
notice under paragraph (5) with respect to an application submitted by the provider, is providing broadband service to a remote rural area, may (but shall not be required to) submit to the Secretary, not less than 15 and not more than 30 days after that date, information regarding the broadband services that the provider offers in the proposed service territory, so that the Secretary may assess whether the application meets the requirements of this section with respect to eligible projects.”;

(3) in subsection (e), by adding at the end the following:

“(3) REQUIREMENT.—In considering the technology needs of customers in a proposed service territory, the Secretary shall take into consideration the upgrade or replacement cost for the construction or acquisition of facilities and equipment in the territory.”; and

(4) in each of subsections (k)(1) and (l), 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
“$100,000,000 for each of fiscal years 1996 through 2012” and inserting “$65,000,000 for each of fiscal years 2014 through 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. VALUE-ADDED AGRICULTURAL MARKET DEVELOPMENT PROGRAM GRANTS.

Section 231(b)(7) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1632a(b)(7)) is amended—

(1) in subparagraph (A)—

(A) by striking “2008” and inserting “2013”; and

(B) by striking “$15,000,000” and inserting “$50,000,000”; and

(2) in subparagraph (B), by striking “2012” and inserting “2018”.

SEC. 6203. AGRICULTURE INNOVATION CENTER DEMONSTRATION PROGRAM.

Section 6402(i) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1632b(i)) is amended by striking “$6,000,000 for each of fiscal years 2008 through 2012” and inserting “$1,000,000 for each of fiscal years 2014 through 2018”.

•HR 2642 EAH1S
SEC. 6204. PROGRAM METRICS.

(a) In General.—The Secretary of Agriculture shall collect data regarding economic activities created through grants and loans, including any technical assistance provided as a component of the grant or loan program, and measure the short and long term viability of award recipients and any entities to whom those recipients provide assistance using award funds under section 231 of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1621 note; Public Law 106–224), section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107), section 313(b)(2) of the Rural Electrification Act of 1936 (7 U.S.C. 940c(b)(2)), or section 306(a)(11), 310B(c), 310B(e), 310B(g), 310H, or 379E, or subtitle E, of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(11), 1932(c), 1932(e), 1932(g), 2008s, or 2009 through 2009m).

(b) Data.—The data collected under subsection (a) shall include information collected from recipients both during the award period and after the period as determined by the Secretary, but not less than 2 years after the award period ends.

(c) Report.—Not later than 4 years after the date of enactment of this Act, and 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 that
contains the data described in subsection (a). The report shall include detailed information regarding—

(1) actions taken by the Secretary to utilize the data;

(2) the number of jobs, including self-employment and the value of salaries and wages;

(3) how the provision of funds from the grant or loan involved affected the local economy;

(4) any benefit, such as an increase in revenue or customer base; and

(5) such other information as the Secretary deems appropriate.

SEC. 6205. STUDY OF RURAL TRANSPORTATION ISSUES.

(a) In General.—The Secretary of Agriculture and the Secretary of Transportation shall publish an updated version of the study described in section 6206 of the Food, Conservation, and Energy Act of 2008 (as amended by subsection (b)).

(b) Addition to Study.—Section 6206(b) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 1971) is amended—

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

(2) in paragraph (4), by striking the period at the end and inserting “; and”; and
(3) by adding at the end the following new paragraph:

“(5) the sufficiency of infrastructure along waterways in the United States and the impact of such infrastructure on the movement of agricultural goods in terms of safety, efficiency and speed, as well as the benefits derived through upgrades and repairs to locks and dams.”.

(c) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Secretary of Agriculture and the Secretary of Transportation shall submit to the Congress the updated version of the study required by subsection (a).

SEC. 6206. CERTAIN FEDERAL ACTIONS NOT TO BE CONSIDERED MAJOR.

In the case of a loan, loan guarantee, or grant program in the rural development mission area of the Department of Agriculture, an action of the Secretary before, on, or after the date of enactment of this Act that does not involve the provision by the Department of Agriculture of Federal dollars or a Federal loan guarantee, including—

(1) the approval by the Department of Agriculture of the decision of a borrower to commence a privately funded activity;

(2) a lien accommodation or subordination;
(3) a debt settlement or restructuring; or
(4) the restructuring of a business entity by a borrower,
shall not be considered a major Federal action.

SEC. 6207. TELEMEDICINE AND DISTANCE LEARNING SERVICES IN RURAL AREAS.
Section 2333(d) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 950aaa-2(d)) is amended—

(1) by striking “and” at the end of paragraph (12); and
(2) by redesignating paragraph (13) as paragraph (14) and inserting after paragraph (12) the following:
“(13) whether the applicant for assistance is located in a designated health professional shortage area (within the meaning of section 332 of the Public Health Service Act)”.

SEC. 6208. 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.”.

TITLE VII—RESEARCH, EXTENSION, AND RELATED MATTERS


SEC. 7101. OPTION TO BE INCLUDED AS NON-LAND-GRANT COLLEGE OF AGRICULTURE.

Section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103) is amended—

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

“(5) COOPERATING FORESTRY SCHOOL.—

“(A) IN GENERAL.—The term ‘cooperating forestry school’ means an institution—
“(i) that is eligible to receive funds under the Act of October 10, 1962 (16 U.S.C. 582a et seq.), commonly known as the McIntire-Stennis Act of 1962; and

“(ii) with respect to which the Secretary has not received a declaration of the intent of that institution to not be considered a cooperating forestry school.

“(B) TERMINATION OF DECLARATION.—A declaration of the intent of an institution to not be considered a cooperating forestry school submitted to the Secretary shall be in effect until September 30, 2018.”; and

(2) in paragraph (10)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i), by striking “that”;

(ii) in clause (i)—

(I) by inserting “that” before “qualify”; and

(II) by striking “and” at the end;

(iii) in clause (ii)—

(I) by inserting “that” before “offer”; and
(II) by striking the period at the end and inserting “; and”; and

(iv) by adding at the end the following new clause:

“(iii) with respect to which the Secretary has not received a statement of the declaration of the intent of a college or university to not be considered a Hispanic-serving agricultural college or university.”;

and

(B) by adding at the end the following new subparagraph:

“(C) TERMINATION OF DECLARATION OF INTENT.—A declaration of the intent of a college or university to not be considered a Hispanic-serving agricultural college or university submitted to the Secretary shall be in effect until September 30, 2018.”.

SEC. 7102. NATIONAL AGRICULTURAL RESEARCH, EXTENSION, EDUCATION, AND ECONOMICS ADVISORY BOARD.

(a) EXTENSION OF TERMINATION DATE.—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”.

•HR 2642 EAH1S
(b) DUTIES OF NATIONAL AGRICULTURAL RESEARCH, 
EXTENSION, EDUCATION, AND ECONOMICS ADVISORY BOARD.—Section 1408(c) of the National Agricultural Re-
search, 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”;

(3) by adding at the end the following new para-
graph:

“(5) consult with industry groups on agricul-
tural research, extension, education, and economics, 
and make recommendations to the Secretary based on 
that consultation.”.

SEC. 7103. SPECIALTY CROP COMMITTEE.

Section 1408A(c) of the National Agricultural Re-
search, Extension, and Teaching Policy Act of 1977 (7 
U.S.C. 3123a(c)) is amended—

(1) in paragraph (1), by striking “Measures” 
and inserting “Programs”;

(2) by striking paragraph (2);

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

(4) in paragraph (2) (as so redesignated)—
(A) in the matter preceding subparagraph (A), by striking “Programs that would” and inserting “Research, extension, and teaching programs designed to improve competitiveness in the specialty crop industry, including programs that would”;

(B) in subparagraph (D), by inserting “, including improving the quality and taste of processed specialty crops” before the semicolon; and

(C) in subparagraph (G), by inserting “the remote sensing and the” before “mechanization”.

SEC. 7104. 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 new section:

“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, or an individual who, 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 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; or

“(G) a State, local, or tribal government agency.

“(2) VETERINARIAN SHORTAGE SITUATION.—The term ‘veterinarian shortage situation’ means a veteri-
narian shortage situation as determined by the Secretary under section 1415A.

“(b) ESTABLISHMENT.—

“(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.—A qualified entity shall be eligible to receive a grant described in paragraph (1) if the entity carries 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 providing or have completed providing services under an agreement entered into with the Secretary under section 1415A(a)(2).

“(c) AWARD PROCESSES AND PREFERENCES.—
“(1) APPLICATION, EVALUATION, AND INPUT PROCESSES.—In administering the grant program established 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) COORDINATION PREFERENCE.—In selecting recipients of grants to be used for any of the purposes described in subsection (d)(1), 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) CONSIDERATION OF AVAILABLE FUNDS.—In selecting recipients of grants to be used for any of the purposes described in subsection (d), the Secretary shall take into consideration the amount of funds available for grants and the purposes for which the grant funds will be used.

“(4) NATURE OF GRANTS.—A grant awarded under this section shall be considered to be a competitive research, extension, or education grant.

“(d) USE OF GRANTS TO RELIEVE VETERINARIAN SHORTAGE SITUATIONS AND SUPPORT VETERINARY SERVICES.—
“(1) IN GENERAL.—Except as provided in para-
graph (2), a qualified entity may use funds provided
by a grant awarded under this section to relieve vet-
erinarian shortage situations and support veterinary
services for any of the following purposes:

“(A) To promote recruitment (including for
programs in secondary schools), placement, and
retention of veterinarians, veterinary techni-
cians, students of veterinary medicine, and stu-
dents of veterinary technology.

“(B) To allow veterinary students, veteri-
nary interns, externs, fellows, and residents, and
veterinary technician students to cover expenses
(other than the types of expenses described in sec-
tion 1415A(c)(5)) to attend training programs
in food safety or food animal medicine.

“(C) To establish or expand accredited vet-
erinary education programs (including faculty
recruitment and retention), veterinary residency
and fellowship programs, or veterinary intern-
ship and externship programs carried out in co-
ordination with accredited colleges of veterinary
medicine.

“(D) 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) To provide technical assistance for the preparation of applications submitted to the Secretary for designation as a veterinarian shortage situation under this section or section 1415A.

“(2) QUALIFIED ENTITIES OPERATING VETERINARY CLINICS.—A qualified entity described in subsection (a)(1)(A) may only use funds provided by a grant awarded under this section to establish or expand veterinary practices, including—

“(A) equipping veterinary offices;

“(B) sharing in the reasonable overhead costs of such veterinary 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.

“(e) SPECIAL REQUIREMENTS FOR CERTAIN GRANTS.—

“(1) TERMS OF SERVICE REQUIREMENTS.—

“(A) IN GENERAL.—Funds provided through a grant made under this section to a
qualified entity described in subsection (a)(1)(A)
and used by such entity under subsection (d)(2)
shall be subject to an agreement between the Sec-
retary and such entity that includes a required
term of service for such entity (including a
qualified entity operating as an individual), as
prospectively established by the Secretary.

“(B) CONSIDERATIONS.—In establishing a
term of service under subparagraph (A), the Sec-
retary 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 qualified entity
referred to in paragraph (1)(A), including re-
payment or partial repayment of the grant
funds, with interest.

“(B) WAIVER.—The Secretary may grant a
waiver of the repayment obligation for breach of
contract if the Secretary determines that such
qualified entity 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 without further appropriation.

“(f) Prohibition on use of grant funds for construction.—Except as provided in subsection (d)(2), 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.

“(g) Regulations.—Not later than 1 year after the date of the enactment of this section, the Secretary shall promulgate regulations to carry out this section.

“(h) Authorization of appropriations.—There are 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. 7105. 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. 7106. 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,”;

(B) by striking “make grants, competitive grants, and special research grants to, and enter into cooperative agreements and other contracting instruments with,” and inserting “make
competitive grants to, or enter into cooperative
agreements with,”; and

(C) by inserting “with a history of pro-
viding 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 el-
igible” and inserting “and other public research insti-
tutions and organizations shall be eligible”;

(4) by redesignating subsections (c) and (d) as
subsections (d) and (e), respectively;

(5) by inserting after subsection (b), the fol-
lowing new subsection:

“(c) PREFERENCE.—In awarding grants under this
section, the Secretary shall give a preference to policy re-
search centers that have extensive databases, models, and
demonstrated experience in providing Congress with agri-
cultural market projections, rural development analysis, ag-
ricultural policy analysis, and baseline projections at the
farm, multiregional, national, and international levels.”;

and

(6) by striking subsection (e) (as redesignated by
paragraph (4)) and inserting the following new sub-
section:
“(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 1996 through 2013; and

“(2) $5,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 7107. REPEAL OF HUMAN NUTRITION INTERVENTION AND HEALTH PROMOTION RESEARCH PROGRAM.

Effective October 1, 2013, section 1424 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3174) is repealed.

SEC. 7108. REPEAL OF PILOT RESEARCH PROGRAM TO COMBINE MEDICAL AND AGRICULTURAL RESEARCH.

Effective October 1, 2013, section 1424A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3174a) is repealed.

SEC. 7109. 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”.

•HR 2642 EAH1S
SEC. 7110. 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—

“(A) $25,000,000 for each of fiscal years 1991 through 2013; and

“(B) $15,000,000 for each of fiscal years 2014 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 the research described in subparagraph (A).”.

SEC. 7111. REPEAL OF APPROPRIATIONS FOR RESEARCH ON NATIONAL OR REGIONAL PROBLEMS.

(a) REPEAL.—Effective October 1, 2013, section 1434 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3196) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) MATCHING FUNDS.—Section 1438 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3200) is amended in the first sentence by striking “, exclusive of the funds provided for research on specific national or regional animal health and disease problems under the provisions of section 1434 of this title,”.

(2) AUTHORIZATION OF APPROPRIATIONS FOR EXISTING AND CERTAIN NEW AGRICULTURAL RESEARCH PROGRAMS.—Section 1463(c) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3311(c)) is amended by striking “sections 1433 and 1434” and inserting “section 1433”.

•HR 2642 EAH1S
SEC. 7112. 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. 7113. GRANTS TO UPGRADE AGRICULTURE AND FOOD SCIENCE FACILITIES AND EQUIPMENT AT INSULAR AREA LAND-GRANT INSTITUTIONS.

(a) SUPPORTING TROPICAL AND SUBTROPICAL AGRICULTURAL RESEARCH.—

(1) IN GENERAL.—Section 1447B(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222b–2(a)) is amended to read as follows:

“(a) PURPOSE.—It is the intent of Congress to assist the land-grant colleges and universities in the insular areas in efforts to—

“(1) acquire, alter, or repair facilities or relevant equipment necessary for conducting agricultural research; and

“(2) support tropical and subtropical agricultural research, including pest and disease research.”.
(2) CONFORMING AMENDMENT.—Section 1447B of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222b–2) is amended in the heading—

(A) by inserting “AND SUPPORT TROPICAL AND SUBTROPICAL AGRICULTURAL RESEARCH” after “EQUIPMENT”; and

(B) by striking “INSTITUTIONS” and inserting “COLLEGES AND UNIVERSITIES”.

(b) EXTENSION.—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. 7114. REPEAL OF NATIONAL RESEARCH AND TRAINING VIRTUAL CENTERS.

Effective October 1, 2013, section 1448 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222c) is repealed.

SEC. 7115. 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”.

•HR 2642 EAH1S
SEC. 7116. COMPETITIVE GRANTS PROGRAM FOR HISPANIC AGRICULTURAL WORKERS AND YOUTH.

Section 1456(e)(1) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3243(e)(1)) is amended to read as follows:

“(1) IN GENERAL.—The Secretary shall establish a competitive grants program—

“(A) to fund fundamental and applied research and extension at Hispanic-serving agricultural colleges and universities in agriculture, human nutrition, food science, bioenergy, and environmental science; and

“(B) to award competitive grants to Hispanic-serving agricultural colleges and universities to provide for training in the food and agricultural sciences of Hispanic agricultural workers and Hispanic youth working in the food and agricultural sciences.”.

SEC. 7117. COMPETITIVE GRANTS FOR INTERNATIONAL AGRICULTURAL SCIENCE AND EDUCATION PROGRAMS.

Section 1459A(c) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3292b(c)) is amended to read as follows:

“(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. 7118. REPEAL OF RESEARCH EQUIPMENT GRANTS.**

Effective October 1, 2013, section 1462A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310a) is repealed.

**SEC. 7119. UNIVERSITY RESEARCH.**

Section 1463 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3311) is amended in both of subsections (a) and (b) by striking “2012” and inserting “2018”.

**SEC. 7120. 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. 7121. AUDITING, REPORTING, BOOKKEEPING, AND ADMINISTRATIVE REQUIREMENTS.**

Section 1469 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3315) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by adding “and” at the end;
(B) by striking paragraph (3); and

(C) by redesignating paragraph (4) as paragraph (3);

(2) by redesignating subsections (b), (c), and (d) as subsections (d), (e), and (f), respectively; and

(3) by inserting after subsection (a) the following new subsections:

“(b) ADMINISTRATIVE EXPENSES.—

“(1) In general.—Except as provided in paragraph (2) and notwithstanding any other provision of law, the Secretary may retain not more than 4 percent of amounts made available for agricultural research, extension, and teaching assistance programs for the administration of those programs authorized under this Act or any other Act.

“(2) Exceptions.—The limitation on administrative expenses under paragraph (1) shall not apply to peer panel expenses under subsection (d) or any other provision of law related to the administration of agricultural research, extension, and teaching assistance programs that contains a limitation on administrative expenses that is less than the limitation under paragraph (1).

“(c) AGREEMENTS WITH NON-FEDERAL ENTITIES.—
“(1) Former Agricultural Research Facilities of the Department.—To the maximum extent practicable, the Secretary, for purposes of supporting ongoing research and information dissemination activities, including supporting research and those activities through co-locating scientists and other technical personnel, sharing of laboratory and field equipment, and providing financial support, shall enter into grants, contracts, cooperative agreements, or other legal instruments with former Department of Agriculture agricultural research facilities.

“(2) Agreements with Agricultural Research Organizations.—The Secretary, for purposes of receiving from a non-Federal agricultural research organization support for agricultural research, including staffing, laboratory and field equipment, or direct financial assistance, may enter into grants, contracts, cooperative agreements, or other legal instruments with a non-Federal agricultural research organization, the operation of which is consistent with the research mission and programs of an agricultural research facility of the Department of Agriculture.”.
SEC. 7122. 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 new subsection:

“(e) There are authorized to be appropriated to carry out this section—

“(1) such sums as are necessary for fiscal year 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. 7123. 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. 7124. 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. 7125. RANGELAND RESEARCH PROGRAMS.

Section 1483(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C.
SEC. 7126. 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) $10,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 7127. 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.”.

SEC. 7128. MATCHING FUNDS REQUIREMENT.

(a) IN GENERAL.—The National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7
U.S.C. 3101 et seq.) is amended by adding at the end the following new subtitle:

“Subtitle P—General Provisions

“SEC. 1492. MATCHING FUNDS REQUIREMENT.

“(a) IN GENERAL.—The recipient of a competitive grant that is awarded by the Secretary under a covered law shall provide funds, in-kind contributions, or a combination of both, from sources other than funds provided through such grant in an amount at least equal to the amount of such grant.

“(b) EXCEPTION.—The matching funds requirement under subsection (a) shall not apply to grants awarded—

“(1) to a research agency of the Department of Agriculture; or

“(2) to an entity eligible to receive funds under a capacity and infrastructure program (as defined in section 251(f)(1)(C) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6971(f)(1)(C))), including a partner of such entity.

“(c) COVERED LAW.—In this section, the term ‘covered law’ means each of the following provisions of law:

“(1) This title.

“(2) Title XVI of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5801 et seq.).


“(5) The Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i).”.

(b) CONFORMING AMENDMENT.—Paragraph (9) of subsection (b) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)) is amended—

(1) by striking subparagraph (B);

(2) in the heading, by inserting “FOR EQUIPMENT GRANTS” after “FUNDS”;

(3) by striking “(A) EQUIPMENT GRANTS.—”; and

(4) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively, and moving the margins of such subparagraphs two ems to the left.

(c) APPLICATION TO AMENDMENTS.—

(1) NEW GRANTS.—Section 1492 of the National Agricultural, Research, Extension, and Teaching Policy Act of 1977, as added by subsection (a), shall apply with respect to grants described in such section awarded after October 1, 2013, unless the provision of
a covered law under which such grants are awarded
specifically exempts such grants from the matching
funds requirement under such section.

(2) Existing Grants.—A matching funds re-
requirement in effect on or before October 1, 2013,
under a covered law shall continue to apply to a
grant awarded under such provision of law on or be-
fore that date.

SEC. 7129. SENSE OF CONGRESS REGARDING EXPANSION
OF THE LAND GRANT PROGRAM TO INCLUDE
ENHANCED FUNDING AND ADDITIONAL IN-
STITUTIONS.

It is the sense of the Congress that—

(1) institutions of higher education designated
under the Act of August 30, 1890 (commonly known,
and referred to in this section, as the “Second Morrill
Act”; 7 U.S.C. 321 et seq.) have played an integral
role in the education and advancement of agriculture
and mechanic arts for over a century;

(2) in addition to those institutions, a number
of colleges and universities have fulfilled similar and
parallel missions in successfully training and gradu-
ating generations of students who have gone on to be
leaders in their field;
(3) the colleges and universities, both with and without designation under the Second Morrill Act, fulfill a vital role to the future of industry, opportunities for increased job creation, and the strength of agriculture in the United States;

(4) Congress must ensure that the United States’ higher education framework and policies meet the needs of young individuals in the United States, and that students from across the country are able to choose from a variety of institutions and programs that will equip them with the skills and training necessary to achieve their individual goals; and

(5) as Congress and the agricultural community generally consider policies and approaches to improve research, extension, and education in the agricultural sciences, expansion of the land grant program under the Second Morrill Act to include enhanced funding and additional institutions should be considered.

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 in the first sentence—
(1) by striking “$40,000,000 for each fiscal year”; and

(2) by inserting “$40,000,000 for each of fiscal years 2013 through 2018” after “chapter”.

SEC. 7202. INTEGRATED MANAGEMENT SYSTEMS.
Section 1627(d) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5821(d)) is amended to read as follows:

“(d) AUTHORIZATION OF APPROPRIATIONS.—There are 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 2013 through 2018.”.

SEC. 7203. SUSTAINABLE AGRICULTURE TECHNOLOGY DEVELOPMENT AND TRANSFER PROGRAM.

Section 1628(f) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5831(f)) is amended to read as follows:

“(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated 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. 7204. NATIONAL TRAINING PROGRAM.

Section 1629(i) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5832(i)) is amended to read as follows:

“(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out the National Training Program $20,000,000 for each of fiscal years 2013 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. REPEAL OF NATIONAL AGRICULTURAL WEATHER INFORMATION SYSTEM.

SEC. 7207. REPEAL OF RURAL ELECTRONIC COMMERCE EXTENSION PROGRAM.

Effective October 1, 2013, section 1670 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5923) is repealed.

