

113TH CONGRESS
1ST SESSION

H. R. 2642

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.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

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
 4 of 2013”.

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

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

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- Sec. 1208. Special competitive provisions for extra long staple cotton.
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Sec. 11405. Definitions.

1 **SEC. 2. DEFINITION OF SECRETARY OF AGRICULTURE.**

2 In this Act, the term “Secretary” means the Sec-
3 retary of Agriculture.

4 **TITLE I—COMMODITIES**

5 **Subtitle A—Repeals and Reforms**

6 **SEC. 1101. REPEAL OF DIRECT PAYMENTS.**

7 (a) REPEAL.—Sections 1103 and 1303 of the Food,
8 Conservation, and Energy Act of 2008 (7 U.S.C. 8713,
9 8753) are repealed.

10 (b) CONTINUED APPLICATION FOR 2013 CROP
11 YEAR.—Sections 1103 and 1303 of the Food, Conserva-
12 tion, and Energy Act of 2008 (7 U.S.C. 8713, 8753), as
13 in effect on the day before the date of enactment of this
14 Act, shall continue to apply through the 2013 crop year
15 with respect to all covered commodities (as defined in sec-
16 tion 1001 of that Act (7 U.S.C. 8702)) and peanuts on
17 a farm.

18 (c) CONTINUED APPLICATION FOR 2014 AND 2015
19 CROP YEARS.—Subject to this subtitle, the amendments
20 made by sections 1603 and 1604 of this Act, and sections
21 1607 and 1611 of this Act, section 1103 of the Food, Con-
22 servation and Energy Act of 2008 (7 U.S.C. 8713), as

1 in effect on the day before the date of enactment of this
2 Act, shall continue to apply through the 2014 and 2015
3 crop years with respect to upland cotton only (as defined
4 in section 1001 of that Act (7 U.S.C. 8702)), except that,
5 in applying such section 1103, the term “payment acres”
6 means the following:

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

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

13 **SEC. 1102. REPEAL OF COUNTER-CYCLICAL PAYMENTS.**

14 (a) REPEAL.—Sections 1104 and 1304 of the Food,
15 Conservation, and Energy Act of 2008 (7 U.S.C. 8714,
16 8754) are repealed.

17 (b) CONTINUED APPLICATION FOR 2013 CROP
18 YEAR.—Sections 1104 and 1304 of the Food, Conserva-
19 tion, and Energy Act of 2008 (7 U.S.C. 8714, 8754), as
20 in effect on the day before the date of enactment of this
21 Act, shall continue to apply through the 2013 crop year
22 with respect to all covered commodities (as defined in sec-
23 tion 1001 of that Act (7 U.S.C. 8702)) and peanuts on
24 a farm.

1 **SEC. 1103. REPEAL OF AVERAGE CROP REVENUE ELECTION**
2 **PROGRAM.**

3 (a) REPEAL.—Section 1105 of the Food, Conserva-
4 tion, and Energy Act of 2008 (7 U.S.C. 8715) is repealed.

5 (b) CONTINUED APPLICATION FOR 2013 CROP
6 YEAR.—Section 1105 of the Food, Conservation, and En-
7 ergy Act of 2008 (7 U.S.C. 8715), as in effect on the day
8 before the date of enactment of this Act, shall continue
9 to apply through the 2013 crop year with respect to all
10 covered commodities (as defined in section 1001 of that
11 Act (7 U.S.C. 8702)) and peanuts on a farm for which
12 the irrevocable election under section 1105 of that Act was
13 made before the date of enactment of this Act.

14 **SEC. 1104. DEFINITIONS.**

15 In this subtitle and subtitle B:

16 (1) ACTUAL COUNTY REVENUE.—The term “ac-
17 tual county revenue”, with respect to a covered com-
18 modity for a crop year, means the amount deter-
19 mined by the Secretary under section 1107(c)(4) to
20 determine whether revenue loss coverage payments
21 are required to be provided for that crop year.