SEC. 7208. REPEAL OF AGRICULTURAL GENOME INITIATIVE.

Effective October 1, 2013, section 1671 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5924) is repealed.

SEC. 7209. 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)” and inserting “subsections (e), (f), and (g)”;

(2) in subsection (b)(2), in the first sentence, by striking “subsections (e) through (i)” and inserting “‘subsections (e), (f), and (g)”;

(3) by striking subsections (e), (f), and (i);

(4) by redesignating subsections (g), (h), and (j) as subsections (e), (f), and (h), respectively;

(5) in subsection (f) (as redesignated by paragraph (4))—
(A) by striking “2012” each place it appears in paragraphs (1)(B), (2)(B), and (3) and inserting “2018”; and

(B) in paragraph (4)—

(i) in subparagraph (A), by inserting “and honey bee health disorders” after “collapse”; and

(ii) in subparagraph (B), by inserting “, including best management practices” after “strategies”;

(6) by inserting after subsection (f) (as redesignated by paragraph (4)) the following new subsection:

“(g) COFFEE PLANT HEALTH INITIATIVE.—

“(1) ESTABLISHMENT.—The Secretary shall establish a coffee plant health initiative to address the critical needs of the coffee industry by—

“(A) developing and disseminating science-based tools and treatments to combat the coffee berry borer (Hypothenemus hampei); and

“(B) establishing an area-wide integrated pest management program in areas affected by, or areas at risk of, being affected by the coffee berry borer.

“(2) ELIGIBLE ENTITIES.—The Secretary may carry out the coffee plant health 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).

“(3) PROJECT GRANTS AND COOPERATIVE AGREEMENTS.—In carrying out this subsection, the Secretary shall—

“(A) enter into cooperative agreements with eligible entities, as appropriate; and

“(B) award grants on a competitive basis.

“(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $2,000,000 for each of fiscal years 2014 through 2018.”; and

(7) in subsection (h) (as redesignated by paragraph (4)), by striking “2012” and inserting “2018”.
SEC. 7210. REPEAL OF NUTRIENT MANAGEMENT RESEARCH AND EXTENSION INITIATIVE.

Effective October 1, 2013, section 1672A of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925a) is repealed.

SEC. 7211. 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) by striking subsection (e) and inserting the following new subsection:

“(e) FARM BUSINESS MANAGEMENT ENCOURAGED.—Following the completion of a peer review process for grant proposals received under this section, the Secretary shall give a priority to grant proposals found in the review process to be scientifically meritorious using the same criteria the Secretary uses to give priority to grants under section 1672D(b).”;

and

(2) in subsection (f)—

(A) in paragraph (1)—

(i) in the heading of such paragraph, by striking “2012” and inserting “2018”;

(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 new subparagraph:

“(C) $20,000,000 for each of fiscal years 2014 through 2018.”; and

(B) in paragraph (2)—

(i) in the heading of such paragraph, by striking “2009 THROUGH 2012” and inserting “2014 THROUGH 2018”; and

(ii) by striking “2009 through 2012” and inserting “2014 through 2018”.

SEC. 7212. REPEAL OF AGRICULTURAL BIOENERGY FEEDSTOCK AND ENERGY EFFICIENCY RESEARCH AND EXTENSION INITIATIVE.

(a) REPEAL.—Effective October 1, 2013, section 1672C of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925e) is repealed.

(b) CONFORMING AMENDMENT.—Section 251(f)(1)(D) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6971(f)(1)(D)) is amended—

(1) by striking clause (xi); and

(2) by redesignating clauses (xii) and (xiii) as clauses (xi) and (xii), respectively.
SEC. 7213. 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. 7214. CENTERS OF EXCELLENCE.

The Food, Agriculture, Conservation, and Trade Act of 1990 is amended by inserting after section 1672D (7 U.S.C. 5925f) the following new section:

“SEC. 1673. CENTERS OF EXCELLENCE.

“(a) FUNDING PRIORITIES.—The Secretary shall prioritize centers of excellence established for specific agricultural commodities for the receipt of funding for any competitive research or extension program administered by the Secretary.

“(b) COMPOSITION.—A center of excellence is composed of 1 or more of the eligible entities specified in subsection (b)(7) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)(7)) that provide financial or in-kind support to the center of excellence.

“(c) CRITERIA FOR CENTERS OF EXCELLENCE.—
“(1) REQUIRED EFFORTS.—The criteria for consideration to be recognized as a center of excellence shall include efforts—

“(A) to ensure coordination and cost effectiveness by reducing unnecessarily duplicative efforts regarding research, teaching, and extension;

“(B) to leverage available resources by using public/private partnerships among agricultural industry groups, institutions of higher education, and the Federal Government;

“(C) to implement teaching initiatives to increase awareness and effectively disseminate solutions to target audiences through extension activities; and

“(D) to increase the economic returns to rural communities by identifying, attracting, and directing funds to high-priority agricultural issues.

“(2) ADDITIONAL EFFORTS.—Where practicable, the criteria for consideration to be recognized as a center of excellence shall include efforts to improve teaching capacity and infrastructure at colleges and universities (including land-grant institutions, schools of forestry, schools of veterinary medicine, and NLGCA Institutions).”.
SEC. 7215. REPEAL OF RED MEAT SAFETY RESEARCH CENTER.

Effective October 1, 2013, section 1676 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5929) is repealed.

SEC. 7216. 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) $3,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 7217. 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”.

•HR 2642 EAH1S
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) in the heading by striking “MERIT REVIEW OF EXTENSION” and inserting “RELEVANCE AND MERIT REVIEW OF RESEARCH, EXTENSION,”;

(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”.

•HR 2642 EAH1S
SEC. 7303. REPEAL OF COordinated PROGRAM OF RESEARCH, EXTENSION, AND EDUCATION TO IMPROVE VIABILITY OF SMALL AND MEDIUM SIZE DAIRY, LIVESTOCK, AND POULTRY OPERATIONS.

(a) REPEAL.—Effective October 1, 2013, section 407 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7627) is repealed.

(b) CONFORMING AMENDMENT.—Section 251(f)(1)(D) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6971(f)(1)(D)), as amended by section 7212(b), is further amended—

(1) by striking clause (xi) (as redesignated by section 7212(b)); and

(2) by redesignating clause (xii) (as redesignated by section 7212(b)) as clause (xi).

SEC. 7304. FUSARIUM GRAMINEARUM GRANTS.

Section 408(e) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7628(e)) is amended to read as follows:

“(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

“(1) such sums as may be necessary for each of fiscal years 1999 through 2013; and

“(2) $7,500,000 for each of fiscal years 2014 through 2018.”.
SEC. 7305. REPEAL OF BOVINE JOHNE'S DISEASE CONTROL PROGRAM.

Effective October 1, 2013, section 409 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7629) is repealed.

SEC. 7306. 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. 7307. 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)—

(A) in paragraph (1), by striking “and genomics” and inserting “genomics, and other methods”; and

(B) in paragraph (3), by inserting “handling and processing,” after “production efficiency,”;
(2) by striking subsection (d) and inserting the following new subsection:

“(d) RESEARCH PROJECTS.—In carrying out this section, the Secretary shall award competitive grants on the basis of—

“(1) an initial scientific peer review conducted by a panel of subject matter experts from Federal agencies, non-Federal entities, and the specialty crop industry; and

“(2) a final funding determination made by the Secretary based on a review and ranking for merit, relevance, and impact conducted by a panel of specialty crop industry representatives for the specific specialty crop.”; and

(3) in subsection (h)—

(A) in paragraph (1)—

(i) by striking “(1) MANDATORY FUNDING FOR FISCAL YEARS 2008 THROUGH 2012.—Of the funds” and inserting the following:

“(1) MANDATORY FUNDING.—

“(A) FISCAL YEARS 2008 THROUGH 2012.—

Of the funds”; and

(ii) by adding at the end the following new subparagraph:
“(B) SUBSEQUENT FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall make available to carry out this section—

“(i) $50,000,000 for fiscal years 2014 and 2015;

“(ii) $55,000,000 for fiscal years 2016 and 2017; and

“(iii) $65,000,000 for fiscal year 2018 and each fiscal year thereafter.”; and

(B) in paragraph (2)—

(i) in the heading, by striking “2008 Through 2012” and inserting “2014 Through 2018”; and

(ii) by striking “2008 through 2012” and inserting “2014 through 2018”.

SEC. 7308. 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”.

•HR 2642 EAH1S
SEC. 7309. REPEAL OF NATIONAL SWINE RESEARCH CENTER.

Effective October 1, 2013, section 612 of the Agricultural Research, Extension, and Education Reform Act of 1998 (Public Law 105–185; 112 Stat. 605) is repealed.

SEC. 7310. 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. 7311. REPEAL OF STUDIES OF AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION.

Effective October 1, 2013, subtitle C of title VI of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7671 et seq.) is repealed.

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—

(1) in paragraph (8), by striking “Memorial”;

(2) in paragraph (26), by striking “Community”;

(3) by striking paragraphs (5), (10), and (27);

(4) by redesignating paragraphs (1), (2), (3), (4), (6), (7), (8), (9), (14), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25), (26), (28), (29), (30), (31), (32), (33), and (34) as paragraphs (2), (3), (4), (7), (8), (9), (5), (10), (15), (17), (18), (19), (20), (22), (23), (24), (25), (32), (26), (27), (28), (29), (30), (31), (33), (34), (35), and (14), respectively, and
transferring the paragraphs so as to appear in numerical order;

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

“(1) Aaniiih Nakoda College.”;

(6) by inserting after paragraph (5) (as so redesignated), the following new paragraph:

“(6) College of the Muscogee Nation.”;

(7) by inserting after paragraph (15) (as so redesignated) the following new paragraph:

“(16) Keweenaw Bay Ojibwa Community College.”; and

(8) by inserting after paragraph (20) (as so redesignated) the following new paragraph:

“(21) Navajo Technical College.”.

(b) ENDOMENT FOR 1994 INSTITUTIONS.—Section 533(b) 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”.

(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”.

•HR 2642 EAH1S
(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).”.
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. REPEAL OF CARBON CYCLE RESEARCH.

Effective October 1, 2013, section 221 of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 6711) is repealed.

SEC. 7405. COMPETITIVE, SPECIAL, AND FACILITIES RESEARCH GRANT ACT.

(a) Extension.—Subsection (b)(11)(A) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)(11)(A)) is amended in the matter preceding clause (i) by striking “2012” and inserting “2018”.

(b) Priority Areas.—Subsection (b)(2) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)(2)) is amended—

(1) in subparagraph (A)—

(A) in clause (vi), by striking “and” at the end;

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

(C) by adding at the end the following new clause:
“(viii) plant-based foods that are major sources of nutrients of concern (as determined by the Secretary).”;

(2) in subparagraph (B)—

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

(B) in clause (viii), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following new clauses:

“(ix) the research and development of surveillance methods, vaccines, vaccination delivery systems, or diagnostic tests for pests and diseases (especially zoonotic diseases) in wildlife reservoirs presenting a potential concern to public health or domestic livestock and pests and diseases in minor species (including deer, elk, and bison); and

“(x) the identification of animal drug needs and the generation and dissemination of data for safe and effective therapeutic applications of animal drugs for minor species and minor uses of such drugs in major species.”;

(3) in subparagraph (C)—
(A) in clause (ii), by inserting before the semicolon “; including the effects of plant-based foods that are major sources of nutrients of concern on diet and health”; 

(B) in clause (iii), by inserting before the semicolon “; including plant-based foods that are major sources of nutrients of concern”; 

(C) in clause (iv), by inserting before the semicolon “; including postharvest practices conducted with respect to plant-based foods that are major sources of nutrients of concern”; and 

(D) in clause (v), by inserting before the period “; including improving the functionality of plant-based foods that are major sources of nutrients of concern”; 

(4) in subparagraph (D)— 

(A) by redesignating clauses (iv), (v), and (vi) as clauses (v), (vi), and (vii), respectively; and 

(B) by inserting after clause (iii) the following new clause:

“(iv) the effectiveness of conservation practices and technologies designed to address nutrient losses and improve water quality;”; and
(5) in subparagraph (F)—

(A) in the matter preceding clause (i), by inserting “economics,” after “trade,”;

(B) by redesignating clauses (v) and (vi) as clauses (vi) and (vii), respectively; and

(C) by inserting after clause (iv) the following new clause:

“(v) the economic costs, benefits, and viability of producers adopting conservation practices and technologies designed to improve water quality;”.

(c) GENERAL ADMINISTRATION.—Subsection (b)(4) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)(4)) is amended—

(1) in subparagraph (D), by striking “and” at the end;

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

(3) by adding at the end the following new subparagraph:

“(F) establish procedures under which a commodity board established under a commodity promotion law (as such term is defined under section 501(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C.
7401(a))) or a State commodity board (or other equivalent State entity) may directly submit to the Secretary proposals for requests for applications to specifically address particular issues related to the priority areas specified in paragraph (2).

(d) SPECIAL CONSIDERATIONS.—Subsection (b)(6) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)(6)) is amended—

(1) in subparagraph (C), by striking “and” at the end;

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

(3) by adding at the end the following new subparagraph:

“(E) to eligible entities to carry out the specific research proposals submitted under procedures established under paragraph (4)(F).”.

(e) ELIGIBLE ENTITIES.—Subsection (b)(7)(G) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)(7)(G)) is amended by striking “or corporations” and inserting “, foundations, or corporations”.

(f) INTER-REGIONAL RESEARCH PROJECT NUMBER 4.—Subsection (e) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(e)) is amended—
(1) in paragraph (1)(A), by striking “minor use pesticides” and inserting “pesticides for minor agricultural use and for use on specialty crops (as defined in section 3 of the Specialty Crop Competitiveness Act of 2004 (7 U.S.C. 1621 note));” and

(2) in paragraph (4)—

(A) in subparagraph (A), by inserting “and for use on specialty crops” after “minor agricultural use”;

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

(C) by redesignating subparagraph (C) as subparagraph (G); and

(D) by inserting after subparagraph (B) the following new subparagraphs:

“(C) prioritize potential pest management technology for minor agricultural use and for use on specialty crops;

“(D) conduct research to develop the data necessary to facilitate pesticide registrations, re-registrations, and associated tolerances;

“(E) assist in removing trade barriers caused by residues of pesticides registered for minor agricultural use and for use on domestically grown specialty crops;
“(F) assist in the registration and reregistration of pest management technologies for minor agricultural use and for use on specialty crops; and”.

(g) EMPHASIS ON SUSTAINABLE AGRICULTURE.—The Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i) is amended by striking subsection (k).

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. REPEAL OF USE OF REMOTE SENSING DATA.

Effective October 1, 2013, section 892 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 5935) is repealed.
SEC. 7409. REPEAL OF REPORTS UNDER FARM SECURITY AND RURAL INVESTMENT ACT OF 2002.


(b) Repeal of Report on Genetically Modified Pest-Protected Plants.—Effective October 1, 2013, section 7410 of the Farm Security and Rural Investment Act of 2002 (Public Law 107–171; 116 Stat. 462) is repealed.

(c) Repeal of Study on Nutrient Banking.—Effective October 1, 2013, section 7411 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 5925a note; Public Law 107–171) is repealed.

SEC. 7410. BEGINNING FARMER AND RANCHER DEVELOPMENT PROGRAM.

Section 7405 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3319f) is amended—

(1) in subsection (c)—

(A) in paragraph (1), by striking subparagraphs (A) through (R) and inserting the following new subparagraphs:

“(A) basic livestock, forest management, and crop farming practices;
“(B) innovative farm, ranch, and private, nonindustrial forest land transfer strategies;
“(C) entrepreneurship and business training;
“(D) financial and risk management training (including the acquisition and management of agricultural credit);
“(E) natural resource management and planning;
“(F) diversification and marketing strategies;
“(G) curriculum development;
“(H) mentoring, apprenticeships, and internships;
“(I) resources and referral;
“(J) farm financial benchmarking;
“(K) assisting beginning farmers or ranchers in acquiring land from retiring farmers and ranchers;
“(L) agricultural rehabilitation and vocational training for veterans; and
“(M) other similar subject areas of use to beginning farmers or ranchers.”;
(B) in paragraph (7), by striking “and community-based organizations” and inserting
“(8) MILITARY VETERAN BEGINNING FARMERS AND RANCHERS.—

“(A) IN GENERAL.—Not less than 5 percent of the funds used to carry out this subsection for a fiscal year shall be used to support programs and services that address the needs of military veteran beginning farmers and ranchers.

“(B) COORDINATION PERMITTED.—A recipient of a grant under this section using the grant as described in subparagraph (A) may coordinate with a recipient of a grant under section 1680 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5933) in addressing the needs of military veteran beginning farmers and ranchers with disabilities.”; and

“(11) LIMITATION ON INDIRECT COSTS.—A recipient of a grant under this section may not use more than 10 percent of the funds provided by the
grant for the indirect costs of carrying out the initia-
tives described in paragraph (1).”;

(2) in subsection (h)(1)—

(A) in the paragraph heading, by striking
“2012” and inserting “2018”;

(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 new
subparagraph:

“(C) $20,000,000 for each of fiscal years
2014 through 2018, to remain available until ex-
pended.”; and

(3) in subsection (h)(2)—

(A) in the paragraph heading, by striking
“2008 THROUGH 2012” and inserting “2014
THROUGH 2018”; and

(B) by striking “2008 through 2012” and
inserting “2014 through 2018”. 
SEC. 7411. INCLUSION OF AMERICAN SAMOA, FEDERATED STATES OF MICRONESIA, AND NORTHERN MARIANA ISLANDS AS A STATE UNDER MCINTIRE-STENNIS COOPERATIVE FORESTRY ACT.

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 striking “and Guam” and inserting “Guam, American Samoa, the Federated States of Micronesia, and the Commonwealth of the Northern Mariana Islands”.

Subtitle E—Food, Conservation, and Energy Act of 2008

PART 1—AGRICULTURAL SECURITY

SEC. 7501. AGRICULTURAL BIOSECURITY COMMUNICATION CENTER.

Section 14112(c) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8912(c)) is amended to read as follows:

“(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—

“(A) such sums as are necessary for each of fiscal years 2008 through 2013; and

“(B) $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—

“(A) $25,000,000 for each of fiscal years 2008 through 2013; and

“(B) $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 “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 2—MISCELLANEOUS

SEC. 7511. ENHANCED USE LEASE AUTHORITY PILOT PROGRAM.

Section 308 of the Federal Crop Insurance Reform and Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 3125a) is amended—

(1) in subsection (b)(6)(A), by striking “5 years” and inserting “10 years”; and

(2) in subsection (d)(2), by striking “1, 3, and 5 years” and inserting “6, 8, and 10 years”.

SEC. 7512. GRAZINGLANDS RESEARCH LABORATORY.

Section 7502 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2019) is amended by striking “5-year period” and inserting “10-year period”.

SEC. 7513. BUDGET SUBMISSION AND FUNDING.

Section 7506 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7614c) is amended—

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

“(a) DEFINITIONS.—In this section:

“(1) 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 appro-
appropriations are requested in the annual budget submission of the President; and

“(B) each competitive program carried out by the National Institute of Food and Agriculture for which annual appropriations are requested in the annual budget submission of the President.

“(2) 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 new subsections:

“(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 or associated with—
“(i) each priority area specified in subsection (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 to be 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(d) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7632(d)); 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) subsection (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 412 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7632); or


“(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, 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 domestic needs.”.
SEC. 7514. RESEARCH AND EDUCATION GRANTS FOR THE

STUDY OF ANTIBIOTIC-RESISTANT BACTERIA.

Section 7521(c) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 3202(c)) is amended by striking “2012” and inserting “2018”.

SEC. 7515. REPEAL OF FARM AND RANCH STRESS ASSISTANCE NETWORK.

Effective October 1, 2013, section 7522 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 5936) is repealed.

SEC. 7516. REPEAL OF SEED DISTRIBUTION.

Effective October 1, 2013, section 7523 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 415–1) is repealed.

SEC. 7517. NATURAL PRODUCTS RESEARCH PROGRAM.

Section 7525(e) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 5937(e)) is amended to read as follows:

“(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $7,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 7518. 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 appro-
priate Federal agencies (as determined by the Secretary)”;

(2) in subsection (c)(1)—

(A) in subparagraph (B), by striking “multistate” and all that follows through the period 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);

(3) in subsection (d)—

(A) in paragraph (1)—

(i) by striking “in accordance with paragraph (2)”;

(ii) by striking “gasification” and inserting “bioproducts”; and

(iii) by striking “the Department of Energy” and inserting “other appropriate Federal agencies”;

(B) by striking paragraph (2); and

(C) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively; and
(4) in subsection (g), by striking “2012” and inserting “2018”.

(b) Conforming Amendments.—Section 7526(f)(1) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8114(f)(1)) is amended by striking “subsection (c)(1)(D)(i)” and inserting “subsection (c)(1)(C)(i)”.

SEC. 7519. REPEAL OF STUDY AND REPORT ON FOOD DESERTS.

Effective October 1, 2013, section 7527 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2039) is repealed.

SEC. 7520. REPEAL OF AGRICULTURAL AND RURAL TRANSPORTATION RESEARCH AND EDUCATION.

Effective October 1, 2013, section 7529 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 5938) is repealed.

Subtitle F—Miscellaneous Provisions

SEC. 7601. AGREEMENTS WITH NONPROFIT ORGANIZATIONS FOR NATIONAL ARBORETUM.

Section 6 of the Act of March 4, 1927 (20 U.S.C. 196), is amended—

(1) in subsection (a), by striking paragraph (1) and inserting the following new paragraph:
“(1) negotiate agreements for the National Arboretum with nonprofit scientific or educational organizations, the interests of which are complementary to the mission of the National Arboretum, or nonprofit organizations that support the purpose of the National Arboretum, except that the net proceeds of the organizations from the agreements shall be used exclusively for research and educational work for the benefit of the National Arboretum and the operation and maintenance of the facilities of the National Arboretum, including enhancements, upgrades, restoration, and conservation;”; and

(2) by adding at the end the following new subsection:

“(d) RECOGNITION OF DONORS.—A non-profit organization that entered into an agreement under subsection (a)(1) may recognize donors if that recognition is approved in advance by the Secretary. In considering whether to approve such recognition, the Secretary shall broadly exercise the discretion of the Secretary to the fullest extent allowed under Federal law in effect on the date of the enactment of this subsection.”.

SEC. 7602. COTTON DISEASE RESEARCH REPORT.

Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report
on the fungus fusarium oxysporum f. sp. vasinfectum race 4 (referred to in this section as “FOV Race 4”) and the impact of such fungus on cotton, including—

(1) an overview of the threat FOV Race 4 poses to the cotton industry in the United States;

(2) the status and progress of Federal research initiatives to detect, contain, or eradicate FOV Race 4, including current FOV Race 4-specific research projects; and

(3) a comprehensive strategy to combat FOV Race 4 that establishes—

(A) detection and identification goals;

(B) containment goals;

(C) eradication goals; and

(D) a plan to partner with the cotton industry in the United States to maximize resources, information sharing, and research responsiveness and effectiveness.

SEC. 7603. ACCEPTANCE OF FACILITY FOR AGRICULTURAL RESEARCH SERVICE.

(a) Construction Authorized.—Subject to subsections (b) and (c), the Secretary of Agriculture may authorize a non-Federal entity to construct, at no cost and without obligation to the Federal Government, a facility for use by the Agricultural Research Service on land owned by
the Agricultural Research Service and managed by the Secretary.

(b) Acceptance of Gift.—

(1) In General.—Subject to paragraph (2), upon the completion of the construction of the facility by the non-Federal entity under subsection (a), the Secretary shall accept the facility as a gift in accordance with Public Law 95–442 (7 U.S.C. 2269).

(2) Certification.—The Secretary, in consultation with the Director of the Office of Management and Budget, shall certify in advance that the acceptance under paragraph (1) complies with the limitations specified in paragraphs (1) and (2) of subsection (c).

(c) Limitations.—

(1) Value.—The Secretary may not accept a facility as a gift under this section if the fair market value of the facility is more than $5,000,000.

(2) No Federal Cost.—The Secretary shall not enter into any acquisitions, demonstrations, exchanges, grants, contracts, incentives, leases, procurements, sales, or other transaction authorities or arrangements that would obligate future appropriations with respect to the facility constructed under subsection (a).
(d) **TERMINATION OF AUTHORITY.**—No facility may be accepted by the Secretary for use by the Agricultural Research Service under this section after September 30, 2018.

**SEC. 7604. MISCELLANEOUS TECHNICAL CORRECTIONS.**


**SEC. 7605. LEGITIMACY OF INDUSTRIAL HEMP RESEARCH.**


(1) the industrial hemp is grown or cultivated for purposes of agricultural research or other academic research; and

(2) the growing or cultivating of industrial hemp is allowed under the laws of the State in which such
institution of higher education is located and such re-
search occurs.

(b) Industrial Hemp Defined.—In this section, the

term “industrial hemp” means the plant Cannabis sativa
L. and any part of such plant, whether growing or not,
with a delta-9 tetrahydrocannabinol concentration of not
more than 0.3 percent on a dry weight basis.

TITLE VIII—FORESTRY

Subtitle A—Repeal of Certain
Forestry Programs

SEC. 8001. FOREST LAND ENHANCEMENT PROGRAM.

(a) Repeal.—Section 4 of the Cooperative Forestry

(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.

SEC. 8006. SEPARATE FOREST SERVICE DECISIONMAKING AND APPEALS PROCESS.

Section 322 of the Department of the Interior and Related Agencies Appropriations Act, 1993 (Public Law 102–381; 16 U.S.C. 1612 note) is repealed. Section 428 of division E of the Consolidated Appropriations Act, 2012 (Public Law 112–74; 125 Stat. 1046; 16 U.S.C. 6515 note) shall not apply to any project or activity implementing a land and resource management plan developed under section 6
of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604) that is categorically excluded from documentation in an environmental assessment or an environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

Subtitle B—Reauthorization of Cooperative Forestry Assistance Act of 1978 Programs

SEC. 8101. STATE-WIDE ASSESSMENT AND STRATEGIES FOR FOREST RESOURCES.

Section 2A(c) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101a(c)) is amended—

(1) in paragraph (4), by striking “and”;

(2) by redesignating paragraph (5) as paragraph (6); and

(3) by inserting after paragraph (4) the following new paragraph:

“(5) as feasible, appropriate military installations where the voluntary participation and management of private or State-owned or other public forestland is able to support, promote, and contribute to the missions of such installations; and”.
SEC. 8102. FOREST LEGACY PROGRAM.

Subsection (m) of section 7 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103c) is amended to read as follows:

“(m) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated—

“(1) such sums as are necessary for fiscal year 2013; and

“(2) $55,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 8103. COMMUNITY FOREST AND OPEN SPACE CONSERVATION PROGRAM.

Subsection (g) of section 7A of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103d) is amended to read as follows:

“(g) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated—

“(1) such sums as are necessary for fiscal year 2013; and

“(2) $1,500,000 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.

Subsection (d) of section 2405 of the Global Climate Change Prevention Act of 1990 (7 U.S.C. 6704) is amended to read as follows:

“(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) $6,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 8203. 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

HR 2642 EAH1S
(3) by inserting after subsection (a) the following new subsections:

“(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.”.

SEC. 8204. STEWARDSHIP END RESULT CONTRACTING PROJECT AUTHORITY.

Section 347 of the Department of the Interior and Related Agencies Appropriations Act, 1999 (as contained in section 101(e) of division A of Public Law 105–277; 16 U.S.C. 2104 note) is amended—

(1) in subsection (a), by striking “2013” and inserting “2018”; and
(2) in subsection (c), by adding at the end the following new paragraphs:

“(6) **Contract for Sale of Property.**—At the discretion of the Secretary of Agriculture, a contract entered into by the Forest Service under this section may 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.

“(7) **Fire Liability Provisions.**—Not later than 90 days after the date of enactment of this paragraph, the Chief and the Director shall issue for use in all contracts and agreements under this section fire liability provisions that are in substantially the same form as the fire liability provisions contained in—

“(A) integrated resource timber contracts, as described in the Forest Service contract numbered 2400–13, part H, section H.4; and

“(B) timber sale contracts conducted pursuant to section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a).”.

**Subtitle D—National Forest Critical Area Response**

**SEC. 8301. DEFINITIONS.**

In this title:
(1) **CRITICAL AREA.**—The term “critical area” means an area of the National Forest System designated by the Secretary under section 7302.

(2) **NATIONAL FOREST SYSTEM.**—The term “National Forest System” has the meaning given that term in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)).

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

**SEC. 8302. DESIGNATION OF CRITICAL AREAS.**

(a) **DESIGNATION REQUIREMENTS.**—The Secretary of Agriculture shall designate critical areas within the National Forest System for the purposes of addressing—
   
   (1) deteriorating forest health conditions in existence as of the date of the enactment of this Act due to insect infestation, drought, disease, or storm damage; and

   (2) the future risk of insect infestations or disease outbreaks through preventative treatments.

(b) **DESIGNATION METHOD.**—In considering National Forest System land for designation as a critical area, the Secretary shall use—
(1) for purposes of subsection (a)(1), the most recent annual forest health aerial surveys of mortality and defoliation; and

(2) for purposes of subsection (a)(2), the National Insect and Disease Risk Map.

(c) Time for Initial Designations.—The first critical areas shall be designated by the Secretary not later than 60 days after the date of the enactment of this Act.

(d) Duration of Designation.—The designation of a critical area shall expire not later than 10 years after the date of the designation.

SEC. 8303. APPLICATION OF EXPEDITED PROCEDURES AND ACTIVITIES OF THE HEALTHY FORESTS RESTORATION ACT OF 2003 TO CRITICAL AREAS.

(a) Applicability.—Subject to subsections (b) through (e), title I of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511 et seq.) (including the environmental analysis requirements of section 104 of that Act (16 U.S.C. 6514), the special administrative review process under section 105 of that Act (16 U.S.C. 6515), and the judicial review process under section 106 of that Act (16 U.S.C. 6516)), shall apply to all Forest Service projects and activities carried out in a critical area.

(b) Application of Other Law.—Section 322 of Public Law 102–381 (16 U.S.C. 1612 note; 106 Stat. 1419)
shall not apply to projects conducted in accordance with this section.

(c) REQUIRED MODIFICATIONS.—In applying title I of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511 et seq.) to Forest Service projects and activities in a critical area, the Secretary shall make the following modifications:

(1) The authority shall apply to the entire critical area, including land that is outside of a wildland-urban interface area or that does not satisfy any of the other eligibility criteria specified in section 102(a) of that Act (16 U.S.C. 6512(a)).

(2) All projects and activities of the Forest Service, including necessary connected actions (as described in section 1508.25(a)(1) of title 40, Code of Federal Regulations (or a successor regulation)), shall be considered to be authorized hazardous fuel reduction projects for purposes of applying the title.

(d) SMALLER PROJECTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), a project conducted in a critical area in accordance with this section that comprises less than 10,000 acres shall be—

(A) considered an action categorically excluded from the requirements for an environ-
mental assessment or an environmental impact statement under section 1508.4 of title 40, Code of Federal Regulations (or a successor regulation); and

(B) exempt from the special administrative review process under section 105 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6515).

(2) EXCLUSION OF CERTAIN AREAS.—Paragraph (1) does not apply to—

(A) a component of the National Wilderness Preservation System;

(B) any Federal land on which, by Act of Congress or Presidential proclamation, the removal of vegetation is restricted or prohibited;

(C) a congressionally designated wilderness study area; or

(D) an area in which activities under paragraph (1) would be inconsistent with the applicable land and resource management plan.

(e) FOREST MANAGEMENT PLANS.—All projects and activities carried out in a critical area pursuant to this subtitle shall be consistent with the land and resource management plan established under section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16
U.S.C. 1604) for the unit of the National Forest System containing the critical area.

SEC. 8304. GOOD NEIGHBOR AUTHORITY.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE STATE.—The term “eligible State” means a State that contains National Forest System land.

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

(3) STATE FORESTER.—The term “State forester” means the head of a State agency with jurisdiction over State forestry programs in an eligible State.

(b) COOPERATIVE AGREEMENTS AND CONTRACTS.—

(1) IN GENERAL.—The Secretary may enter into a cooperative agreement or contract (including a sole source contract) with a State forester to authorize the State forester to provide the forest, rangeland, and watershed restoration, management, and protection services described in paragraph (2) on National Forest System land in the eligible State.

(2) AUTHORIZED SERVICES.—The forest, rangeland, and watershed restoration, management, and protection services referred to in paragraph (1) include the conduct of—

(A) activities to treat insect infected forests;
(B) activities to reduce hazardous fuels;

(C) activities involving commercial harvesting or other mechanical vegetative treatments; or

(D) any other activities to restore or improve forest, rangeland, and watershed health, including fish and wildlife habitat.

(3) STATE AS AGENT.—Except as provided in paragraph (6), a cooperative agreement or contract entered into under paragraph (1) may authorize the State forester to serve as the agent for the Secretary in providing the restoration, management, and protection services authorized under that paragraph.

(4) SUBCONTRACTS.—In accordance with applicable contract procedures for the eligible State, a State forester may enter into subcontracts to provide the restoration, management, and protection services authorized under a cooperative agreement or contract entered into under paragraph (1).

(5) TIMBER SALES.—Subsections (d) and (g) of section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a) shall not apply to services performed under a cooperative agreement or contract entered into under paragraph (1).
(6) **Retention of NEPA Responsibilities.**—

Any decision required to be made under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to any restoration, management, and protection services to be provided under this section by a State forester on National Forest System land shall not be delegated to a State forester or any other officer or employee of the eligible State.

(7) **Applicable Law.**—The restoration, management, and protection services to be provided under this section shall be carried out on a project-to-project basis under existing authorities of the Forest Service.

**Subtitle E—Miscellaneous Provisions**

**SEC. 8401. REVISION OF STRATEGIC PLAN FOR FOREST INVENTORY AND ANALYSIS.**

(a) **Revision Required.**—Not later than 180 days after the date of the 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) Promote 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.
SEC. 8402. FOREST SERVICE PARTICIPATION IN ACES PROGRAM.

The Secretary of Agriculture, acting through the Chief of the Forest Service, may use funds derived from conservation-related programs executed on National Forest System lands to utilize the Agriculture Conservation Experienced Services Program established pursuant to section 1252 of the Food Security Act of 1985 (16 U.S.C. 3851) to provide technical services for conservation-related programs and authorities carried out by the Secretary on National Forest System lands.

SEC. 8403. GREEN SCIENCE AND TECHNOLOGY TRANSFER RESEARCH UNDER FOREST AND RANGELAND RENEWABLE RESOURCES RESEARCH ACT OF 1978.

(a) ADDITIONAL FORESTRY AND RANGELAND RESEARCH AND EDUCATION HIGH PRIORITY.—Section 3(d)(2) of the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1642(d)(2)) is amended by adding at the end the following new subparagraph:

“(F) Science and technology transfer, through the Forest Products Laboratory, to demonstrate the beneficial characteristics of wood as a green building material, including investments in life cycle assessment for wood products.”.
(b) Research Facilities and Cooperation.—Section 4 of the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1643) is amended by adding at the end the following new subsection:

“(e) 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 an annual report describing, for the period covered by the report—

“(1) the research conducted in furtherance of the research and education priority specified in section 3(d)(2)(F);

“(2) the number of buildings the Forest Service has built with wood as the primary structural material; and

“(3) the investments made by the Forest Service in green building wood promotion.”.


Subsection (g) of section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a) is amended to read as follows:
“(g) Designation, including but not limited to, marking when necessary, designation by description, or designation by prescription, and supervision of harvesting of trees, portions of trees, or forest products shall be conducted by persons employed by the Secretary of Agriculture. Such persons shall have no personal interest in the purchase or harvest of such products and shall not be directly or indirectly in the employment of the purchaser thereof. Designation by prescription and designation by prescription shall be considered valid methods for designation, and may be supervised by use of post-harvest cruise, sample weight scaling, or other methods determined by the Secretary to be appropriate.”.

SEC. 8405. REIMBURSEMENT OF FIRE FUNDS EXPENDED BY A STATE FOR MANAGEMENT AND SUPPRESSION OF CERTAIN WILDFIRES.

(a) DEFINITION OF STATE.—In this section, the term “State” includes the Commonwealth of Puerto Rico.

(b) REIMBURSEMENT AUTHORITY.—If a State seeks reimbursement for amounts expended for resources and services provided to another State for the management and suppression of a wildfire, the Secretary of Agriculture, subject to subsections (c) and (d)—

(1) may accept the reimbursement amounts from the other State; and
(2) shall pay those amounts to the State seeking reimbursement.

(c) Mutual Assistance Agreement.—As a condition of seeking and providing reimbursement under subsection (b), the State seeking reimbursement and the State providing reimbursement must each have a mutual assistance agreement with the Forest Service or an agency of the Department of the Interior for providing and receiving wildfire management and suppression resources and services.

(d) Terms and Conditions.—The Secretary of Agriculture may prescribe the terms and conditions determined to be necessary to carry out subsection (b).

(e) Effect on Prior Reimbursements.—Any acceptance of funds or reimbursements made by the Secretary of Agriculture before the date of enactment of this Act that otherwise would have been authorized under this section shall be considered to have been made in accordance with this section.

SEC. 8406. ABILITY OF NATIONAL FOREST SYSTEM LANDS TO MEET NEEDS OF LOCAL WOOD PRODUCING FACILITIES FOR RAW MATERIALS.

Not later than one year after the date of the enactment of this Act, the Secretary of Agriculture shall submit to Congress a report containing—
(1) an assessment of the raw material needs of wood producing facilities located within the boundaries of each unit of the National Forest System or located outside of the unit, but within 100 miles of such boundaries;

(2) the volume of timber which would be available if the unit of the National Forest System annually sold its Allowable Sale Quantity in the current Forest Plan;

(3) the volume of timber actually sold and harvested from each unit of the National Forest System for the previous decade;

(4) a comparison of the volume actually sold and harvested from the previous decade to the Allowable Sale Quantity calculated in that decade by preceding or current forest plans; and

(5) an assessment of the ability of each unit of National Forest System to meet the needs of these facilities for raw materials.

SEC. 8407. REPORT ON THE NATIONAL FOREST SYSTEM ROADS.

Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the following:
(1) The total mileage of National Forest System roads and trails not meeting forest plan standards and guidelines.

(2) The total amount, in dollars, of Capital Improvement & Maintenance deferred maintenance needs for National Forest System roads, including a five-year analysis in the trend in total deferred maintenance costs.

(3) The sources of funds used for capital improvement & maintenance roads, including appropriated funds, mandatory funds, and receipts from activities on National Forest System lands.

(4) The impact of road closures on recreational activities and timber harvesting.

(5) The impact on land acquisitions, whether through fee acquisition, donation, or easement, on the maintenance backlog.

SEC. 8408. FOREST SERVICE LARGE AIRTANKER AND AERIAL ASSET FIREFIGHTING RECAPITALIZATION PILOT PROGRAM.

(a) In General.—Subject to the availability of appropriations, the Secretary, acting through the Chief of the Forest Service, may establish a large airtanker and aerial asset lease program in accordance with this section.
(b) AIRCRAFT REQUIREMENTS.—In carrying out the program described in subsection (a), the Secretary may enter into a multiyear lease contract for up to five aircraft that meet the criteria—

(1) described in the Forest Service document entitled “Large Airtanker Modernization Strategy” and dated February 10, 2012, for large airtankers; and

(2) determined by the Secretary, for other aerial assets.

(c) LEASE TERMS.—The term of any individual lease agreement into which the Secretary enters under this section shall be—

(1) up to five years, inclusive of any options to renew or extend the initial lease term; and

(2) in accordance with section 3903 of title 41, United States Code.

(d) PROHIBITION.—No lease entered into under this section shall provide for the purchase of the aircraft by, or the transfer of ownership to, the Forest Service.

SEC. 8409. LAND CONVEYANCE, JEFFERSON NATIONAL FOREST IN WISE COUNTY, VIRGINIA.

(a) CONVEYANCE REQUIRED.—Upon payment by the Association of the consideration under subsection (b) and the costs under subsection (d), the Secretary shall, subject to valid existing rights, convey to the Association all right,
title, and interest of the United States in and to a parcel
of National Forest System land in the Jefferson National
Forest in Wise County, Virginia, consisting of approxi-
mately 0.70 acres and containing the Mullins and Sturgill
Cemetery and an easement to provide access to the parcel,
as generally depicted on the map.

(b) CONSIDERATION.—

(1) FAIR MARKET VALUE.—As consideration for
the land conveyed under subsection (a), the Associa-
tion shall pay to the Secretary cash in an amount
equal to the market value of the land, as determined
by an appraisal approved by the Secretary and con-
ducted in conformity with the Uniform Appraisal
Standards for Federal Land Acquisitions and section
206 of the Federal Land Policy and Management Act

(2) DEPOSIT.—The consideration received by the
Secretary under paragraph (1) shall be deposited into
the general fund of the Treasury of the United States
for the purposes of deficit reduction.

(c) DESCRIPTION OF PROPERTY.—The exact acreage
and legal description of the land to be conveyed under sub-
section (a) shall be determined by a survey satisfactory to
the Secretary.
(d) Costs.—The Association shall pay to the Secretary at closing the reasonable costs of the survey, the appraisal, and any administrative and environmental analyses required by law.

(e) Definitions.—In this section:

(1) Association.—The term “Association” means the Mullins and Sturgill Cemetery Association of Pound, Virginia.

(2) Map.—The term “map” means the map titled “Mullins and Sturgill Cemetery” dated March 1, 2013.

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

(f) Additional Terms and Conditions.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 8410. CATEGORICAL EXCLUSION FOR FOREST PROJECTS IN RESPONSE TO EMERGENCIES.

In the case of National Forest System land damaged by a natural disaster regarding which the President declares a disaster or emergency pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), any forest project carried out to clean
up or restore the damaged National Forest System land
during the two-year period beginning on the date of the dec-
laration shall be categorically excluded from the require-
ments relating to environmental assessments or environ-
mental impact statements under section 1508.4 of title 40,
Code of Federal Regulations.

TITLE IX—ENERGY

SEC. 9001. DEFINITION OF RENEWABLE ENERGY SYSTEM.

Section 9001 of the Farm Security and Rural Invest-
ment Act of 2002 (7 U.S.C. 8101) is amended by—

(1) striking paragraph (4) and inserting the fol-
lowing new paragraph:

“(4) BIOBASED PRODUCT.—

“(A) IN GENERAL.—The term ‘biobased

product’ means a product determined by the Sec-

retary to be a commercial or industrial product
(others than food or feed) that is—

“(i) composed, in whole or in signifi-

cant part, of biological products, including

renewable domestic agricultural materials

and forestry materials; or

“(ii) an intermediate ingredient or

feedstock.

“(B) INCLUSION.—The term ‘biobased prod-

uct’, with respect to forestry materials, includes
forest products that meet biobased content requirements, notwithstanding the market share the product holds, the age of the product, or whether the market for the product is new or emerging.”;

(2) redesignating paragraphs (9), (10), (11), (12), (13), and (14) as paragraphs (10), (11), (12), (13), (14), and (16);

(3) inserting after paragraph (8), the following new paragraph:

“(9) FOREST PRODUCT.—

“(A) IN GENERAL.—The term ‘forest product’ means a product made from materials derived from the practice of forestry or the management of growing timber.

“(B) INCLUSIONS.—The term ‘forest product’ includes—

“(i) pulp, paper, paperboard, pellets, lumber, and other wood products; and

“(ii) any recycled products derived from forest materials.”; and

(4) inserting after paragraph (14) (as so redesignated), the following new paragraph:

“(15) RENEWABLE ENERGY SYSTEM.—
“(A) IN GENERAL.—Subject to subparagraph (B), the term ‘renewable energy system’ means a system that—

“(i) produces usable energy from a renewable energy source; and

“(ii) may include distribution components necessary to move energy produced by such system to the initial point of sale.

“(B) LIMITATION.—A system described in subparagraph (A) may not include a mechanism for dispensing energy at retail.”.

SEC. 9002. BIOBASED MARKETS PROGRAM.

Section 9002(h) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8102(h)) is amended by—

(1) striking “(h) FUNDING.—” and all that follows through “to carry out this section, there” and inserting “(h) FUNDING.—There”; and

(2) striking “2013” and inserting “2018”.

SEC. 9003. BIOREFINERY ASSISTANCE.

(a) PROGRAM ADJUSTMENTS.—Section 9003 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8103) is amended—

(1) in subsection (c), by striking “to eligible entities” and all that follows through “guarantees for
loans” and inserting “to eligible entities guarantees for loans”;  
(2) by striking subsection (d);  
(3) by redesignating subsections (e), (f), (g), and (h) as subsections (d), (e), (f), and (g), respectively;  
and  
(4) in subsection (d) (as so redesignated)—  
(A) by striking “subsection (c)(2)” each place it appears and inserting “subsection (c)”;  
and  
(B) in paragraph (2)(C), by striking “subsection (h)” and inserting “subsection (g)”.  

(b) FUNDING.—Section 9003(g) of the Farm Security and Rural Investment Act of 2002, as redesignated by subsection (a)(3), is amended—  
(1) by striking paragraph (1);  
(2) by redesignating paragraph (2) as paragraph (1);  
(3) in paragraph (1) (as so redesignated)—  
(A) in the heading, by striking “DISCRETIONARY FUNDING” and inserting “FISCAL YEARS 2009 THROUGH 2013”; and  
(B) by striking “In addition to any other funds made available to carry out this section, there” and inserting “There”; and
(4) by adding at the end the following new paragraph:

“(2) FISCAL YEARS 2014 THROUGH 2018.—There are authorized to be appropriated to carry out this section $75,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 9004. REPOWERING ASSISTANCE PROGRAM.