22 (2) BASE ACRES.—The term “base acres”, with
23 respect to a covered commodity and cotton on a
24 farm, means the number of acres established under
25 sections 1101 and 1302 of the Farm Security and
26 Rural Investment Act of 2002 (7 U.S.C. 7911,

1 7952) or sections 1101 and 1302 of the Food, Con-
2 servation, and Energy Act of 2008 (7 U.S.C. 8711,
3 8752), as in effect on September 30, 2013, subject
4 to any adjustment under section 1105 of this Act.
5 For purposes of making payments under subsections
6 (b) and (c) of section 1107, base acres are reduced
7 by the payment acres calculated in section 1101(c).

8 (3) COUNTY REVENUE LOSS COVERAGE TRIG-
9 GER.—The term “county revenue loss coverage trig-
10 ger”, with respect to a covered commodity for a crop
11 year, means the amount determined by the Secretary
12 under section 1107(c)(5) to determine whether rev-
13 enue loss coverage payments are required to be pro-
14 vided for that crop year.

15 (4) COVERED COMMODITY.—The term “covered
16 commodity” means wheat, oats, and barley (includ-
17 ing wheat, oats, and barley used for haying and
18 grazing), corn, grain sorghum, long grain rice, me-
19 dium grain rice, pulse crops, soybeans, other oil-
20 seeds, and peanuts.

21 (5) EFFECTIVE PRICE.—The term “effective
22 price”, with respect to a covered commodity for a
23 crop year, means the price calculated by the Sec-
24 retary under section 1107(b)(2) to determine wheth-

1 er price loss coverage payments are required to be
2 provided for that crop year.

3 (6) EXTRA LONG STAPLE COTTON.—The term
4 “extra long staple cotton” means cotton that—

5 (A) is produced from pure strain varieties
6 of the Barbados species or any hybrid of the
7 species, or other similar types of extra long sta-
8 ple cotton, designated by the Secretary, having
9 characteristics needed for various end uses for
10 which United States upland cotton is not suit-
11 able and grown in irrigated cotton-growing re-
12 gions of the United States designated by the
13 Secretary or other areas designated by the Sec-
14 retary as suitable for the production of the vari-
15 eties or types; and

16 (B) is ginned on a roller-type gin or, if au-
17 thorized by the Secretary, ginned on another
18 type gin for experimental purposes.

19 (7) FARM BASE ACRES.—The term “farm base
20 acres” means the sum of the base acreage for all
21 covered commodities and cotton on a farm in effect
22 as of September 30, 2013, and subject to any ad-
23 justment under section 1105.

24 (8) MEDIUM GRAIN RICE.—The term “medium
25 grain rice” includes short grain rice.

1 (9) MIDSEASON PRICE.—The term “midseason
2 price” means the applicable national average market
3 price received by producers for the first 5 months of
4 the applicable marketing year, as determined by the
5 Secretary.

6 (10) OTHER OILSEED.—The term “other oil-
7 seed” means a crop of sunflower seed, rapeseed,
8 canola, safflower, flaxseed, mustard seed, crambe,
9 sesame seed, or any oilseed designated by the Sec-
10 retary.

11 (11) PAYMENT ACRES.—

12 (A) IN GENERAL.—Except as provided in
13 subparagraphs (B) through (D), the term “pay-
14 ment acres”, with respect to the provision of
15 price loss coverage payments and revenue loss
16 coverage payments, means—

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

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

23 (B) MAXIMUM.—The total quantity of pay-
24 ment acres determined under subparagraph (A)
25 shall not exceed the farm base acres.

1 (C) REDUCTION.—If the sum of all pay-
2 ment acres for a farm exceeds the limits estab-
3 lished under subparagraph (B), the Secretary
4 shall reduce the payment acres applicable to
5 each crop proportionately.

6 (D) EXCLUSION.—The term “payment
7 acres” does not include any crop subsequently
8 planted during the same crop year on the same
9 land for which the first crop is eligible for pay-
10 ments under this subtitle, unless the crop was
11 approved for double cropping in the county, as
12 determined by the Secretary.