Section 9004(d) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8104(d)) is amended—

(1) by striking paragraph (1);

(2) by redesignating paragraph (2) as paragraph (1);

(3) in paragraph (1) (as so redesignated)—

(A) in the heading, by striking “DISCRETIONARY FUNDING” and inserting “FISCAL YEARS 2009 THROUGH 2013”; and

(B) by striking “In addition to any other funds made available to carry out this section, there” and inserting “There”; and

(4) by adding at the end the following new paragraph:

“(2) FISCAL YEARS 2014 THROUGH 2018.—There are authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2014 through 2018.”.
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(c)) is amended—

(1) by striking paragraph (1);

(2) by redesignating paragraph (2) as paragraph (1);

(3) in paragraph (1) (as so redesignated)—

(A) in the heading, by striking “DISCRETIONARY FUNDING” and inserting “FISCAL YEARS 2009 THROUGH 2013”; and

(B) by striking “In addition to any other funds made available to carry out this section, there” and inserting “There”; and

(4) by inserting after paragraph (1) (as so redesignated) the following new paragraph:

“(2) FISCAL YEARS 2014 THROUGH 2018.—There are authorized to be appropriated to carry out this section $50,000,000 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) by striking paragraph (1);

(2) by redesignating paragraph (2) as paragraph (1);
(3) in the heading of paragraph (1) (as so redesignated), by striking “AUTHORIZATION OF APPROPRIATIONS” and inserting “FISCAL YEAR 2013”; and 

(4) by adding at the end the following new paragraph:

“(2) FISCAL YEARS 2014 THROUGH 2018.—There are authorized to be appropriated to carry out this section $2,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 9007. RURAL ENERGY FOR AMERICA PROGRAM.

(a) Tiered Application Process.—Section 9007(c) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107(c)) is amended—

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

(2) by inserting after paragraph (1) the following new paragraph:

“(2) TIERED APPLICATION PROCESS.—In carrying out this subsection, the Secretary shall establish a three-tiered application, evaluation, and oversight process that varies based on the cost of the proposed project with the process most simplified for projects referred to in subparagraph (A), more comprehensive for projects referred to in subparagraph (B), and most comprehensive for projects referred to in subpara-
The three tiers for such process shall be as follows:

“(A) TIER 1.—Projects for which the cost of the project funded under this subsection is not more than $80,000.

“(B) TIER 2.—Projects for which the cost of the project funded under this subsection is more than $80,000 but less than $200,000.

“(C) TIER 3.—Projects for which the cost of the project funded under this subsection is $200,000 or more.”.

(b) FUNDING.—Section 9007(g) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107(g)) is amended—

(1) by striking paragraphs (1) and (2);

(2) by redesignating paragraph (3) as paragraph (1);

(3) in paragraph (1) (as so redesignated)—

(A) in the heading, by striking “DISCRETIONARY FUNDING” and inserting “FISCAL YEARS 2009 THROUGH 2013”; and

(B) by striking “In addition to any other funds made available to carry out this section, there” and inserting “There”; and
(4) by adding at the end the following new paragraph:

“(2) FISCAL YEARS 2014 THROUGH 2018.—There are authorized to be appropriated to carry out this section $45,000,000 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) by striking paragraph (1);

(2) by redesignating paragraph (2) as paragraph (1);

(3) in paragraph (1) (as so redesignated)—

(A) in the heading, by striking “DISCRETIONARY FUNDING” and inserting “FISCAL YEARS 2009 THROUGH 2013”; and

(B) by striking “In addition to any other funds made available to carry out this section, there” and inserting “There”; and

(4) by adding at the end the following new paragraph:

“(2) FISCAL YEARS 2014 THROUGH 2018.—There are authorized to be appropriated to carry out this section $20,000,000 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—

(1) in subsection (a)—

(A) by striking paragraph (6); and

(B) by redesignating paragraphs (7) and (8) as paragraphs (6) and (7), respectively;

(2) in subsection (b)—

(A) by striking “Program to” and all that follows through “support the establishment” and inserting “Program to support the establishment”;

(B) by striking “; and” and inserting a period; and

(C) by striking paragraph (2);

(3) in subsection (c)—

(A) in paragraph (2)(B)—
(i) in clause (viii), by striking “; and” and inserting a semicolon;

(ii) by redesignating clause (ix) as clause (x); and

(iii) by inserting after clause (viii) the following new clause:

“(ix) existing project areas that have received funding under this section and the continuation of funding of such project areas to advance the maturity of such project areas; and”; and

(B) in paragraph (5)(C)(ii)—

(i) by striking subclause (III); and

(ii) by redesignating subclauses (IV) and (V) as subclauses (III) and (IV), respectively;

(4) by striking subsection (d);

(5) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively; and

(6) in subsection (e) (as so redesignated)—

(A) by striking paragraph (1);

(B) by redesignating paragraph (2) as paragraph (1);

(C) in paragraph (1) (as so redesignated)—
(i) by striking “FISCAL YEAR 2013” and all that follows through “There is au-
 thorized” and inserting “FISCAL YEAR 2013.—There is authorized”; and

(ii) by redesignating subparagraph (B) as paragraph (3) and moving the margin of
such paragraph (as so redesignated) two ems to the left;

(D) by inserting after paragraph (1), the following new paragraph:

“(2) FISCAL YEARS 2014 THROUGH 2018.—There are authorized to be appropriated to carry out this section $75,000,000 for each of fiscal years 2014 through 2018.”; and

(E) in paragraph (3) (as redesignated by subparagraph (C)(ii) of this paragraph), by striking “this paragraph” and inserting “this subsection”.

SEC. 9011. COMMUNITY WOOD ENERGY PROGRAM.

Section 9013(e) of the Farm Security and Rural In-
vestment Act of 2002 (7 U.S.C. 8113(e)) is amended by
striking “carry out this section” and all that follows and
inserting the following: “carry out this section—

“(1) $5,000,000 for each of fiscal years 2009
 through 2013; and
“(2) $2,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 9012. REPEAL OF BIOFUELS INFRASTRUCTURE STUDY.

Section 9002 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2095) is repealed.

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.

SEC. 9014. ENERGY EFFICIENCY REPORT FOR USDA FACILITIES.

(a) REPORT.—Not later than 180 days after the date of the 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 on energy use and energy efficiency projects at Department of Agriculture facilities.

(b) CONTENTS.—The report required by subsection (a) shall include the following:

(1) An analysis of energy use by Department of Agriculture facilities.

(2) A list of energy audits that have been conducted at such facilities.
(3) A list of energy efficiency projects that have been conducted at such facilities.

(4) A list of energy savings projects that could be achieved with enacting a consistent, timely, and proper mechanical insulation maintenance program and upgrading mechanical insulation at such facilities.

**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.**

Effective October 1, 2013, 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 heading of such section, by inserting “AND LOCAL FOOD” after “FARMERS’ MARKET”; 

(2) in subsection (a)—
(A) by inserting “and Local Food” after “Farmers’ Market”; 

(B) by striking “farmers’ markets and to promote”; and 

(C) by striking the period and inserting “and assist in the development of local food business enterprises.”; 

(3) by striking subsection (b) and inserting the following new subsection: 

“(b) PROGRAM PURPOSES.—The purposes of the Program are to increase domestic consumption of, and consumer access to, locally and regionally produced agricultural products by assisting in the development, improvement, and expansion of— 

“(1) domestic farmers’ markets, roadside stands, community-supported agriculture programs, agritourism activities, and other direct producer-to-consumer market opportunities; and 

“(2) local and regional food business enterprises that process, distribute, aggregate, and store locally or regionally produced food products.”; 

(4) in subsection (c)(1)— 

(A) by inserting “or other agricultural 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 new subsection:

“(e) FUNDS REQUIREMENTS FOR ELIGIBLE ENTITIES.—

“(1) MATCHING FUNDS.—An entity receiving a grant under this section for a project to carry out a purpose described in subsection (b)(2) shall provide matching funds in the form of cash or an in-kind contribution in an amount equal to 25 percent of the total cost of such project.

“(2) LIMITATION ON USE OF FUNDS.—An eligible entity may not use a grant or other assistance provided under this section for the purchase, construction, or rehabilitation of a building or structure.”;

and

(7) in subsection (f) (as redesignated by paragraph (5))—

(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 adding at the end the following new subparagraph:

“(D) $30,000,000 for each of fiscal years 2014 through 2018.”;

(B) by striking paragraphs (3) and (5);

(C) by redesignating paragraph (4) as paragraph (6); and

(D) by inserting after paragraph (2) the following new paragraphs:

“(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2014 through 2018.

“(4) USE OF FUNDS.—Of the funds made available to carry out this section for a fiscal year, 50 percent of such funds shall be used for the purposes described in paragraph (1) of subsection (b) and 50 percent of such funds shall be used for the purposes described in paragraph (2) of such subsection.

“(5) LIMITATION ON ADMINISTRATIVE EXPENSES.—Not more than 3 percent of the total amount made available to carry out this section for
a fiscal year may be used for administrative ex-

penses.”.

SEC. 10004. ORGANIC AGRICULTURE.

(a) ORGANIC PRODUCTION AND MARKET DATA INITIA-

TIVES.—Section 7407(d)(2) of the Farm Security and

Rural Investment Act of 2002 (7 U.S.C. 5925c(d)(2)) is

amended—

(1) in the heading of such paragraph, by striking

“2008 THROUGH 2012” and inserting “2014 THROUGH

2018”; and

(2) by striking “2008 through 2012” and insert-

ing “2014 through 2018”.

(b) MODERNIZATION AND TECHNOLOGY UPGRADE FOR

NATIONAL ORGANIC PROGRAM.—Section 2122 of the Or-

ganic Foods Production Act of 1990 (7 U.S.C. 6521) is

amended by adding at the end the following new subsection:

“(c) MODERNIZATION AND TECHNOLOGY UPGRADE

FOR NATIONAL ORGANIC PROGRAM.—The Secretary shall

modernize database and technology systems of the national

organic program.”.

(c) AUTHORIZATION OF APPROPRIATIONS FOR NA-

TIONAL ORGANIC PROGRAM.—Effective October 1, 2013,

section 2123(b)(6) of the Organic Foods Production Act of

1990 (7 U.S.C. 6522(b)(6)) is amended to read as follows:
“(6) $11,000,000 for each of fiscal years 2014 through 2018.”.


(e) **Exemption of Certified Organic Products From Promotion Order Assessments.**—Subsection (e) of section 501 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7401) is amended to read as follows:

“(e) **Exemption of Certified Organic Products From Promotion Order Assessments.**—

“(1) **In general.**—Notwithstanding any provision of a commodity promotion law, a person that produces, handles, markets, or imports organic products may be exempt from the payment of an assessment under a commodity promotion law with respect to any agricultural commodity that is certified as ‘organic’ or ‘100 percent organic’ (as defined in part 205 of title 7, Code of Federal Regulations or a successor regulation).

“(2) **Split Operations.**—The exemption described in paragraph (1) shall apply to the certified ‘organic’ or ‘100 percent organic’ (as defined in part
205 of title 7 of the Code of Federal Regulations (or a successor regulation)) products of a producer, handler, or marketer regardless of whether the agricultural commodity subject to the exemption is produced, handled, or marketed by a person that also produces, handles, or markets conventional or nonorganic agricultural products, including conventional or non-organic agricultural products of the same agricultural commodity as that for which the exemption is claimed.

“(3) APPROVAL.—The Secretary shall approve the exemption of a person under this subsection if the person maintains a valid organic certificate issued under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.).

“(4) TERMINATION OF EFFECTIVENESS.—This subsection shall be effective until the date on which the Secretary issues an organic commodity promotion order in accordance with subsection (f).

“(5) REGULATIONS.—The Secretary shall promulgate regulations concerning eligibility and compliance for an exemption under paragraph (1).”.

(f) ORGANIC COMMODITY PROMOTION ORDER.—Section 501 of the Federal Agriculture Improvement and Re-
form Act of 1996 (7 U.S.C. 7401) is amended by adding at the end the following new subsection:

“(f) ORGANIC COMMODITY PROMOTION ORDER.—

“(1) DEFINITIONS.—In this subsection:

“(A) CERTIFIED ORGANIC FARM.—The term ‘certified organic farm’ has the meaning given the term in section 2103 of the Organic Foods Production Act of 1990 (7 U.S.C. 6502).

“(B) COVERED PERSON.—The term ‘covered person’ means a producer, handler, marketer, or importer of an organic agricultural commodity.

“(C) DUAL-COVERED AGRICULTURAL COMMODITY.—The term ‘dual-covered agricultural commodity’ means an agricultural commodity that—

“(i) is produced on a certified organic farm; and

“(ii) is covered under both—

“(I) an organic commodity promotion order issued pursuant to paragraph (2); and

“(II) any other agricultural commodity promotion order issued under section 514.
“(2) AUTHORIZATION.—The Secretary may issue an organic commodity promotion order under section 514 that includes any agricultural commodity that—

“(A) is produced or handled (as defined in section 2103 of the Organic Foods Production Act of 1990 (7 U.S.C. 6502)) and that is certified to be sold or labeled as ‘organic’ or ‘100 percent organic’ (as defined in part 205 of title 7, Code of Federal Regulations or a successor regulation)); or

“(B) is imported with a valid organic certificate (as defined in such part).

“(3) ELECTION.—If the Secretary issues an organic commodity promotion order described in paragraph (2), a covered person may elect, for applicable dual-covered agricultural commodities and in the sole discretion of the covered person, whether to be assessed under the organic commodity promotion order or another applicable agricultural commodity promotion order.

“(4) REGULATIONS.—The Secretary shall promulgate regulations concerning eligibility and compliance for an exemption under paragraph (1).”.

•HR 2642 EAH1S
(g) Definition of Agricultural Commodity.—Section 513(1) of the Commodity Promotion, Research, and Information Act of 1996 (7 U.S.C. 7412(1)) is amended—

(1) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively; and

(2) by inserting after subparagraph (D) the following new subparagraph:

“(E) products, as a class, that are produced on a certified organic farm (as defined in section 2103 of the Organic Foods Production Act of 1990 (7 U.S.C. 6502)) and that are certified to be sold or labeled as ‘organic’ or ‘100 percent organic’ (as defined in part 205 of title 7, Code of Federal Regulations or a successor regulation);”.

SEC. 10005. INVESTIGATIONS AND ENFORCEMENT OF THE ORGANIC FOODS PRODUCTION ACT OF 1990.

The Organic Foods Production Act of 1990 is amended by inserting after section 2122 (7 U.S.C. 6521) the following new section:

“SEC. 2122A. INVESTIGATION AND ENFORCEMENT.

“(a) Expedited Administrative Hearing.—The Secretary shall establish an expedited administrative hearing procedure under which the Secretary may suspend or revoke the organic certification of a producer or handler or the accreditation of a certifying agent in accordance with
subsection (d). Such a hearing may be conducted in addition to a hearing conducted pursuant to section 2120.

“(b) 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 a violation of this title.

“(2) INVESTIGATIVE POWERS.—The Secretary may administer oaths and affirmations, subpoena witnesses, compel attendance of witnesses, take evidence, and require the production of any records required to be maintained under section 2112(d) or 2116(c) that are relevant to the investigation.

“(c) UNLAWFUL ACT.—It shall be unlawful and a violation of this title for any person covered by this title—

“(1) to refuse to provide information required by the Secretary under this title; or

“(2) to violate—
“(A) a suspension or revocation of the organic certification of a producer or handler; or
“(B) a suspension or revocation of the accreditation of a certifying agent.
“(d) ENFORCEMENT.—
“(1) SUSPENSION.—
“(A) IN GENERAL.—The Secretary may, after notice and opportunity for an expedited administrative hearing, suspend the organic certification of a producer, handler or the accreditation of a certifying agent if—
“(i) the Secretary, during such expedited administrative hearing, proved that—
“(I) in the case of a producer or handler, the producer or handler—
“(aa) has recklessly committed a violation of a term, condition, or requirement of the organic plan to which the producer or handler is subject; or
“(bb) has recklessly committed, or is recklessly committing, a violation of this title; or
“(II) in the case of a certifying agent, the agent has recklessly com-
mitted, or is recklessly committing, a violation of this title; or

“(ii) the producer, handler, or certifying agent has waived such expedited administrative hearing.

“(B) ISSUANCE OF SUSPENSION.—A suspension issued under this paragraph shall be issued not later than five days after the date on which—

“(i) the expedited administrative hearing referred to in clause (i) of subparagraph (A) concludes; or

“(ii) the Secretary receives notice of the waiver referred to in clause (ii) of such subparagraph.

“(C) DURATION OF SUSPENSION.—The period of a suspension issued under this paragraph shall be not more than 90 days, beginning on the date on which the Secretary issues the suspension.

“(D) CURING OF VIOLATIONS.—

“(i) IN GENERAL.—The Secretary may not issue a suspension of a certification or accreditation under this paragraph if the
producer, handler, or certifying agent subject to such suspension—

“(I) before the date on which the suspension would otherwise have been issued, cures, or corrects the deficiency giving rise to, the violation for which the certification or accreditation would have been suspended; or

“(II) within a reasonable time-frame (as determined by the Secretary), enters into a settlement with the Secretary regarding a deficiency referred to in subclause (I).

“(ii) DURING SUSPENSION.—The Secretary shall terminate the suspension of an organic certification or accreditation issued under this paragraph if the producer, handler, or certifying agent subject to such suspension cures the violation for which the certification or accreditation was suspended under this paragraph before the date on which the period of the suspension ends.

“(2) REVOCATION.—

“(A) IN GENERAL.—The Secretary may, after notice and opportunity for an expedited
administrative hearing under this section and an expedited administrative appeal under section 2121, revoke the organic certification of a producer or handler, or the accreditation of a certifying agent if—

“(i) the Secretary, during such hearing, proved that—

“(I) in the case of a producer or handler, the producer or handler—

“(aa) has knowingly committed an egregious violation of a term, condition, or requirement of the organic plan to which the producer or handler is subject; or

“(bb) has knowingly committed, or is knowingly committing, an egregious violation of this title; or

“(II) in the case of a certifying agent, the agent has knowingly committed, or is knowingly committing, an egregious violation of this title; or

“(ii) the producer, handler, or certifying agent has waived such expedited ad-
ministrative hearing and such an expedited
administrative appeal.

“(B) INITIATION OF REVOCATION PRO-
CEEDINGS.—

“(i) IN GENERAL.—If the Secretary
finds, during an investigation or during the
period of a suspension under paragraph (1),
that a producer, handler, or certifying agent
has knowingly committed an egregious vio-
lation of this title, the Secretary shall ini-
tiate revocation proceedings with respect to
such violation not later than 30 days after
the date on which the producer, handler, or
certifying agent receives notice of such find-
ing in accordance with clause (ii). The Sec-
retary may not initiate revocation pro-
ceedings with respect to such violation after
the date on which that 30-day period ends.

“(ii) NOTICE.—Not later than five
days after the date on which the Secretary
makes the finding described in clause (i),
the Secretary shall provide to the producer,
handler, or certifying agent notice of such
finding.

“(c) APPEAL.—
“(1) Suspensions.—

“(A) In General.—The suspension of a certification or accreditation under subsection (d)(1) by the Secretary may be appealed to a United States district court in accordance with section 2121(b) not later than 30 business days after the date on which the person subject to such suspension receives notice of the suspension.

“(B) Suspension Final and Conclusive.—A suspension of a certification or accreditation under subsection (d)(1) by the Secretary shall be final and conclusive—

“(i) in the case of a suspension that is appealed under subparagraph (A) within the 30-day period specified in such subparagraph, on the date on which judicial review of such suspension is complete; or

“(ii) in the case of a suspension that is not so appealed, the date on which such 30-day period ends.

“(2) Revocations.—

“(A) In General.—The revocation of a certification or an accreditation under subsection (d)(2) by the Secretary may be appealed to a United States district court in accordance with
section 2121(b) not later than 30 business days after the date on which the person subject to such revocation receives notice of the revocation.

“(B) REVOCATION FINAL AND CONCLUSIVE.—A revocation of a certification or an accreditation under subsection (d)(2) by the Secretary shall be final and conclusive—

“(i) in the case of a revocation that is appealed under subparagraph (A) within the 30-day period specified in such subparagraph, on the date on which judicial review of such revocation is complete; or

“(ii) in the case of a revocation that is not so appealed, the date on which such 30-day period ends.

“(3) STANDARDS FOR REVIEW OF SUSPENSIONS AND REVOCATIONS.—A suspension or revocation of a certification or an accreditation under subsection (d) shall be reviewed in accordance with the standards of review specified in section 706(2) of title 5, United States Code.

“(f) NONCOMPLIANCE.—

“(1) IN GENERAL.—If a person covered by this title fails to obey a revocation of a certification or an accreditation under subsection (d)(2) after such rev-
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 such revocation.

“(2) ENFORCEMENT.—If the court determines that the revocation was lawfully made and duly served and that the person violated the revocation, the court shall enforce the revocation.

“(3) CIVIL PENALTY.—If the court finds that the person violated the revocation of a certification or an accreditation under subsection (d)(2), the person shall be subject to one or more of the penalties provided in subsections (a) and (b) of section 2120.

“(g) VIOLATION OF THIS TITLE DEFINED.—In this section, the term ‘violation of this title’ means a violation specified in section 2120.”.

SEC. 10006. FOOD SAFETY EDUCATION INITIATIVES.

Section 10105 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7655) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting “; including farm workers” after “industry”;
(B) in paragraph (1), by striking “and” at the end;
(C) in paragraph (2), by striking the period at the end and inserting “; and”; and
(D) by adding at the end the following new paragraph:
“(3) practices that prevent bacterial contamination of food, how to identify sources of food contamination, and other means of decreasing food contamination.”; and
(2) in subsection (c), by striking “2012” and inserting “2018”.

SEC. 10007. 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”; and
(2) by striking subsection (b) and inserting the following new subsection:
“(b) GRANTS BASED ON VALUE AND ACREAGE.—Subject to subsection (c), for each State whose application for
a grant for a fiscal year that is accepted by the Secretary
under subsection (f), the amount of the grant for such fiscal
year to the State under this section shall bear the same ratio
to the total amount made available under subsection (l)(1)
for such 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 Agri-
culture 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 Agri-
culture data.”;

(3) in subsection (d)—

(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 new
paragraph:

“(4) an assurance that any grant funds received
under this section that are used for equipment or cap-
ital-related research costs determined to enhance the
competitiveness of specialty crops—

“(A) shall be supplemented by the expendi-
ture of State funds in an amount that is not less
than 50 percent of such costs during the fiscal
year in which such costs were incurred; and

“(B) shall be completely replaced by State
funds on the day after the date on which such
fiscal year ends.”;

(4) by redesignating subsection (j) as subsection
(l);

(5) by inserting after subsection (i) the following
new subsections:

“(j) **MULTISTATE PROJECTS.**—Not later than 180
days after the effective date of the Federal Agriculture Re-
form and Risk Management 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—

“(1) food safety;

“(2) plant pests and disease;

“(3) research;

“(4) crop-specific projects addressing common
issues; and
“(5) any other area that furthers the purposes of this section, as determined by the Secretary.

“(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

(6) in subsection (l) (as redesignated by paragraph (4))—

(A) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively, and moving the margins of such subparagraphs two ems to the right;

(B) by striking “Of the funds” and inserting the following:

“(1) In General.—Of the funds”;

(C) in paragraph (1) (as so designated)—

(i) in subparagraph (B) (as redesignated by subparagraph (A)), by striking “and” at the end;
(ii) in subparagraph (C) (as redesignated by subparagraph (A)), by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following new subparagraphs:

“(D) $72,500,000 for fiscal years 2014 through 2017; and

“(E) $85,000,000 for fiscal year 2018.”;

and

(D) by adding at the end the following new paragraph:

“(2) MULTISTATE PROJECTS.—Of the funds made available under paragraph (1), the Secretary may use to carry out subsection (j), 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.”.
SEC. 10008. DEPARTMENT OF AGRICULTURE CONSULTATION REGARDING ENFORCEMENT OF CERTAIN LABOR LAW PROVISIONS.

Not later than 60 days after the date of enactment of this Act, the Secretary of Agriculture shall consult with the Secretary of Labor regarding the restraining of shipments of agricultural commodities, or the confiscation of such commodities, by the Department of Labor for actual or suspected labor law violations in order to consider—

(1) the perishable nature of such commodities;
(2) the impact of such restraining or confiscation on the economic viability of farming operations; and
(3) the competitiveness of specialty crops through grants awarded to States under section 101 of the Specialty Crops Competitiveness Act of 2004 (7 U.S.C. 1621 note).

SEC. 10009. REPORT ON HONEY.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Agriculture, in consultation with persons affected by the potential establishment of a Federal standard for the identity of honey, shall submit to the Commissioner of Food and Drugs a report describing how an appropriate Federal standard for the identity of honey would be in the interest of consumers, the honey industry, and United States agriculture.
(b) CONSIDERATIONS.—In preparing the report required 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 such petition.

SEC. 10010. BULK SHIPMENTS OF APPLES TO CANADA.

(a) BULK SHIPMENT OF APPLES TO CANADA.—Section 4 of the Export Apple Act (7 U.S.C. 584) is amended—

(1) by striking “Apples in” and inserting “(a) Apples in”; and

(2) by adding at the end the following new subsection:

“(b) Apples may be shipped to Canada in bulk bins without complying with the provisions of this Act.”.

(b) DEFINITION OF BULK BIN.—Section 9 of the Export Apple Act (7 U.S.C. 589) is amended by adding at the end the following new paragraph:

“(5) The term ‘bulk bin’ means a bin that contains a quantity of apples weighing more than 100 pounds.”.

(c) REGULATIONS.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Agriculture shall issue regulations to carry out the amendments made by this section.
SEC. 10011. CONSOLIDATION OF PLANT PEST AND DISEASE MANAGEMENT AND DISASTER PREVENTION PROGRAMS.

(a) Relocation of Legislative Language Relating to National Clean Plant Network.—Section 420 of the Plant Protection Act (7 U.S.C. 7721) is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection:

“(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 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.

“(5) FUNDING FOR FISCAL YEAR 2013.—There is authorized to be appropriated to carry out the Program $5,000,000 for fiscal year 2013.”.
(b) FUNDING.—Subsection (f) of section 420 of the
Plant Protection Act (7 U.S.C. 7721) (as so redesignated)
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 new paragraphs:
“(5) $62,500,000 for fiscal years 2014 through 2017; and
“(6) $75,000,000 for fiscal year 2018.”.
(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 new subsection:
“(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).”.

(e) USE OF FUNDS FOR CLEAN PLANT NETWORK.—
Section 420 of the Plant Protection Act (7 U.S.C. 7721), as amended by subsections (a) and (d), is amended by adding at the end the following new subsection:

“(h) USE OF FUNDS FOR CLEAN PLANT NETWORK.—Of the funds made available under subsection (f) to carry out this section for a fiscal year, not less than $5,000,000 shall be available to carry out the national clean plant network under subsection (e).”.

SEC. 10012. MODIFICATION, CANCELLATION, OR SUSPENSION ON BASIS OF A BIOLOGICAL OPINION.

(a) IN GENERAL.—Except in the case of a voluntary request from a pesticide registrant to amend a registration under section 3 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a), a registration of a pesticide may be modified, canceled, or suspended on the basis of the implementation of a Biological Opinion issued by the National Marine Fisheries Service or the United States Fish and Wildlife Service prior to the date of completion of the study referred to in subsection (b), or January 1, 2015, whichever is earlier, only if—
(1) the modification, cancellation, or suspension is undertaken pursuant to section 6 of such Act (7 U.S.C. 136d); and

(2) the Biological Opinion complies with the recommendations contained in the study referred to in subsection (b).

(b) NATIONAL ACADEMY OF SCIENCES STUDY.—The study commissioned by the Administrator of the Environmental Protection Agency on March 10, 2011, shall include, at a minimum, each of the following:

(1) A formal, independent, and external peer review, consistent with Office of Management and Budget policies, of each Biological Opinion described in subsection (a).

(2) Assessment of economic impacts of measures or alternatives recommended in each such Biological Opinion.

(3) An examination of the specific scientific and procedural questions and issues pertaining to economic feasibility contained in the June 23, 2011, letter sent to the Administrator (and other Federal officials) by the Chairmen of the Committee on Agriculture, the Committee on Natural Resources, and the Subcommittee on Interior, Environment, and Related
Agencies of the Committee on Appropriations, of the House of Representatives.

SEC. 10013. USE AND DISCHARGES OF AUTHORIZED PESTICIDES.

(a) Short Title.—This section may be cited as the “Reducing Regulatory Burdens Act of 2013”.

(b) Use of Authorized Pesticides.—Section 3(f) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a(f)) is amended by adding at the end the following:

“(5) Use of Authorized Pesticides.—Except as provided in section 402(s) of the Federal Water Pollution Control Act, the Administrator or a State may not require a permit under such Act for a discharge from a point source into navigable waters of a pesticide authorized for sale, distribution, or use under this Act, or the residue of such a pesticide, resulting from the application of such pesticide.”.

(c) Discharges of Pesticides.—Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by adding at the end the following:

“(s) Discharges of Pesticides.—

“(1) No Permit Requirement.—Except as provided in paragraph (2), a permit shall not be required by the Administrator or a State under this Act
for a discharge from a point source into navigable
waters of a pesticide authorized for sale, distribution,
or use under the Federal Insecticide, Fungicide, and
Rodenticide Act, or the residue of such a pesticide, re-
sulting from the application of such pesticide.

“(2) EXCEPTIONS.—Paragraph (1) shall not
apply to the following discharges of a pesticide or pes-
ticide residue:

“(A) A discharge resulting from the appli-
cation of a pesticide in violation of a provision
of the Federal Insecticide, Fungicide, and
Rodenticide Act that is relevant to protecting
water quality, if—

“(i) the discharge would not have oc-
curred but for the violation; or

“(ii) the amount of pesticide or pes-
ticide residue in the discharge is greater
than would have occurred without the viola-
tion.

“(B) Stormwater discharges subject to regu-
lation under subsection (p).

“(C) The following discharges subject to reg-
ulation under this section:

“(i) Manufacturing or industrial efflu-
ent.
“(ii) Treatment works effluent.

“(iii) Discharges incidental to the normal operation of a vessel, including a discharge resulting from ballasting operations or vessel biofouling prevention.”.

SEC. 10014. SEED NOT PESTICIDE OR DEVICE FOR PURPOSES OF IMPORTATION.

Section 17(c) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136o(c)) is amended by adding at the end the following new sentences: “Solely for purposes of notifications of arrival upon importation, for purposes of this subsection, seed, including treated seed, shall not be considered a pesticide or device. Nothing in this subsection shall be construed as precluding or limiting the authority of the Secretary of Agriculture, with respect to the importation or movement of plants, plant products, or seeds, under the Plant Protection Act (7 U.S.C. 7701 et seq.) or the Federal Seed Act (7 U.S.C. 1551 et seq.).”.

SEC. 10015. STAY OF REGULATIONS RELATED TO CHRISTMAS TREE PROMOTION, RESEARCH, AND INFORMATION ORDER.

Not later than 60 days after the date of the enactment of this Act, the Secretary of Agriculture shall lift the administrative stay that was imposed by the rule entitled “Christmas Tree Promotion, Research, and Information Order;
Stay of Regulations” and published by the Department of Agriculture on November 17, 2011 (76 Fed. Reg. 71241), on the regulations in subpart A of part 214 of title 7, Code of Federal Regulations, establishing an industry-funded promotion, research, and information program for fresh cut Christmas trees.

SEC. 10016. STUDY ON PROPOSED ORDER PERTAINING TO SULFURYL FLUORIDE.

Not later than two years after the date of enactment of this Act, the Administrator of the Environmental Protection Agency, in conjunction with the Secretary of Agriculture, shall submit to the Committee on Agriculture of the House of Representatives a report on the potential economic and public health effects that would result from finalization of the proposed order published in the January 19, 2011, Federal Register (76 Fed. Reg. 3422) pertaining to the pesticide sulfuryl fluoride, including the anticipated impacts of such finalization on the production of an adequate, wholesome, and economical food supply and on farmers and related agricultural sectors.

SEC. 10017. STUDY ON LOCAL AND REGIONAL FOOD PRODUCTION AND PROGRAM EVALUATION.

(a) In General.—The Secretary of Agriculture shall—
(1) collect data on the production and marketing of locally or regionally produced agricultural food products;

(2) facilitate interagency collaboration and data sharing on programs related to local and regional food systems; and

(3) monitor the effectiveness of programs designed to expand or facilitate local food systems.

(b) REQUIREMENTS.—In carrying out this section, the Secretary shall—

(1) collect and distribute comprehensive reporting of prices of locally or regionally produced agricultural food products;

(2) conduct surveys and analysis and publish reports relating to the production, handling, distribution, and retail sales of, and trend studies (including consumer purchasing patterns) 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 until September 30, 2018, 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 ad-
ditional needs related to developing local and regional food
systems.

SEC. 10018. ANNUAL REPORT ON INVASIVE SPECIES.

(a) Initial Report.—

(1) In general.—Not later than 180 days after
the date of the enactment of this Act, the Secretary
shall submit to Congress a report on invasive species.

(2) Matters included.—The report under
paragraph (1) shall include the following:

(A) A list of each invasive species that is in
the United States as of the date of the report.

(B) For each invasive species listed under
subparagraph (A)—

(i) the country from which the species
originated;

(ii) the means in which the species en-
tered the United States;

(iii) the year in which the species en-
tered the United States;

(iv) the rate by which the entry of the
species is increasing or decreasing;
(v) cost estimates, covering both the date of the report and future periods, of the cost of such species to the public and private sectors;

(vi) if cost estimates cannot be conducted under clause (v), a detailed explanation of why;

(vii) environmental impact estimates, covering both the date of the report and future periods, of the environmental impact of the species;

(viii) if environmental impact estimates cannot be conducted under clause (vii), a detailed explanation of why;

(ix) recommendations as to what steps are needed to combat the species;

(x) a description of the ongoing research occurring to combat the species; and

(xi) a description of any legal recourse available to people affected by the species.

(C) Any other matter the Secretary determines appropriate.

(3) PERIOD COVERED.—The report under paragraph (1) shall cover the period beginning in 1980
and ending on the date on which the report is submitted.

(b) Annual Updated Reports.—Not later than October 1 of each fiscal year beginning after the date on which the report under paragraph (1) of subsection (a) is submitted, the Secretary shall submit annually to Congress an updated report, including an update to each of the matters described in paragraph (2) of such subsection.

(c) Public Availability.—The Secretary shall make each report under this section available to the public.

TITLE XI—CROP INSURANCE

SEC. 11001. INFORMATION SHARING.

(a) In General.—Section 502(c) of the Federal Crop Insurance Act (7 U.S.C. 1502(c)) is amended by adding at the end the following new paragraph:

“(4) Information.—

“(A) Request.—Subject to subparagraph (B), the Farm Service Agency shall, in a timely manner, provide to an agent or an approved insurance provider authorized by the producer any information (including Farm Service Agency Form 578s (or any successor form) or maps (or any corrections to those forms or maps) that may assist the agent or approved insurance pro-
provider in insuring the producer under a policy or
plan of insurance under this subtitle.

“(B) PRIVACY.—Except as provided in sub-
paragraph (C), an agent or approved insurance
provider that receives the information of a pro-
ducer pursuant to subparagraph (A) shall treat
the information in accordance with paragraph
(1).

“(C) SHARING.—Nothing in this section
prohibits the sharing of the information of a pro-
ducer pursuant to subparagraph (A) between the
agent and the approved insurance provider of the
producer.”.

(b) DISCLOSURE OF CROP INSURANCE PREMIUM SUB-
sidies Made on Behalf of Members of Congress and
Certain Other Individuals and Entities.—Section
502(c)(2) of the Federal Crop Insurance Act (7 U.S.C.
1502(c)(2)) is amended—

(1) by redesignating subparagraphs (A) and (B)
as subparagraphs (D) and (E) respectively; and

(2) by inserting before subparagraph (C) (as so
redesignated) the following:

“(A) DISCLOSURE IN THE PUBLIC INTER-
EST.—Notwithstanding paragraph (1) or any
other provision of law, except as provided in sub-
paragraph (B), the Secretary shall on an annual
basis make available to the public—

“(i)(I) the name of each individual or
entity specified in subparagraph (C) who
obtained a federally subsidized crop insur-
ance, livestock, or forage policy or plan of
insurance during the previous fiscal year;

“(II) the amount of premium subsidy
received by that individual or entity from
the Corporation; and

“(III) the amount of any Federal por-
tion of indemnities paid in the event of a
loss during that fiscal year for each policy
associated with that individual or entity;
and

“(ii) for each private insurance pro-
vider, by name—

“(I) the underwriting gains
earned through participation in the
federally subsidized crop insurance
program; and

“(II) the amount paid under this
subtitle for—

“(aa) administrative and op-
erating expenses;
“(bb) any Federal portion of indemnities and reinsurance; and
“(cc) any other purpose.

“(B) LIMITATION.—The Secretary shall not disclose information pertaining to individuals and entities covered by a catastrophic risk protection plan offered under section 508(b).

“(C) COVERED INDIVIDUALS AND ENTITIES.—Subparagraph (A) applies with respect to the following:

“(i) Members of Congress and their immediate families.

“(ii) Cabinet Secretaries and their immediate families.

“(iii) Entities of which any individual described in clause (i) or (ii), or combination of such individuals, is a majority shareholder.”.

SEC. 11002. PUBLICATION OF INFORMATION ON VIOLATIONS OF PROHIBITION ON PREMIUM ADJUSTMENTS.

Section 508(a)(9) of the Federal Crop Insurance Act (7 U.S.C. 1508(a)(9)) is amended by adding at the end the following new subparagraph:

“(C) PUBLICATION OF VIOLATIONS.—
“(i) Publication required.—Subject to clause (ii), the Corporation shall publish in a timely manner on the website of the Risk Management Agency information regarding each violation of this paragraph, including any sanctions imposed in response to the violation, in sufficient detail so that the information may serve as effective guidance to approved insurance providers, agents, and producers.

“(ii) Protection of privacy.—In providing information under clause (i) regarding violations of this paragraph, the Corporation shall redact the identity of the persons and entities committing the violations in order to protect their privacy.”.

SEC. 11003. SUPPLEMENTAL COVERAGE OPTION.

(a) Availability of supplemental coverage option.—Paragraph (3) of section 508(c) of the Federal Crop Insurance Act (7 U.S.C. 1508(c)) is amended to read as follows:

“(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 a part of the deductible under the individual yield and loss policy, as described in paragraph (4)(C); or
“(C) a margin basis alone or in combination with the coverages available in subparagraph (A) or (B).”.

(b) LEVEL OF COVERAGE.—Paragraph (4) of section 508(c) of the Federal Crop Insurance Act (7 U.S.C. 1508(c)) is amended to read as follows:

“(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 cata-
strophic 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 supple-
mental coverage option described in para-
graph (3)(B), the Corporation shall offer
producers the opportunity to purchase cov-

erage 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 a part of the deductible
under the policy or plan of insurance—

“(I) at a county-wide level to the

fullest extent practicable; or

“(II) in counties that lack suffi-
cient data, on the basis of such larger
geographical area as the Corporation
determines to provide sufficient data
for purposes of providing the coverage.

“(ii) TRIGGER.—Coverage offered

under paragraph (3)(B) and clause (i) shall
be triggered only if the losses in the area ex-
ceed 10 percent of normal levels (as determined by the Corporation).

“(iii) COVERAGE.—Subject to the trigger described in clause (ii), coverage offered under paragraph (3)(B) and clause (i) shall not exceed the difference between—

“(I) 90 percent; and

“(II) the coverage level selected by the producer for the underlying policy or plan of insurance.

“(iv) INELIGIBLE CROPS AND ACRES.—Crops for which the producer has elected under section 1107(c)(1) of the Federal Agriculture Reform and Risk Management Act of 2013 to receive revenue loss coverage and acres that are enrolled in the stacked income protection plan under section 508B shall not be eligible for supplemental coverage under this subparagraph.

“(v) CALCULATION OF PREMIUM.—Notwithstanding subsection (d), the premium for coverage offered under paragraph (3)(B) and clause (i) 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 new subparagraph:

“(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) 65 percent of the additional premium associated with the coverage; and

“(ii) the amount determined under subsection (c)(4)(C)(vi)(II), subject to subsection (k)(4)(F), for the coverage to cover operating and administrative expenses.”.

(d) 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 2014 crop year.
SEC. 11004. PREMIUM AMOUNTS FOR CATASTROPHIC RISK PROTECTION.

Subparagraph (A) of section 508(d)(2) of the Federal Crop Insurance Act (7 U.S.C. 1508(d)(2)) is amended to read as follows:

“(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.”.

SEC. 11005. REPEAL OF PERFORMANCE-BASED DISCOUNT.

(a) REPEAL.—Section 508(d) of the Federal Crop Insurance Act (7 U.S.C. 1508(d)) is amended—

(1) by striking paragraph (3); and

(2) by redesignating paragraph (4) as paragraph (3).

(b) CONFORMING AMENDMENT.—Section 508(a)(9)(B) of the Federal Crop Insurance Act (7 U.S.C. 1508(a)(9)(B)) is amended—

(1) by inserting “or” at the end of clause (i);

(2) by striking clause (ii); and

(3) by redesignating clause (iii) as clause (ii).
SEC. 11006. PERMANENT ENTERPRISE UNIT SUBSIDY.

Subparagraph (A) of section 508(e)(5) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)(5)) is amended to read as follows:

“(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. 11007. ENTERPRISE UNITS FOR IRRIGATED AND NON-IRRIGATED 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 new subparagraph:

“(D) NONIRRIGATED CROPS.—Beginning with the 2014 crop year, the Corporation shall make available separate enterprise units for irrigated and nonirrigated acreage of crops in counties.”.

SEC. 11008. 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 new subparagraph:
“(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. 11009. 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 by striking “60” each place it appears and inserting “70”.

SEC. 11010. SUBMISSION AND REVIEW OF POLICIES.

(a) IN GENERAL.—Section 508(h) of the Federal Crop Insurance Act (7 U.S.C. 1508(h)) is amended—

(1) in paragraph (1)—

(A) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;

(B) by striking “(1) IN GENERAL.—In addition” and inserting the following:

“(1) AUTHORITY TO SUBMIT.—
“(A) IN GENERAL.—In addition; and

(C) by adding at the end the following new subparagraph:

“(B) REVIEW AND SUBMISSION BY CORPORATION.—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.; and

(2) in paragraph (3)—

(A) by striking “A policy” and inserting the following:

“(A) IN GENERAL.—A policy”; and

(B) by adding at the end the following new subparagraph:
“(B) SPECIFIED REVIEW AND APPROVAL PRIORITIES.—In reviewing policies and other materials submitted to the Board under this subsection for approval, the Board—

“(i) shall make the development and approval of a revenue policy for peanut producers a priority so that a revenue policy is available to peanut producers in time for the 2014 crop year;

“(ii) shall make the development and approval of a margin coverage policy for rice producers a priority so that a margin coverage policy is available to rice producers in time for the 2014 crop year; and

“(iii) may approve a submission that is made pursuant to this subsection that would, beginning with the 2014 crop year, allow producers that purchase policies in accordance with subsection (e)(5)(A) to separate enterprise units by risk rating for acreage of crops in counties.”.

(b) ADVANCE PAYMENTS.—Section 522(b)(2)(E) of the Federal Crop Insurance Act (7 U.S.C. 1522(b)(2)(E)) is amended by striking “50 percent” and inserting “75 percent”.
SEC. 11011. EQUITABLE RELIEF FOR SPECIALTY CROP POLICIES.

Section 508(k)(8)(E) of the Federal Crop Insurance Act of 1938 (7 U.S.C. 1508(k)(8)(E)) is amended by adding at the end the following new clause:

“(iii) EQUITABLE RELIEF FOR SPECIALTY CROP POLICIES.—

“(I) IN GENERAL.—For each of the 2011 through 2015 reinsurance years, in addition to the total amount of funding for reimbursement of administrative and operating costs that is otherwise required to be made available in each such reinsurance year pursuant to an agreement entered into by the Corporation, the Corporation shall use $41,000,000 to provide additional reimbursement with respect to eligible insurance contracts for any agricultural commodity that is not eligible for a benefit under subtitles A, B or C of title I of the Federal Agriculture Reform and Risk Management Act of 2013.

“(II) TREATMENT.—Additional reimbursements made under this clause
shall be included as part of the base level of administrative and operating expense reimbursement to which any limit on compensation to persons involved in the direct sale and service of any eligible crop insurance contract required under an agreement entered into by the Corporation is applied.

“(III) RULE OF CONSTRUCTION.—Nothing in this clause shall be construed as statutory assent to the limit described in subclause (II).”.

SEC. 11012. BUDGET LIMITATIONS ON RENEGOTIATION OF THE STANDARD REINSURANCE AGREEMENT.

Section 508(k)(8) of the Federal Crop Insurance Act of 1938 (7 U.S.C. 1508(k)(8)) is amended by adding at the end the following new subparagraph:

“(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 signifi-
cantly 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 sig-
nificant departure from budget neutrality
under clause (i), the savings shall be used to
increase the obligations of the Corporation
under subsections (e)(2) or (k)(4) or section
523.”.

SEC. 11013. 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) in the paragraph heading, by striking
“INELIGIBILITY FOR” and inserting “REDUCTION
IN”; and
(B) in subparagraph (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) or (c) 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 new paragraphs:

“(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 transitional yield of the producer; 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.