13 (12) PAYMENT YIELD.—The term “payment
14 yield” means the yield established for counter-cycli-
15 cal payments under section 1102 or 1302 of the
16 Farm Security and Rural Investment Act of 2002 (7
17 U.S.C. 7912, 7952), section 1102 of the Food, Con-
18 servation, and Energy Act of 2008 (7 U.S.C. 8712),
19 as in effect on September 30, 2013, or under section
20 1106 of this Act, for a farm for a covered com-
21 modity.

22 (13) PRICE LOSS COVERAGE.—The term “price
23 loss coverage” means coverage provided under sec-
24 tion 1107(b).

25 (14) PRODUCER.—

1 (A) IN GENERAL.—The term “producer”
2 means an owner, operator, landlord, tenant, or
3 sharecropper that shares in the risk of pro-
4 ducing a crop and is entitled to share in the
5 crop available for marketing from the farm, or
6 would have shared had the crop been produced.

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

10 (i) not take into consideration the ex-
11 istence of a hybrid seed contract; and

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

16 (15) PULSE CROP.—The term “pulse crop”
17 means dry peas, lentils, small chickpeas, and large
18 chickpeas.

19 (16) REFERENCE PRICE.—The term “reference
20 price”, with respect to a covered commodity for a
21 crop year, means the following:

22 (A) Wheat, \$5.50 per bushel.

23 (B) Corn, \$3.70 per bushel.

24 (C) Grain sorghum, \$3.95 per bushel.

25 (D) Barley, \$4.95 per bushel.

1 (E) Oats, \$2.40 per bushel.

2 (F) Long grain rice, \$14.00 per hundred-
3 weight.

4 (G) Medium grain rice, \$14.00 per hun-
5 dredweight.

6 (H) Soybeans, \$8.40 per bushel.

7 (I) Other oilseeds, \$20.15 per hundred-
8 weight.

9 (J) Peanuts \$535.00 per ton.

10 (K) Dry peas, \$11.00 per hundredweight.

11 (L) Lentils, \$19.97 per hundredweight.

12 (M) Small chickpeas, \$19.04 per hundred-
13 weight.

14 (N) Large chickpeas, \$21.54 per hundred-
15 weight.

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

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

21 (19) STATE.—The term “State” means—

22 (A) a State;

23 (B) the District of Columbia;

24 (C) the Commonwealth of Puerto Rico;

25 and

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

3 (20) TEMPERATE JAPONICA RICE.—The term
4 “temperate japonica rice” means rice that is grown
5 in high altitudes or temperate regions of high lati-
6 tudes with cooler climate conditions, in the Western
7 United States, as determined by the Secretary.

8 (21) TRANSITIONAL YIELD.—The term “transi-
9 tional yield” has the meaning given the term in sec-
10 tion 502(b) of the Federal Crop Insurance Act (7
11 U.S.C. 1502(b)).

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

15 (23) UNITED STATES PREMIUM FACTOR.—The
16 term “United States Premium Factor” means the
17 percentage by which the difference in the United
18 States loan schedule premiums for Strict Middling
19 (SM) 1 $\frac{1}{8}$ -inch upland cotton and for Middling (M)
20 1 $\frac{3}{32}$ -inch upland cotton exceeds the difference in the
21 applicable premiums for comparable international
22 qualities.

23 **SEC. 1105. BASE ACRES.**

24 (a) ADJUSTMENT OF BASE ACRES.—

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

5 (A) A conservation reserve contract en-
6 tered into under section 1231 of the Food Secu-
7 rity Act of 1985 (16 U.S.C. 3831) with respect
8 to the farm expires or is voluntarily terminated.

9 (B) Cropland is released from coverage
10 under a conservation reserve contract by the
11 Secretary.

12 (C) The producer has eligible oilseed acre-
13 age as the result of the Secretary designating
14 additional oilseeds, which shall be determined in
15 the same manner as eligible oilseed acreage
16 under section 1101(a)(1)(D) of the Food, Con-
17 servation, and Energy Act of 2008 (7 U.S.C.
18 8711(a)(1)(D)).