“(4) APPLICATION.—This subsection shall only apply to native sod in the Prairie Pothole National Priority Area.”.

(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 the paragraph heading, by striking “INELIGIBILITY” and inserting “BENEFIT REDUCTION”;

(2) in subparagraph (A)(ii), by inserting “, or the producer cannot substantiate that the ground has ever been tilled,” after “tilled”;

(3) in subparagraph (B)—

(A) in the subparagraph heading, by striking “INELIGIBILITY” and inserting “REDUCTION IN”; and

(B) in clause (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) or (c) of section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308).”; and

(4) by striking subparagraph (C) and inserting the following new subparagraphs:

“(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 transitional yield of the producer; 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 sub-
stitute yields for the native sod acreage.
“(D) APPLICATION.—This paragraph shall
only apply to native sod in the Prairie Pothole
National Priority Area.”.

(c) CROPLAND REPORT.—

(1) BASELINE.—Not later than 180 days after
the date of enactment of this Act, the Secretary of Ag-
iculture shall submit to the Committee on Agri-
culture of the House of Representatives and the Com-
mittee on Agriculture, Nutrition, and Forestry of the
Senate a report that describes the cropland acreage in
each applicable county and State, and the change in
cropland acreage from the preceding year in each ap-
plicable county and State, beginning with calendar
year 2000 and including that information for the
most recent year for which that information is avail-
able.

(2) ANNUAL UPDATES.—Not later than January
1, 2015, and each January 1 thereafter through Janu-
ary 1, 2018, the Secretary of Agriculture shall submit
to the Committee on Agriculture of the House of Rep-
resentatives and the Committee on Agriculture, Nutri-
tion, and Forestry of the Senate a report that describes—

(A) the cropland acreage in each applicable 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 applicable county and State.

SEC. 11014. COVERAGE LEVELS BY PRACTICE.

Section 508 of the Federal Crop Insurance Act of 1938 (7 U.S.C. 1508) is amended by adding at the end the following new subsection:

“(p) COVERAGE LEVELS BY PRACTICE.—Beginning with the 2015 crop year, a producer that produces an agricultural commodity on both dry land and irrigated land may elect a different coverage level for each production practice.”.

SEC. 11015. BEGINNING FARMER AND RANCHER PROVISIONS.

(a) DEFINITION.—Section 502(b) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)) is amended—

(1) by redesignating paragraphs (3) through (9) as paragraphs (4) through (10), 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 new paragraph:

“(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 decision-making 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 11009)—
(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. 11016. STACKED INCOME PROTECTION PLAN FOR PRODUCERS OF UPLAND COTTON.

(a) AVAILABILITY OF STACKED INCOME PROTECTION PLAN FOR PRODUCERS OF UPLAND COTTON.—The Federal Crop Insurance Act is amended by inserting after section 508A (7 U.S.C. 1508a) the following new section:

“SEC. 508B. STACKED INCOME PROTECTION PLAN FOR PRODUCERS OF UPLAND COTTON.

“(a) AVAILABILITY.—Beginning not later than the 2014 crop of upland cotton, the Corporation shall make available to producers 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) Provide coverage for revenue loss of not less than 10 percent and not more than 30 percent of expected county revenue, specified in increments of 5 percent. 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.

“(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) the expected price established under ex-
isting 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 estab-
lished for the existing area-wide plans of-
fered by the Corporation for the applicable
county (or area) and crop year (or, in geo-
graphic areas where area-wide plans are
not offered, an expected yield determined in
a manner consistent with those of area-wide
plans); or

“(ii) 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 Manage-
ment Agency or the National Agricultural
Statistics Service (or both) or, 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 less than the higher of the level established on a program wide basis or 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) In all counties for which data are available, establish separate coverage levels for irrigated and non-irrigated practices.

“(c) PREMIUM.—Notwithstanding section 508(d), the premium for the Stacked Income Protection Plan shall—

“(1) be sufficient to cover anticipated losses and a reasonable reserve; and

“(2) include an amount for operating and administrative expenses established in accordance with section 508(k)(4)(F).

“(d) PAYMENT OF PORTION OF PREMIUM BY CORPORATION.—Subject to section 508(e)(4), the amount of pre-
mium 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 es-
tablished under subsection (c) for the coverage level se-
lected; and
“(2) the amount determined under subsection
(c)(2), subject to section 508(k)(4)(F), for the coverage
to cover administrative and operating expenses.
“(e) RELATION TO OTHER COVERAGES.—The Stacked
Income Protection Plan is in addition to all other coverages
available to producers of upland cotton.”.
(b) 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) or section 508B” after “of this subparagraph”.
SEC. 11017. PEANUT REVENUE CROP INSURANCE.
The Federal Crop Insurance Act is amended by insert-
ing after section 508B, as added by the previous section,
the following new section:
“SEC. 508C. PEANUT REVENUE CROP INSURANCE.
“(a) IN GENERAL.—Effective beginning with the 2014
crop year, the Risk Management Agency and the Corpora-
tion shall make available to producers of peanuts a revenue
crop insurance program for peanuts.
“(b) EFFECTIVE PRICE.—Subject to subsection (c), for purposes of the revenue crop insurance program and the multiperil crop insurance program under this Act, 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.

“(c) ADJUSTMENTS.—

“(1) IN GENERAL.—The effective price for peanuts established under subsection (b) may be adjusted by the Risk Management Agency and the Corporation to correct distortions.

“(2) ADMINISTRATION.—If an adjustment is made under paragraph (1), the Risk Management Agency and the Corporation shall—

“(A) make the adjustment in an open and transparent manner; and

“(B) 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. 11018. 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 new paragraph:

“(3) CORRECTIONS.—

“(A) IN GENERAL.—In addition to the corrections permitted by the Corporation as of the date of enactment of the Federal Agriculture Reform and Risk Management Act of 2013, the Corporation shall allow an agent or an approved insurance provider, subject to subparagraph (B)—

“(i) within a reasonable amount of time following the applicable sales closing date, to correct unintentional errors in information 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 correct;
“(ii) within a reasonable amount of time following—

“(I) the acreage reporting date, to correct unintentional errors in factual information that is provided by a producer after the sales closing date to reconcile the information with the information reported by the producer to the Farm Service Agency; or

“(II) the date of any subsequent correction of data by the Farm Service Agency made as a result of the verification of information; and

“(iii) at any time, to correct unintentional errors that were made by the Farm Service Agency or an agent or approved insurance provider in transmitting the information provided by the producer to the approved insurance provider or the Corporation.

“(B) LIMITATION.—In accordance with the procedures of the Corporation, correction to the information described in clauses (i) and (ii) of subparagraph (A) may only be made if the corrections do not allow the producer—
“(i) to avoid ineligibility requirements for insurance;

“(ii) to obtain, enhance, or increase an insurance guarantee or indemnity, or avoid premium owed, if a cause of loss exists or has occurred before any correction has been made; or

“(iii) to avoid an obligation or requirement under any Federal or State law.

“(C) EXCEPTION TO LATE FILING SANCTIONS.—Any corrections made pursuant to this paragraph shall not be subject to any late filing sanctions authorized in the reinsurance agreement with the Corporation.”.

SEC. 11019. 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 new paragraph:

“(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 soft-
ware are compatible with the hardware and
software used by other agencies of the De-
partment to maximize data sharing and
promote the purposes of this section.

“(ii) ACREAGE REPORT STREAMLINING
INITIATIVE PROJECT.—As soon as prac-
ticable, the Secretary shall develop and im-
plement an acreage report streamlining ini-
tiative 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 new paragraph:

“(1) INFORMATION TECHNOLOGY.—

“(A) IN GENERAL.—For purposes of sub-
section (j)(1), the Corporation may use, from
amounts made available from the insurance fund
established under section 516(e), 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, 2015, not more than $15,000,000 for each of the fiscal years 2015 through 2018.

“(B) 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 of the substantial completion of the Acreage Crop Reporting Streamlining Initiative (ACRSI) project not later than July 1, 2015.”.

SEC. 11020. RESEARCH AND DEVELOPMENT PRIORITIES.

(a) AUTHORITY TO CONDUCT RESEARCH AND DEVELOPMENT, PRIORITIES.—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 main-
tain 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) in subparagraph (B), by inserting

‘‘conducting research and development or’’ after

‘‘Before’’;

(4) in paragraph (5), by inserting ‘‘after expert review in accordance with section 505(e)’’ 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, biomass sorghum, rice, peanuts, sugarcane, alfalfa, pennycress, and specialty 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), by striking “to provide either reimbursement payments or contract payments”;

and

(3) by striking paragraph (4).

SEC. 11021. ADDITIONAL RESEARCH AND DEVELOPMENT CONTRACTING REQUIREMENTS.

Section 522(c) of the Federal Crop Insurance Act (7 U.S.C. 1522(c)) is amended—

(1) by redesignating paragraph (17) as paragraph (24); and

(2) by inserting after paragraph (16), the following new paragraphs:

“(17) 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.

“(18) BIOMASS AND SWEET SORGHUM ENERGY CROP INSURANCE POLICIES.—

“(A) AUTHORITY.—The Corporation shall offer to enter into 1 or more contracts with
qualified entities to carry out research and development regarding—

“(i) a policy to insure biomass sorghum that is grown expressly for the purpose of producing a feedstock for renewable biofuel, renewable electricity, or biobased products; and

“(ii) a policy to insure sweet sorghum that is grown for a purpose described in clause (i).

“(B) RESEARCH AND DEVELOPMENT.—Research and development with respect to each of the policies required in subparagraph (A) shall evaluate the effectiveness of risk management tools for the production of biomass sorghum or sweet sorghum, including policies and plans of insurance that—

“(i) are based on market prices and yields;

“(ii) to the extent that insufficient data exist to develop a policy based on market prices and yields, evaluate the policies and plans of insurance based on the use of weather indices, including excessive or inad-
equate rainfall, to protect the interest of
crop producers; and

“(iii) provide protection for production
or revenue losses, or both.

“(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 subpara-
graph (A).

“(20) Whole Farm Diversified Risk Manage-
ment 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 $1,250,000, 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 com-
modities, 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 diver-
sification strategies for producers that grow mul-
tiple 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.

“(21) STUDY ON POULTRY CATASTROPHIC DISEASE PROGRAM.—

“(A) IN GENERAL.—The Corporation shall contract with a qualified person to conduct a study to determine the feasibility of insuring poultry 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 subpara-
graph (A).

“(22) POULTRY BUSINESS INTERRUPTION INSUR-
ANCE POLICY.—

“(A) AUTHORITY.—The Corporation shall
offer to enter into a contract or cooperative
agreement with a university or other legal entity
to carry out research and development regarding
a policy to insure the commercial production of
poultry against business interruptions caused by
integrator bankruptcy.

“(B) RESEARCH AND DEVELOPMENT.—As
part of the research and development conducted
pursuant to a contract or cooperative agreement
entered into under subparagraph (A), the entity
shall—

“(i) evaluate the market place for busi-
ness interruption insurance that is avail-
able to poultry growers;

“(ii) determine what statutory author-
ity would be necessary to implement a busi-
ness interruption insurance through the Corporation;

“(iii) assess the feasibility of a policy or plan of insurance offered under this subtitle to insure against losses due to the bankruptcy of an business integrator; and

“(iv) analyze the costs to the Federal Government of a Federal business interruption insurance program for poultry growers.

“(C) DEFINITIONS.—In this paragraph, the terms ‘poultry’ and ‘poultry grower’ have the meanings given those terms in section 2(a) of the Packers and Stockyards Act, 1921 (7 U.S.C. 182(a)).

“(D) DEADLINE FOR CONTRACT OR COOPERATIVE AGREEMENT.—Not later than six months after the date of the enactment of this paragraph, the Corporation shall enter into the contract or cooperative agreement required by subparagraph (A).

“(E) DEADLINE FOR COMPLETION OF RESEARCH AND DEVELOPMENT.—Not later than one year after the date of the enactment of this paragraph, the Corporation shall submit to the Committee on Agriculture of the House of Represent-
atives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the research and development conducted pursuant to the contract or cooperative agreement entered into under subparagraph (A).

“(23) 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 Agri-
culture 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. 11022. PROGRAM COMPLIANCE PARTNERSHIPS.

Paragraph (1) of section 522(d) of the Federal Crop Insurance Act (7 U.S.C. 1522(d)) is amended to read as follows:

“(1) PURPOSE.—The purpose of this subsection is to authorize the Corporation to enter into partnerships with public and private entities for the purpose of either—

“(A) increasing the availability of loss mitigation, financial, and other risk management tools for producers, with a priority given to risk management tools for producers of agricultural commodities covered by section 196 of the Agricultural Market Transition Act (7 U.S.C. 7333), specialty crops, and underserved agricultural commodities; or

“(B) improving analysis tools and technology regarding compliance or identifying and using innovative compliance strategies.”.
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. TECHNICAL AMENDMENTS.

(a) Eligibility for Department Programs.—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.

(b) Exclusions to Assistance for Losses Due to Drought Conditions.—

(1) In general.—Section 531(d)(3)(A) of the Federal Crop Insurance Act (7 U.S.C. 1531(d)(3)(A)) is amended—

(A) by striking “(A) Eligible Losses.—” and all that follows through “An eligible” in clause (i) and inserting the following:

“(A) Eligible Losses.—An eligible”;

(B) by striking clause (ii); and

(C) by redesignating subclauses (I) and (II) as clauses (i) and (ii), respectively, and indenting appropriately.
(2) CONFORMING AMENDMENT.—Section 901(d)(3)(A) of the Trade Act of 1974 (19 U.S.C. 2497(d)(3)(A)) is amended—

(A) by striking “(A) ELIGIBLE LOSSES.—” and all that follows through “An eligible” in clause (i) and inserting the following:

“(A) ELIGIBLE LOSSES.—An eligible”;

(B) by striking clause (ii); and

(C) by redesignating subclauses (I) and (II) as clauses (i) and (ii), respectively, and indenting appropriately.

SEC. 11025. ADVANCE PUBLIC NOTICE OF CROP INSURANCE POLICY AND PLAN CHANGES.

Section 505(e) of the Federal Crop Insurance Act (7 U.S.C. 1505(e)) is amended—

(1) by redesignating paragraphs (5) and (6) as paragraphs (6) and (7); respectively; and

(2) by inserting after paragraph (4) the following new paragraph (5):

“(5) ADVANCE NOTICE OF MODIFICATION BEFORE IMPLEMENTATION.—

“(A) IN GENERAL.—Any modification to be made in the terms or conditions of any policy or plan of insurance offered under this subtitle shall not take effect for a crop year unless the Sec-
retary publishes the modification in the Federal Register and on the website of the Corporation and provides for a subsequent period of public comment—

“(i) with respect to fall-planted crops, not later than 60 days before June 30 during the preceding crop year; and

“(ii) with respect to spring-planted crops, not later than 60 days before November 30 during the preceding crop year.

“(B) WAIVER.—The Secretary may waive the application of subparagraph (A) in an emergency situation declared by the Secretary upon notice to Congress of the nature of the emergency and the need for immediate implementation of the policy or plan modification referred to in such subparagraph.”.

**TITLE XII—MISCELLANEOUS**

**Subtitle A—Livestock**

**SEC. 12101. REPEAL OF THE NATIONAL SHEEP INDUSTRY IMPROVEMENT CENTER.**

Effective October 1, 2013, section 375 of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008j) is repealed.
SEC. 12102. REPEAL OF CERTAIN REGULATIONS UNDER THE
PACKERS AND STOCKYARDS ACT, 1921.

(a) Repeal of Certain Regulation Requirement.—Section 11006 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2120) is repealed.

(b) Repeal of Certain Existing Regulation.—Subsection (n) of section 201.2 of title 9, Code of Federal Regulations, is repealed.

(c) Prohibition on Enforcement of Certain Regulations or Issuance of Similar Regulations.—Notwithstanding any other provision of law, the Secretary of Agriculture shall not—

(1) enforce subsection (n) of section 201.2 of title 9, Code of Federal Regulations;

(2) finalize or implement sections 201.2(l), 201.2(t), 201.2(u), 201.3(c), 201.210, 201.211, 201.213, and 201.214 of title 9, Code of Federal Regulations, as proposed to be added by the proposed rule entitled “Implementation of Regulations Required Under Title XI of the Food, Conservation and Energy Act of 2008; Conduct in Violation of the Act” published by the Department of Agriculture on June 22, 2010 (75 Fed. Reg. 35338); or

(3) issue regulations or adopt a policy similar to the provisions—
(A) referred to in paragraph (1) or (2); or
(B) rescinded by the Secretary pursuant to section 742 of the Consolidated and Further Continuing Appropriations Act, 2013 (Public Law 113–6).

SEC. 12103. TRICHINAE CERTIFICATION PROGRAM.

(a) Alternative Certification Process.—The Secretary of Agriculture shall amend the rule made under paragraph (2) of section 11010(a) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8304(a)) to implement the voluntary trichinae certification program established under paragraph (1) of such section, to include a requirement to establish an alternative trichinae certification process based on surveillance or other methods consistent with international standards for categorizing compartments as having negligible risk for trichinae.

(b) Final Regulations.—Not later than one year after the date on which the international standards referred to in subsection (a) are adopted, the Secretary shall finalize the rule amended under such subsection.

(c) Reauthorization.—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”.

•HR 2642 EH1S
SEC. 12104. 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. 12105. COUNTRY OF ORIGIN LABELING.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Agriculture, acting through the Office of the Chief Economist, shall conduct an economic analysis of the proposed rule entitled “Mandatory Country of Origin Labeling of Beef, Pork, Lamb, Chicken, Goat Meat, Wild and Farm-raised Fish and Shellfish, Perishable Agricultural Commodities, Peanuts, Pecans, Ginseng and Macadamia Nuts” published by the Department of Agriculture on March 12, 2013 (76 Fed. Reg. 15645).

(b) CONTENTS.—The economic analysis described in subsection (a) shall include, with respect to the labeling of beef, pork, and chicken, an analysis of the impact on consumers, producers, and packers in the United States of—

(1) the implementation of subtitle D of the Agricultural Marketing Act of 1946 (7 U.S.C. 1638 et seq.); and

(2) the proposed rule referred to in subsection (a).
Subtitle E of title X of the Farm Security and Rural Investment Act of 2002 is amended by inserting after section 10409 (7 U.S.C. 8308) the following new section:

"SEC. 10409A. NATIONAL ANIMAL HEALTH LABORATORY NETWORK.

(a) In General.—The Secretary shall enter into contracts, grants, cooperative agreements, or other legal instruments with eligible laboratories for any of the following purposes:

(1) To enhance the capability of the Secretary to detect, and respond in a timely manner to, emerging or existing threats to animal health and to support the protection of public health, the environment, and the agricultural economy of the United States.

(2) To provide the capacity and capability for standardized—

(A) test procedures, reference materials, and equipment;

(B) laboratory biosafety and biosecurity levels;

(C) quality management system requirements;

(D) interconnected electronic reporting and transmission of data; and
“(E) evaluation for emergency preparedness.

“(3) To coordinate the development, implementation, and enhancement of national veterinary diagnostic laboratory capabilities, with special emphasis on surveillance planning and vulnerability analysis, technology development and validation, training, and outreach.

“(b) ELIGIBILITY.—An eligible laboratory under this section is a diagnostic laboratory meeting specific criteria developed by the Secretary, in consultation with State animal health officials and State and university veterinary diagnostic laboratories.

“(c) PRIORITY.—To the extent practicable and to the extent capacity and specialized expertise may be necessary, the Secretary shall give priority to existing Federal, State, and university facilities.

“(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $15,000,000 for each of fiscal years 2014 through 2018.”.

SEC. 12107. REPEAL OF DUPLICATIVE CATFISH INSPECTION PROGRAM.

(a) IN GENERAL.—Effective on the date of the enactment of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8701 et seq.), section 11016 of such Act (Public
Law 110–246; 122 Stat. 2130) and the amendments made by such section are repealed.


SEC. 12108. NATIONAL POULTRY IMPROVEMENT PROGRAM.

The Secretary of Agriculture shall ensure that the Department of Agriculture continues to administer the diagnostic surveillance program for H5/H7 low pathogenic avian influenza with respect to commercial poultry under section 146.14 of title 9, Code of Federal Regulations (or a successor regulation) without amending the regulations in section 147.43 of title 9, Code of Federal Regulations (or a successor regulation) with respect to the governance of the General Conference Committee established under such section. The Secretary of Agriculture shall maintain—

(1) the operations of the General Conference Committee—

(A) in the physical location at which the Committee was located on the date of the enactment of this Act; and
(B) with the organizational structure within the Department of Agriculture in effect as of such date; and

(2) the funding levels for the National Poultry Improvement Plan for Commercial Poultry (established under part 146 of title 9, Code of Federal Regulations or a successor regulation) at the fiscal year 2013 funding levels for the Plan.

SEC. 12109. REPORT ON BOVINE TUBERCULOSIS IN TEXAS.

Not later than December 31, 2014, 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 on the incidence of bovine tuberculosis in cattle in Texas. The report shall cover the period beginning on January 1, 1997, and ending on December 31, 2013.

SEC. 12110. ECONOMIC FRAUD IN WILD AND FARM-RAISED SEAFOOD.

(a) In General.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Agriculture, acting through the Office of the Chief Economist, shall submit to Congress a report on the economic implications for consumers, fishermen, and aquaculturists of fraud and mislabeling in wild and farm-raised seafood.
(b) CONTENTS.—The report required under subsection (a) shall include, with respect to fraud and mislabeling in wild and farm-raised seafood, an analysis of the impact on consumers and producers in the United States of—

(1) sales of imported seafood that is misrepresented as domestic product;

(2) country of origin labeling that allows seafood harvested outside the United States to be labeled as a product of the United States;

(3) the lack of seafood product traceability through the supply chain; and

(4) the inadequate use of DNA testing and other technology to address seafood safety and fraud, including traceability.

Subtitle B—Socially Disadvantaged Producers and Limited Resource Producers

SEC. 12201. 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 (1), by inserting “and veteran farmers or ranchers” after “ranchers”;

(B) in paragraph (2)(B)(i), by inserting “and veteran farmers or ranchers” after “ranchers”; and

(C) in paragraph (4)—

(i) in subparagraph (A)—

(I) in the heading of such subparagraph, by striking “2012” and inserting “2018”;

(II) in clause (i), by striking “and” at the end;

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

(IV) by adding at the end the following new clause:

“(iii) $10,000,000 for each of fiscal years 2014 through 2018.”; and

(ii) by adding at the end the following new subparagraph:
“(E) AUTHORIZATION OF APPROPRIATIONS.—There are 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”;

(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”;

and

(5) in subsection (e)(5)(A)—

(A) in clause (i), by inserting “and veteran farmers or ranchers” after “ranchers”; and

(B) in clause (ii), by inserting “and veteran farmers or ranchers” after “ranchers”.

(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 new paragraph:

“(7) VETERAN FARMER OR RANCHER.—The term ‘veteran farmer or rancher’ means a farmer or ranch-
er 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. 12202. OFFICE OF ADVOCACY AND OUTREACH.

Paragraph (3) of section 226B(f) of the Department
of Agriculture Reorganization Act of 1994 (7 U.S.C.
6934(f)) 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.”.

SEC. 12203. SOCIALLY DISADVANTAGED FARMERS AND

RANCHERS POLICY RESEARCH CENTER.

Section 2501 of the Food, Agriculture, Conservation,
and Trade Act of 1990 (7 U.S.C. 2279), as amended by
section 12201, is amended by adding at the end the fol-
lowing new subsection:

“(i) SOCIALLY DISADVANTAGED FARMERS AND
RANCHERS POLICY RESEARCH CENTER.—The Secretary
shall award a grant to a college or university eligible to
receive funds under the Act of August 30, 1890 (7 U.S.C.
321 et seq.), including Tuskegee University, to establish a
policy research center to be known as the ‘Socially Disadvantaged Farmers and Ranchers Policy Research Center’ for the purpose of developing policy recommendations for the protection and promotion of the interests of socially disadvantaged farmers and ranchers.”.

SEC. 12204. RECEIPT FOR SERVICE OR DENIAL OF SERVICE FROM CERTAIN DEPARTMENT OF AGRICULTURE AGENCIES.

Section 2501A(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279–1(e)) is amended by striking “and, at the time of the request, also requests a receipt”.

Subtitle C—Other Miscellaneous Provisions

SEC. 12301. GRANTS TO IMPROVE SUPPLY, STABILITY, SAFETY, AND TRAINING OF AGRICULTURAL LABOR FORCE.

Subsection (d) of section 14204 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 2008q–1) 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. 12302. PROGRAM BENEFIT ELIGIBILITY STATUS FOR PARTICIPANTS IN HIGH PLAINS WATER STUDY.

Section 2901 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 1818) is amended by striking “this Act or an amendment made by this Act” and inserting “this Act, an amendment made by this Act, the Federal Agriculture Reform and Risk Management Act of 2013, or an amendment made by the Federal Agriculture Reform and Risk Management Act of 2013”.

SEC. 12303. OFFICE OF TRIBAL RELATIONS.

(a) IN GENERAL.—Title III of the Federal Crop Insurance Reform and 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 new section:

“SEC. 309. OFFICE OF TRIBAL RELATIONS.

“The Secretary shall establish in the Office of the Secretary an Office of Tribal Relations to advise the Secretary on policies related to Indian tribes.”.

(b) CONFORMING AMENDMENT.—Section 296(b) of the Department of Agriculture Reorganization Act of 1994 (7
U.S.C. 7014(b)) is amended by inserting after paragraph (8), as added by section 3207, the following new paragraph:

“(9) the authority of the Secretary to establish in the Office of the Secretary the Office of Tribal Relations in accordance with section 309; and”.

SEC. 12304. 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 new section:

“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) serve as a resource for assisting veteran farmers and ranchers, and potential farmers and ranchers, in applying for participation in agricultural programs; and

“(4) advocate on behalf of veterans in interactions with employees of the Department.”.

(b) CONFORMING AMENDMENT.—Section 296(b) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 7014(b)) is amended by inserting after paragraph (9), as added by section 11303, the following new paragraph:

“(10) the authority of the Secretary to establish in the Department the position of Military Veterans Agricultural Liaison in accordance with section 219.”.

SEC. 12305. PROHIBITION ON KEEPING GSA LEASED CARS OVERNIGHT.

Effective immediately, a Federal employee of a State office of the Farm Service Agency in the field and non-Federal employees of county and area committees established
under section 8(b)(5) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)(5)) shall keep leased interagency motor pool vehicles at a location listed on the General Services Administration inventory of owned and leased properties or a location owned or leased by the Department of Agriculture overnight unless the employee assigned the vehicle is on overnight, approved travel status involving per diem.

SEC. 12306. NONINSURED CROP ASSISTANCE PROGRAM.

Section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333), as amended by section 11013(b), is further amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following new paragraph:

“(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 clause (i), by striking “and” after the semicolon at the end;

(II) by redesignating clause (ii) as clause (iii); and

(III) by inserting after clause (i) the following new clause:

“(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”;

(ii) in subparagraph (B), by inserting “sweet sorghum, biomass sorghum,” before “and industrial crops”;
(2) in subsection (d), by striking “The Secretary” and inserting “Subject to subsection (l), the Secretary”; and

(3) by adding at the end the following new subsection:

“(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 of the established yield for the eligible crop on the farm, computed by multiplying—

“(A) the quantity that is not greater than 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 the product obtained by multiplying—

“(i) the number of acres devoted to the eligible crop;
“(ii) the established yield for the eligible crop, 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

“(v) .0525.

“(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) PREMIUM PAYMENT AND APPLICATION DEADLINE.—

“(A) PREMIUM PAYMENT.—A producer electing additional coverage under this subsection shall pay the premium amount owed for the additional coverage by September 30 of the crop year for which the additional coverage is purchased.
“(B) Application Deadline.—The latest date on which additional coverage under this subsection may be elected shall be the application closing date described in subsection (b)(1).

“(5) Effective Date.—Additional coverage under this subsection shall be available beginning with the 2015 crop.”.

SEC. 12307. ENSURING HIGH STANDARDS FOR AGENCY USE OF SCIENTIFIC INFORMATION.

(a) Requirement for Final Guidelines.—Not later than January 1, 2014, each Federal agency shall have in effect guidelines for ensuring and maximizing the quality, objectivity, utility, and integrity of scientific information relied upon by such agency.

(b) Content of Guidelines.—The guidelines described in subsection (a), with respect to a Federal agency, shall ensure that—

(1) when scientific information is considered by the agency in policy decisions—

(A) the information is subject to well-established scientific processes, including peer review where appropriate;

(B) the agency appropriately applies the scientific information to the policy decision;
(C) except for information that is protected from disclosure by law or administrative prac-
tice, the agency makes available to the public the scientific information considered by the agency;

(D) the agency gives greatest weight to in-
formation that is based on experimental, empir-
ical, quantifiable, and reproducible data that is developed in accordance with well-established sci-
centific processes; and

(E) with respect to any proposed rule issued by the agency, such agency follows procedures that include, to the extent feasible and permitted by law, an opportunity for public comment on all relevant scientific findings;

(2) the agency has procedures in place to make policy decisions only on the basis of the best reason-
ably obtainable scientific, technical, economic, and other evidence and information concerning the need for, consequences of, and alternatives to the decision; and

(3) the agency has in place procedures to iden-
tify and address instances in which the integrity of scientific information considered by the agency may have been compromised, including instances in which
such information may have been the product of a scientific process that was compromised.

(c) Approval Needed for Policy Decisions To Take Effect.—No policy decision issued after January 1, 2014, by an agency subject to this section may take effect prior to such date that the agency has in effect guidelines under subsection (a) that have been approved by the Director of the Office of Science and Technology Policy.

(d) Policy Decisions Not in Compliance.—

   (1) In General.—Subject to paragraph (2), a policy decision of an agency that does not comply with guidelines approved under subsection (c) shall be deemed to be arbitrary, capricious, an abuse of discretion, and otherwise not in accordance with law.

   (2) Exception.—This subsection shall not apply to policy decisions that are deemed to be necessary because of an imminent threat to health or safety or because of another emergency.

(e) Definitions.—For purposes of this section:

   (1) Agency.—The term “agency” has the meaning given such term in section 551(1) of title 5, United States Code.

   (2) Policy Decision.—The term “policy decision” means, with respect to an agency, an agency action as defined in section 551(13) of title 5, United
States Code, (other than an adjudication, as defined in section 551(7) of such title), and includes—

(A) the listing, labeling, or other identification of a substance, product, or activity as hazardous or creating risk to human health, safety, or the environment; and

(B) agency guidance.

(3) AGENCY GUIDANCE.—The term “agency guidance” means an agency statement of general applicability and future effect, other than a regulatory action, that sets forth a policy on a statutory, regulatory, or technical issue or on an interpretation of a statutory or regulatory issue.

SEC. 12308. EVALUATION REQUIRED FOR PURPOSES OF PROHIBITION ON CLOSURE OR RELOCATION OF COUNTY OFFICES FOR THE FARM SERVICE AGENCY.

(a) Prohibition on Closure or Relocation of Offices With High Workload Volume.—Section 14212 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 6932a) is amended by striking subsection (a) and inserting the following new subsection:

“(a) Prohibition on Closure or Relocation of Offices With High Workload Volume.—The Secretary of Agriculture may not close or relocate a county or field
office of the Farm Service Agency in a State if the Secretary
determines, after conducting the evaluation required under
subsection (b)(1)(B), that the office has a high workload vol-
ume compared with other county offices in the State.”.

(b) WORKLOAD EVALUATION.—Section 14212(b)(1) of
such Act (7 U.S.C. 6932a(b)(1)) is amended—

(1) by redesignating subparagraphs (A) and (B)
as clauses (i) and (ii), respectively, and moving the
margins of such clauses two ems to the right;

(2) by striking “the Farm Service Agency, to the
maximum extent practicable” and inserting “the
Farm Service Agency—

“(A) to the maximum extent practicable”;

(3) in clause (ii) (as redesignated by paragraph
(1))—

(A) by inserting “as of the date of the enact-
ment of this Act” after “employees”; and

(B) by striking the period at the end and
inserting “; and”; and

(4) by adding at the end the following new sub-
paragraph:

“(B) conduct and complete an evaluation of
all workload assessments for Farm Service Agen-
cy county offices that were open and operational
as of January 1, 2012, during the period that
begins on a date that is not later than 180 days after the date of the enactment of the Federal Agriculture Reform and Risk Management Act of 2013 and ends on the date that is 18 months after such date of enactment.”.

(c) NOTICE REQUIRED.—Section 14212(b)(2) of such Act (7 U.S.C. 6932a(b)(2)) is amended—

(1) in the matter preceding subparagraph (A), by striking “After the period referred to in subsection (a)(1), the Secretary of Agriculture may not close a county or field office of the Farm Service Agency unless—” and inserting “After carrying out each of the activities required under paragraph (1), the Secretary of Agriculture shall, before closing a county or field office of the Farm Service Agency—”;

(2) in subparagraph (A), by striking “the Secretary holds” and inserting “hold”; and

(3) in subparagraph (B), by striking “the Secretary notifies” and inserting “notify”.

(d) CONFORMING AMENDMENT.—Section 14212(b)(1) of such Act (7 U.S.C. 6932a(b)(1)) is amended by striking “After the period referred to in subsection (a)(1), the Secretary” and inserting “The Secretary”.
SEC. 12309. ACER ACCESS AND DEVELOPMENT PROGRAM.

(a) Grants Authorized.—The Secretary of Agriculture may make competitive grants to States, tribal governments, and research institutions to support the efforts of such States, tribal governments, and research institutions 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 trees 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) Application.—In submitting an application for a competitive grant under this section, a State, tribal government, or research institution shall include—

(1) a description of the activities to be supported using the grant funds;
(2) a description of the benefits that the State, tribal government, or research institution 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, tribal government, or research institution anticipates will occur as a result of engaging in such activities.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed so as to preempt a State or tribal government law, including a 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 are authorized to be appropriated to carry out this section $20,000,000 for each of fiscal years 2014 through 2018.
SEC. 12310. REGULATORY REVIEW BY THE SECRETARY OF AGRICULTURE.

(a) Review of Regulatory Agenda.—The Secretary of Agriculture shall review publications that may give notice that the Environmental Protection Agency is preparing or plans to prepare any guidance, policy, memorandum, regulation, or statement of general applicability and future effect that may have a significant impact on a substantial number of agricultural entities, including—

(1) any regulatory agenda of the Environmental Protection Agency published pursuant to section 602 of title 5, United States Code;

(2) any regulatory plan or agenda published by the Environmental Protection Agency or the Office of Management and Budget pursuant to an Executive order, including Executive Order No. 12866; and

(3) any other publication issued by the Environmental Protection Agency or the Office of Management and Budget that may reasonably be foreseen to contain notice of plans by the Environmental Protection Agency to prepare any guidance, policy, memorandum, regulation, or statement of general applicability and future effect that may have a significant impact on a substantial number of agricultural entities.
(b) INFORMATION GATHERING.—For a publication item reviewed under subsection (a) that the Secretary determines may have a significant impact on a substantial number of agricultural entities, the Secretary shall—

(1) solicit from the Administrator of the Environmental Protection Agency any information the Administrator may provide to facilitate a review of the publication item;

(2) utilize the Chief Economist of the Department of Agriculture to produce an economic impact statement for the publication item that contains a detailed estimate of potential costs to agricultural entities;

(3) identify individuals representative of potentially affected agricultural entities for the purpose of obtaining advice and recommendations from such individuals about the potential impacts of the publication item; and

(4) convene a review panel for analysis of the publication item that includes the Secretary, any full-time Federal employee of the Department of Agriculture appointed to the panel by the Secretary, and any employee of the Environmental Protection Agency or the Office of Information and Regulatory Affairs within the Office of Management and Budget
that accepts an invitation from the Secretary to participate in the panel.

(c) DUTIES OF THE REVIEW PANEL.—A review panel convened for a publication item under subsection (b)(4) shall—

(1) review any information or material obtained by the Secretary and prepared in connection with the publication item, including any draft proposed guidance, policy, memorandum, regulation, or statement of general applicability and future effect;

(2) collect advice and recommendations from agricultural entity representatives identified by the Administrator after consultation with the Secretary;

(3) compile and analyze such advice and recommendations; and

(4) make recommendations to the Secretary based on the information gathered by the review panel or provided by agricultural entity representatives.

(d) COMMENTS.—

(1) IN GENERAL.—Not later than 60 days after the date the Secretary convenes a review panel pursuant to subsection (b)(4), the Secretary shall submit to the Administrator comments on the planned or proposed guidance, policy, memorandum, regulation, or statement of general applicability and future effect for
consideration and inclusion in any related administrative record, including—

(A) a report by the Secretary on the concerns of agricultural entities;

(B) the findings of the review panel;

(C) the findings of the Secretary, including any adopted findings of the review panel; and

(D) recommendations of the Secretary.

(2) PUBLICATION.—The Secretary shall publish the comments in the Federal Register and make the comments available to the public on the public Internet website of the Department of Agriculture.

(e) WAIVERS.—The Secretary may waive initiation of the review panel under subsection (b)(4) as the Secretary determines appropriate.

(f) DEFINITION OF AGRICULTURAL ENTITY.—In this section, the term “agricultural entity” means any entity involved in or related to agricultural enterprise, including enterprises that are engaged in the business of production of food and fiber, ranching and raising of livestock, aquaculture, and all other farming and agricultural related industries.
SEC. 12311. PROHIBITION ON ATTENDING AN ANIMAL FIGHTING VENTURE OR CAUSING A MINOR TO ATTEND AN ANIMAL FIGHTING VENTURE.

Section 26(a)(1) of the Animal Welfare Act (7 U.S.C. 2156(a)(1)) is amended by striking the period and inserting “or to knowingly attend or knowingly cause a minor to attend an animal fighting venture.”.

SEC. 12312. PROHIBITION AGAINST INTERFERENCE BY STATE AND LOCAL GOVERNMENTS WITH PRODUCTION OR MANUFACTURE OF ITEMS IN OTHER STATES.

(a) In General.—Consistent with Article I, section 8, clause 3 of the Constitution of the United States, the government of a State or locality therein shall not impose a standard or condition on the production or manufacture of any agricultural product sold or offered for sale in interstate commerce if—

(1) such production or manufacture occurs in another State; and

(2) the standard or condition is in addition to the standards and conditions applicable to such production or manufacture pursuant to—

(A) Federal law; and

(B) the laws of the State and locality in which such production or manufacture occurs.
(b) AGRICULTURAL PRODUCT DEFINED.—In this section, the term “agricultural product” has the meaning given such term in section 207 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1626).

SEC. 12313. INCREASED PROTECTION FOR AGRICULTURAL INTERESTS IN THE MISSOURI RIVER BASIN.

(a) FINDINGS.—Congress finds the following:

(1) Record runoff occurred in the Missouri River basin during 2011 as a result of historic rainfall over portions of the upper basin coupled with heavy plains and mountain snowpack.

(2) Runoff above Sioux City, Iowa, during the 5-month period of March through July totaled an estimated 48.4 million acre-feet (referred to in this section as “MAF”). This runoff volume was more than 20 percent greater than the design storm for the Missouri River Mainstem Reservoir System (referred to in this section as the “System”), which was based on the 1881 runoff of 40.0 MAF during the same 5-month period.

(3) During the 2011 runoff season, nearly 61 million acre-feet of water entered the Missouri River system, far surpassing the previous record of 49 MAF in runoff that was set during the flood of 1997.
(4) Given the incredible amount of water entering the System, the summer months were spent working to evacuate as much water from the System as possible, ultimately leading to record high water releases from Gavins Point Dam of 160,000 cubic feet per second, a rate that more than doubled the previous release record of 70,000 cubic feet per second set in 1997.

(5) For nearly four months, those extremely high releases from Gavins Point were maintained, resulting in severe and sustained flooding, with much of western Iowa and eastern Nebraska as well as portions of South Dakota, Kansas, and Missouri inundated by a flooding river three to five feet deep, up to 11 miles wide, and flowing at a rate of 4 to 11 miles per hour.

(6) Thousands of homes and businesses were damaged or destroyed and hundreds of millions of dollars in damage was done to roads and other public infrastructure.

(7) In addition to the homes, businesses, and infrastructure impacted by the flooding, hundreds of thousands of acres of cropland were affected.
(8) The Department of Agriculture has estimated that 400,000 to 500,000 acres of some of the most productive crop land in the world was flooded in 2011.

(9) Local Farm Services Agency representatives have estimated that $82,100,000 was lost in 2011 alone due to damaged or lost crops and unplanted acres.

(10) Not only did the flooding eliminate the 2011 crop, but it is highly unlikely that many farmers will be able to put that land back into production at any point in the near future.

(11) Producers will have to contend with large piles of sand, silt, and other debris that have been deposited in their fields, meaning the impact of the 2011 flood will be felt in the agricultural communities up and down the Missouri River for many years to come.

(12) Currently, the amount of storage capacity in the System that is set aside for flood control is based upon the vacated space required to control the 1881 flood, because prior to the 2011 flood, the 1881 flood was seen as the “high water mark”.

(13) Given the historic flooding that took place in 2011, it is clear that year’s flooding now represents
a new “high water mark”, surpassing the flooding of even the 1881 flood.

(14) It is important that the flood control related functions of the System management be adjusted to reflect the reality of the 2011 flood as the new “worst case scenario” for flooding along the Missouri River.

(15) System management may begin to be adjusted to account for the 2011 flood through a recalculation of the amount of storage space within the System that is allocated to flood control, using the model not of the 1881 flood, but of the greatest flood experienced—the flood of 2011.

(16) As a result of the flooding in 2011, many States received disaster declarations from the Department of Agriculture to help farmers and producers recover from the damage done by the high water.

(17) Though helpful, even the assistance provided by the Department of Agriculture will not provide many in the agriculture community with the resources to put their land back into production any time soon.

(18) Without the protection that will come from a fundamental change in the System’s flood control storage allocations, farmers, producers, and other agricultural interests who may be in a position to re-
start their operations will find it difficult to justify doing so, given the fact that they will not be protected from similar flooding in the future.

(b) Updated Management of the Missouri River To Protect Agricultural Interests.—In order to strengthen the agricultural economy, revitalize the rural communities, and conserve the natural resources of the Missouri River basin, the Congress directs that the Secretary of Agriculture take action to promote immediate increased flood protection to farmers, producers, and other agricultural interests in the Missouri River basin by working within its jurisdiction to support efforts—

(1) to recalculate the amount of space within the System that is allocated to flood control storage using the 2011 flood as the model; and

(2) to increase the Missouri River’s channel capacity between the reservoirs and below Gavins Point.

SEC. 12314. Increased Protection for Agricultural Interests in the Black Dirt Region.

In order to strengthen the agricultural economy, revitalize the rural communities, and conserve the natural resources of the Black Dirt region, the Congress directs that the Secretary of Agriculture take action to promote immediate increased flood protection to farmers, producers, and
other agricultural interests around the Wallkill River and
in the Black Dirt region.

SEC. 12315. PROTECTION OF HONEY BEES AND OTHER POL-
LINATORS.

(a) IN GENERAL.—The Secretary, in consultation with
the Secretary of the Interior and the Administrator of the
Environmental Protection Agency, shall carry out such ac-
tivities as the Secretary determines to be appropriate to
protect and ensure the long-term viability of populations
of honey bees, wild bees, and other beneficial insects of agri-
cultural crops, horticultural plants, wild plants, and other
plants, including—

(1) providing technical expertise relating to pro-
posed agency actions that may threaten pollinator
health or jeopardize the long-term viability of popu-
lations of pollinators;

(2) providing formal guidance on national poli-
cies relating to—

(A) permitting managed honey bees to for-
age on National Forest Service lands where com-
patible with other natural resource management
priorities; and

(B) planting and maintaining managed
honey bee and native pollinator forage on Na-
tional Forest Service lands where compatible
with other natural resource management priorities;

(3) making use of the best available peer-reviewed science regarding environmental and chemical stressors on pollinator health; and

(4) regularly monitoring and reporting on the health and population status of managed and native pollinators including bees, birds, bats, and other species.

(b) Task Force on Bee Health and Commercial Beekeeping.—

(1) Establishment.—The Secretary shall establish a task force—

(A) to coordinate Federal efforts carried out on or after the date of enactment of this Act to address the serious worldwide decline in bee health, especially honey bees and declining native bees; and

(B) to assess Federal efforts to mitigate pollinator losses and threats to the United States commercial beekeeping industry.

(2) Agency Consultation.—The task force established under this subsection shall seek ongoing consultation from any Federal agency carrying out ac-
tivities important to bee health and commercial bee-
keeping, including officials from—

(A) the Department of Agriculture;
(B) the Department of the Interior;
(C) the Environmental Protection Agency;
(D) the Food and Drug Administration;
(E) the Department of Commerce; and
(F) U.S. Customs and Border Protection.

(3) Stakeholder Consultation.—The task
force established under this subsection shall consult
with beekeeper, conservation, scientist, and agricul-
tural stakeholders.

(c) Report to Congress.—Not later than 180 days
after the date of enactment of this Act, the task force estab-
lished under subsection (b) shall submit to Congress a report
that—

(1) summarizes Federal activities carried out
pursuant to subsection (f) of section of the Food, Agri-
culture, Conservation, and Trade Act of 1990 (7
U.S.C. 5925) (as redesignated by section 7209) or any
other provision of law (including regulations) to ad-
dress bee decline;

(2) summarizes international efforts to address
the decline of managed honey bees and native polli-
nators; and
(3) provides recommendations to Congress regarding how to better coordinate Federal agency efforts to address the decline of managed honey bees and native pollinators.

(d) Pollinator Research Lab Feasibility Study.—

(1) In general.—The Secretary, acting through the Administrator of the Agricultural Research Service, may conduct feasibility studies regarding—

(A) re-locating existing honey bee and native pollinator research from Federal laboratories to a cooperator-run facility in a location most geographically appropriate for pollinator research; and

(B) modernizing existing honey bee research laboratories identified by the Agricultural Research Service in the capital investment strategy document dated 2012.

(2) Consultation.—In conducting the feasibility studies under paragraph (1), the Secretary shall consult with—

(A) beekeeper, native bee, agricultural, research institution, and bee conservation stakeholders regarding new research laboratory needs under paragraph (1)(A); and
commercial beekeepers regarding the modernizing of existing honey bee laboratories under paragraph (1)(B).

SEC. 12316. PRODUCE REPRESENTED AS GROWN IN THE UNITED STATES WHEN IT IS NOT IN FACT GROWN IN THE UNITED STATES.

(a) Technical Assistance to CBP.—The Secretary of Agriculture shall make available to U.S. Customs and Border Protection technical assistance related to the identification of produce represented as grown in the United States when it is not in fact grown in the United States.

(b) Report to Congress.—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 produce represented as grown in the United States when it is not in fact grown in the United States.

SEC. 12317. URBAN AGRICULTURE COORDINATION.

The Secretary of Agriculture shall coordinate opportunities for urban agriculture, by—

(1) compiling a list of all programs administered by the Secretary or by the head of any other department, agency, or instrumentality of the United States to which urban farmers can apply for assistance or participation;
(2) examining and implementing opportunities to adjust the regulations governing the programs to enable urban farmers to participate in more of the programs;

(3) developing a process for streamlining the process by which urban farmers may apply for assistance from, or for participation in, the programs, including through the use of a single, harmonized application for multiple programs; and

(4) such other methods as the Secretary deems appropriate.

SEC. 12318. SENSE OF CONGRESS ON INCREASED BUSINESS OPPORTUNITIES FOR BLACK FARMERS, WOMEN, MINORITIES, AND SMALL BUSINESSES.

It is the sense of Congress that the Federal Government should increase the number of contracts the Federal Government awards to black farmers, businesses owned and controlled by women, businesses owned and controlled by minorities, and small business concerns.

SEC. 12319. SENSE OF CONGRESS REGARDING AGRICULTURE SECURITY PROGRAMS.

It is the sense of Congress that—
(1) agricultural nutrients and other agricultural chemicals are essential to ensuring the most efficient production of food, fuel, and fiber;

(2) these products must be properly stored, handled, transported, and used to ensure that they are not misused or cause harm either accidentally or intentionally;

(3) the Department of Agriculture is the Federal agency with the staffing and technical expertise to understand the important role these products play in agriculture;

(4) other Federal departments and agencies have been given lead responsibility to develop and implement security programs affecting the availability, storage, transportation, and use of a variety of chemicals and products used in agriculture;

(5) it is critical that the Department of Agriculture participates fully in the development of any such security programs to ensure that they do not unnecessarily restrict the availability of the most efficient and beneficial products needed to sustain agriculture in the United States;

(6) the Secretary of Agriculture should review staffing at the Department to ensure that the agency has senior employees within the Department at the
Senior Executive Service level or higher, who have responsibility for coordinating with other Federal, State, and international agencies in the development of regulations, guidance, and procedures for the secure handling of agricultural chemicals; and

(7) such employees shall—

(A) work with manufacturers, retailers, and the general farm community to review existing and proposed Federal, State, and international agricultural chemical security regulations;

(B) coordinate with manufacturers, retailers, transporters, and farmers to evaluate how existing and proposed security regulations, including systems to track the sale, transportation, delivery, and use of agricultural products, can be designed to minimize any adverse impact on agricultural productivity;

(C) evaluate how existing and proposed security regulations will affect the ability of agricultural producers to have timely access to nutrients, chemicals, and other products that are affordable and best suited to the producers’ operations;

(D) develop recommendations on best practices, policies, and regulatory mechanisms relat-
ing to existing and proposed security programs
to ensure that there is minimal adverse impact
on agricultural productivity; and

(E) engage with Federal agencies with res-
sponsibility for establishing security programs to
ensure that they have the information needed to
develop procedures for effective security adminis-
tration and enforcement that minimize any ad-
verse impact on domestic or international agri-
cultural productivity.

SEC. 12320. REPORT ON WATER SHARING.

Not later than 120 days after the date of the enactment
of this Act and annually thereafter, the Secretary of State
shall submit to Congress a report on—

(1) efforts by Mexico to meet its treaty deliveries
of water to the Rio Grande in accordance with the
Treaty between the United States and Mexico Re-
specting Utilization of waters of the Colorado and Ti-
juana Rivers and of the Rio Grande (done at Wash-
ington, February 3, 1944); and

(2) the benefits to the United States of the In-
terim International Cooperative Measures in the Colo-
rado River Basin through 2017 and Extension of
Minute 318 Cooperative Measures to Address the Con-
tinued Effects of the April 2010 Earthquake in the
Mexicali Valley, Baja, California (done at Coronado, California, November 20, 2012; commonly referred to as “Minute No. 319”).

SEC. 12321. SCIENTIFIC AND ECONOMIC ANALYSIS OF THE FDA FOOD SAFETY MODERNIZATION ACT.

(a) In General.—The Secretary of Health and Human Services (referred to in this section as the “Secretary”) may not enforce any regulations promulgated under the FDA Food Safety Modernization Act (Public Law 111–353) until the Secretary publishes in the Federal Register the following:

(1) An analysis of the scientific information used in the final rule to implement the FDA Food Safety Modernization Act with a particular focus on—

(A) agricultural businesses of a variety of sizes;

(B) regional differences of agriculture production, processing, marketing, and value added production;

(C) agricultural businesses that are diverse livestock and produce producers; and

(D) what, if any, negative impact on the agricultural businesses would be created, or exacerbated, by implementation of the FDA Food Safety Modernization Act.
(2) An analysis of the economic impact of the proposed final rule to implement the FDA Food Safety Modernization Act with a particular focus on—

(A) agricultural businesses of a variety of sizes; and

(B) small and mid-sized value added food processors.

(3) A plan to systematically evaluate the regulations by surveying farmers and processors and developing an ongoing process to evaluate and address business concerns.

(b) ANNUAL 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, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives a report on the impact of implementation of the regulations promulgated under the FDA Food Safety Modernization Act.

SEC. 12322. IMPROVED DEPARTMENT OF AGRICULTURE CONSIDERATION OF ECONOMIC IMPACT OF REGULATIONS ON SMALL BUSINESS.

The Secretary of Agriculture shall complete procedures consistent with the requirements of subsection (b) of section 609 of title 5, United States Code, whenever the Department of Agriculture promulgates any rule which will have a sig-
nificant economic impact on a substantial number of small entities.

SEC. 12323. SILVICULTURAL ACTIVITIES.

Section 402(l) of the Federal Water Pollution Control Act (33 U.S.C. 1342(l)) is amended by adding at the end the following:

“(3) SILVICULTURAL ACTIVITIES.—

“(A) NPDES PERMIT REQUIREMENTS FOR SILVICULTURAL ACTIVITIES.—The Administrator shall not require a permit or otherwise promulgate regulations under this section or directly or indirectly require any State to require a permit under this section for a discharge of stormwater runoff resulting from the conduct of the following silviculture activities: nursery operations, site preparation, reforestation and subsequent cultural treatment, thinning, prescribed burning, pest and fire control, harvesting operations, surface drainage, and road use, construction, and maintenance.

“(B) PERMITS FOR DREDGED OR FILL MATERIAL.—Nothing in this paragraph exempts a silvicultural activity resulting in the discharge of dredged or fill material from any permitting requirement under section 404.”.
SEC. 12324. APPLICABILITY OF SPILL PREVENTION, CONTROL, AND COUNTERMEASURE RULE.

(a) IN GENERAL.—The Administrator, in implementing the Spill Prevention, Control, and Countermeasure rule with respect to any farm, shall—

   (1) require certification of compliance with such rule by—

      (A) a professional engineer for a farm with—

         (i) an individual tank with an above-ground storage capacity greater than 10,000 gallons;

         (ii) an aggregate aboveground storage capacity greater than or equal to 42,000 gallons; or

         (iii) a history that includes a spill, as determined by the Administrator; or

      (B) the owner or operator of the farm (via self-certification) for a farm with—

         (i) an aggregate aboveground storage capacity greater than 10,000 gallons but less than 42,000 gallons; and

         (ii) no history of spills, as determined by the Administrator; and

   (2) exempt from all requirements of such rule any farm—
(A) with an aggregate aboveground storage capacity of less than or equal to 10,000 gallons; and

(B) no history of spills, as determined by the Administrator.

(b) Calculation of Aggregate Aboveground Storage Capacity.—For the purposes of subsection (a), the aggregate aboveground storage capacity of a farm excludes—

(1) all containers on separate parcels that have a capacity that is less than 1,320 gallons; and

(2) all storage containers holding animal feed ingredients approved for use in livestock feed by the Food and Drug Administration.

(c) Definitions.—In this section, the following definitions apply:

(1) Administrator.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) Farm.—The term “farm” has the meaning given such term in section 112.2 of title 40, Code of Federal Regulations.

(3) Gallon.—The term “gallon” refers to a United States liquid gallon.
(4) HISTORY OF SPILLS.—The term “history of spills” has the meaning used to describe the term “reportable discharge history” in section 112.7(k)(1) of title 40, Code of Federal Regulations (or successor regulations).

(5) SPILL PREVENTION, CONTROL, AND COUNTERMEASURE RULE.—The term “Spill Prevention, Control, and Countermeasure rule” means the regulation promulgated by the Environmental Protection Agency under part 112 of title 40, Code of Federal Regulations.

SEC. 12325. AGRICULTURAL PRODUCER INFORMATION DISCLOSURE.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) AGENCY.—The term “Agency” means the Environmental Protection Agency.

(3) AGRICULTURAL OPERATION.—The term “agricultural operation” includes any operation where an agricultural commodity crop is raised, including livestock operations.
(4) Livestock operation.—The term “livestock operation” includes any operation involved in the raising or finishing of livestock or poultry.

(b) Disclosure of Information.—

(1) Prohibition.—Except as provided in paragraph (2), the Administrator, any officer or employee of the Agency, or any contractor of the Agency, shall not make public the information of any owner, operator, or employee of an agricultural operation provided to the Agency by a farmer, rancher, or livestock producer or a State agency that has been obtained in accordance with the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) or any other law, including—

(A) names;

(B) telephone numbers;

(C) email addresses;

(D) physical addresses;

(E) Global Positioning System coordinates;

or

(F) other identifying location information.

(2) Effect.—Nothing in paragraph (1) affects—

(A) the disclosure of information described in paragraph (1) if—
(i) the information has been transformed into a statistical or aggregate form at the county level or higher without any information that identifies the agricultural operation or agricultural producer; or

(ii) the producer consents to the disclosure; or

(B) the authority of any State agency to collect information on livestock operations.

(3) CONDITION OF PERMIT OR OTHER PROGRAMS.—The approval of any permit, practice, or program administered by the Administrator shall not be conditioned on the consent of the agricultural producer or livestock producer under paragraph (2)(A)(ii).

SEC. 12326. REPORT ON NATIONAL OCEAN POLICY.

(a) FINDINGS.—Congress finds the following:

(1) Executive Order No. 13547, issued on July 19, 2010, established the national policy for the Stewardship of the Ocean, Our Coasts, and the Great Lakes and requires—

(A) Federal implementation of “ecosystem-based management” to achieve a “fundamental shift” in how the United States manages ocean, coastal, and Great Lakes resources; and
(B) the establishment of nine new governmental “Regional Planning Bodies” and “Coastal and Marine Spatial Plans” in every region of the United States.

(2) Executive Order No. 13547 created a 54-member National Ocean Council led by the White House Council on Environmental Quality and Office of Science and Technology Policy that includes 54 principal and deputy-level representatives from Federal entities, including the Department of Agriculture.

(3) Executive Order No. 13547 requires National Ocean Council members, including the Department of Agriculture, to take action to implement the Policy and participate in coastal and marine spatial planning to the maximum extent possible.

(4) The Final Recommendations of the Intergovernmental Ocean Policy Task Force that were adopted by Executive Order No. 13547 state that “effective” implementation of the National Ocean Policy will “require clear and easily understood requirements and regulations, where appropriate, that include enforcement as a critical component”.

(5) Despite repeated Congressional requests, the National Ocean Council, which is charged with overseeing implementation of the policy, has still not pro-
vided a complete accounting of Federal activities
under the policy and resources expended and allocated
in furtherance of implementation of the policy.

(6) The continued economic and budgetary chal-
lenges of the United States underscore the necessity
for sound, transparent, and practical Federal policies.

(b) REPORT.—Not later than 90 days after the date
of the enactment of this Act, the Inspector General of the
Department 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 detailing—

(1) all activities engaged in and resources ex-
pended in furtherance of Executive Order No. 13547
since July 19, 2010; and

(2) any budget requests for fiscal year 2014 for
support of implementation of Executive Order No.
13547.

SEC. 12327. SUNSETTING OF PROGRAMS.

(a) IN GENERAL.—Subject to subsection (b), each fiscal
year the Secretary of Agriculture may not carry out any
program—

(1) for which an authorization of appropriations
is established or extended under this Act; and
(2) that is funded by discretionary appropriations (as defined in section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c))).

(b) EFFECTIVE DATE.—Subsection (a) shall take effect with respect to a program referred to in such subsection on the date on which the authorization of appropriations under this Act for such program expires.

(c) EXISTING OBLIGATIONS.—Subsection (a) does not affect the ability of the Secretary to carry out responsibilities with regard to loans, grants, or other obligations made or in existence before an applicable effective date under subsection (b).

Subtitle D—Chesapeake Bay Accountability and Recovery

SEC. 12401. SHORT TITLE.

This subtitle may be cited as the “Chesapeake Bay Accountability and Recovery Act of 2013”.

SEC. 12402. CHESAPEAKE BAY CROSSCUT BUDGET.

(a) CROSSCUT BUDGET.—The Director, in consultation with the Chesapeake Executive Council, the chief executive of each Chesapeake Bay State, and the Chesapeake Bay Commission, shall submit to Congress a financial report containing—
(1) an interagency crosscut budget that displays—

(A) the proposed funding for any Federal restoration activity to be carried out in the succeeding fiscal year, including any planned inter-agency or intra-agency transfer, for each of the Federal agencies that carry out restoration activities;

(B) to the extent that information is available, the estimated funding for any State restoration activity to be carried out in the succeeding fiscal year;

(C) all expenditures for Federal restoration activities from the preceding 2 fiscal years, the current fiscal year, and the succeeding fiscal year; and

(D) all expenditures, to the extent that information is available, for State restoration activities during the equivalent time period described in subparagraph (C);

(2) a detailed accounting of all funds received and obligated by all Federal agencies for restoration activities during the current and preceding fiscal years, including the identification of funds which
were transferred to a Chesapeake Bay State for restoration activities;

(3) to the extent that information is available, a detailed accounting from each State of all funds received and obligated from a Federal agency for restoration activities during the current and preceding fiscal years; and

(4) a description of each of the proposed Federal and State restoration activities to be carried out in the succeeding fiscal year (corresponding to those activities listed in subparagraphs (A) and (B) of paragraph (1)), including the—

(A) project description;

(B) current status of the project;

(C) Federal or State statutory or regulatory authority, programs, or responsible agencies;

(D) authorization level for appropriations;

(E) project timeline, including benchmarks;

(F) references to project documents;

(G) descriptions of risks and uncertainties of project implementation;

(H) adaptive management actions or framework;

(I) coordinating entities;

(J) funding history;
(K) cost sharing; and

(L) alignment with existing Chesapeake Bay Agreement and Chesapeake Executive Council goals and priorities.

(b) **MINIMUM FUNDING LEVELS.**—The Director shall only describe restoration activities in the report required under subsection (a) that—

(1) for Federal restoration activities, have funding amounts greater than or equal to $100,000; and

(2) for State restoration activities, have funding amounts greater than or equal to $50,000.

(c) **DEADLINE.**—The Director shall submit to Congress the report required by subsection (a) not later than 30 days after the submission by the President of the President’s annual budget to Congress.

(d) **REPORT.**—Copies of the financial report required by subsection (a) shall be submitted to the Committees on Appropriations, Natural Resources, Energy and Commerce, and Transportation and Infrastructure of the House of Representatives and the Committees on Appropriations, Environment and Public Works, and Commerce, Science, and Transportation of the Senate.

(e) **EFFECTIVE DATE.**—This section shall apply beginning with the first fiscal year after the date of enactment.
of this Act for which the President submits a budget to Con-
gress.

SEC. 12403. RESTORATION THROUGH ADAPTIVE MANAGE-
MENT.

(a) IN GENERAL.—Not later than 1 year after the date
of enactment of this Act, the Administrator, in consultation
with other Federal and State agencies, and with the partici-
pation of stakeholders, shall develop a plan to provide tech-
nical and financial assistance to Chesapeake Bay States to
employ adaptive management in carrying out restoration
activities in the Chesapeake Bay watershed.

(b) PLAN DEVELOPMENT.—The plan referred to in
subsection (a) shall include—

(1) specific and measurable objectives to improve
water quality, habitat, and fisheries identified by
Chesapeake Bay States;

(2) a process for stakeholder participation;

(3) monitoring, modeling, experimentation, and
other research and evaluation technical assistance re-
quested by Chesapeake Bay States;

(4) identification of State restoration activities
planned by Chesapeake Bay States to attain the
State’s objectives under paragraph (1);
(5) identification of Federal restoration activities that could help a Chesapeake Bay State to attain the State’s objectives under paragraph (1);

(6) recommendations for a process for modification of State and Federal restoration activities that have not attained or will not attain the specific and measurable objectives set forth under paragraph (1); and

(7) recommendations for a process for integrating and prioritizing State and Federal restoration activities and programs to which adaptive management can be applied.

(c) IMPLEMENTATION.—In addition to carrying out Federal restoration activities under existing authorities and funding, the Administrator shall implement the plan developed under subsection (a) by providing technical and financial assistance to Chesapeake Bay States using resources available for such purposes that are identified by the Director under section 11402.

(d) UPDATES.—The Administrator shall update the plan developed under subsection (a) every 2 years.

(e) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 60 days after the end of a fiscal year, the Administrator shall transmit to Congress an annual report on the imple-
mentation of the plan required under this section for such fiscal year.

(2) CONTENTS.—The report required under paragraph (1) shall contain information about the application of adaptive management to restoration activities and programs, including level changes implemented through the process of adaptive management.

(3) EFFECTIVE DATE.—Paragraph (1) shall apply to the first fiscal year that begins after the date of enactment of this Act.

(f) INCLUSION OF PLAN IN ANNUAL ACTION PLAN AND ANNUAL PROGRESS REPORT.—The Administrator shall ensure that the Annual Action Plan and Annual Progress Report required by section 205 of Executive Order No. 13508 includes the adaptive management plan outlined in subsection (a).

SEC. 12404. INDEPENDENT EVALUATOR FOR THE CHESAPEAKE BAY PROGRAM.

(a) IN GENERAL.—There shall be an Independent Evaluator for restoration activities in the Chesapeake Bay watershed, who shall review and report on restoration activities and the use of adaptive management in restoration activities, including on such related topics as are suggested by the Chesapeake Executive Council.
(b) APPOINTMENT.—

(1) IN GENERAL.—The Independent Evaluator shall be appointed by the Administrator from among nominees submitted by the Chesapeake Executive Council.

(2) NOMINATIONS.—The Chesapeake Executive Council may submit to the Administrator 4 nominees for appointment to any vacancy in the office of the Independent Evaluator.

(c) REPORTS.—The Independent Evaluator shall submit a report to the Congress every 2 years in the findings and recommendations of reviews under this section.

(d) CHESAPEAKE EXECUTIVE COUNCIL.—In this section, the term “Chesapeake Executive Council” has the meaning given that term by section 307 of the National Oceanic and Atmospheric Administration Authorization Act of 1992 (Public Law 102–567; 15 U.S.C. 1511d).

SEC. 12405. DEFINITIONS.

In this subtitle, the following definitions apply:

(1) ADAPTIVE MANAGEMENT.—The term “adaptive management” means a type of natural resource management in which project and program decisions are made as part of an ongoing science-based process. Adaptive management involves testing, monitoring, and evaluating applied strategies and incorporating
new knowledge into programs and restoration activities that are based on scientific findings and the needs of society. Results are used to modify management policy, strategies, practices, programs, and restoration activities.

(2) **ADMINISTRATOR**.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(3) **CHESAPEAKE BAY STATE**.—The term “Chesapeake Bay State” or “State” means the States of Maryland, West Virginia, Delaware, and New York, the Commonwealths of Virginia and Pennsylvania, and the District of Columbia.

(4) **CHESAPEAKE BAY WATERSHED**.—The term “Chesapeake Bay watershed” means the Chesapeake Bay and the geographic area, as determined by the Secretary of the Interior, consisting of 36 tributary basins, within the Chesapeake Bay States, through which precipitation drains into the Chesapeake Bay.

(5) **CHIEF EXECUTIVE**.—The term “chief executive” means, in the case of a State or Commonwealth, the Governor of each such State or Commonwealth and, in the case of the District of Columbia, the Mayor of the District of Columbia.
(6) **DIRECTOR.**—The term “Director” means the Director of the Office of Management and Budget.

(7) **STATE RESTORATION ACTIVITIES.**—The term “State restoration activities” means any State programs or projects carried out under State authority that directly or indirectly protect, conserve, or restore living resources, habitat, water resources, or water quality in the Chesapeake Bay watershed, including programs or projects that promote responsible land use, stewardship, and community engagement in the Chesapeake Bay watershed. Restoration activities may be categorized as follows:

(A) Physical restoration.

(B) Planning.

(C) Feasibility studies.

(D) Scientific research.

(E) Monitoring.

(F) Education.

(G) Infrastructure development.

(8) **FEDERAL RESTORATION ACTIVITIES.**—The term “Federal restoration activities” means any Federal programs or projects carried out under existing Federal authority that directly or indirectly protect, conserve, or restore living resources, habitat, water resources, or water quality in the Chesapeake Bay wa-
tershed, including programs or projects that provide financial and technical assistance to promote responsible land use, stewardship, and community engagement in the Chesapeake Bay watershed. Restoration activities may be categorized as follows:

(A) Physical restoration.

(B) Planning.

(C) Feasibility studies.

(D) Scientific research.

(E) Monitoring.

(F) Education.

(G) Infrastructure development.

Attest:

Clerk.
SENATE AMENDMENT

HOUSE AMENDMENT TO

H.R. 2642