19 (2) SPECIAL CONSERVATION RESERVE ACREAGE
20 PAYMENT RULES.—For the crop year in which a
21 base acres adjustment under subparagraph (A) or
22 (B) of paragraph (1) is first made, the owner of the
23 farm shall elect to receive price loss coverage or rev-
24 enue loss coverage with respect to the acreage added
25 to the farm under this subsection or a prorated pay-

1 ment under the conservation reserve contract, but
2 not both.

3 (b) PREVENTION OF EXCESS BASE ACRES.—

4 (1) REQUIRED REDUCTION.—If the sum of the
5 base acres for a farm, together with the acreage de-
6 scribed in paragraph (2) exceeds the actual cropland
7 acreage of the farm, the Secretary shall reduce the
8 base acres for 1 or more covered commodities or cot-
9 ton for the farm so that the sum of the base acres
10 and acreage described in paragraph (2) does not ex-
11 ceed the actual cropland acreage of the farm.

12 (2) OTHER ACREAGE.—For purposes of para-
13 graph (1), the Secretary shall include the following:

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

19 (B) Any other acreage on the farm en-
20 rolled in a Federal conservation program for
21 which payments are made in exchange for not
22 producing an agricultural commodity on the
23 acreage.

24 (C) If the Secretary designates additional
25 oilseeds, any eligible oilseed acreage, which shall

1 be determined in the same manner as eligible
2 oilseed acreage under subsection (a)(1)(C).

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

8 (4) EXCEPTION FOR DOUBLE-CROPPED ACRE-
9 AGE.—In applying paragraph (1), the Secretary
10 shall make an exception in the case of double crop-
11 ping, as determined by the Secretary.

12 (c) REDUCTION IN BASE ACRES.—

13 (1) REDUCTION AT OPTION OF OWNER.—

14 (A) IN GENERAL.—The owner of a farm
15 may reduce, at any time, the base acres for any
16 covered commodity or cotton for the farm.

17 (B) EFFECT OF REDUCTION.—A reduction
18 under subparagraph (A) shall be permanent
19 and made in a manner prescribed by the Sec-
20 retary.

21 (2) REQUIRED ACTION BY SECRETARY.—

22 (A) IN GENERAL.—The Secretary shall
23 proportionately reduce base acres on a farm for
24 covered commodities and cotton for land that
25 has been subdivided and developed for multiple

1 residential units or other nonfarming uses if the
2 size of the tracts and the density of the subdivi-
3 sion is such that the land is unlikely to return
4 to the previous agricultural use, unless the pro-
5 ducers on the farm demonstrate that the land—

6 (i) remains devoted to commercial ag-
7 ricultural production; or

8 (ii) is likely to be returned to the pre-
9 vious agricultural use.

10 (B) REQUIREMENT.—The Secretary shall
11 establish procedures to identify land described
12 in subparagraph (A).

13 **SEC. 1106. PAYMENT YIELDS.**

14 (a) ESTABLISHMENT AND PURPOSE.—For the pur-
15 pose of making payments under this subtitle, the Sec-
16 retary shall provide for the establishment of a yield for
17 each farm for any designated oilseed for which a payment
18 yield was not established under section 1102 of the Food,
19 Conservation, and Energy Act of 2008 (7 U.S.C. 8712)
20 in accordance with this section.

21 (b) PAYMENT YIELDS FOR DESIGNATED OIL-
22 SEEDS.—

23 (1) DETERMINATION OF AVERAGE YIELD.—In
24 the case of designated oilseeds, the Secretary shall
25 determine the average yield per planted acre for the

1 designated oilseed on a farm for the 1998 through
2 2001 crop years, excluding any crop year in which
3 the acreage planted to the designated oilseed was
4 zero.

5 (2) ADJUSTMENT FOR PAYMENT YIELD.—

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

9 (i) The average yield for the des-
10 ignated oilseed determined under para-
11 graph (1).

12 (ii) The ratio resulting from dividing
13 the national average yield for the des-
14 ignated oilseed for the 1981 through 1985
15 crops by the national average yield for the
16 designated oilseed for the 1998 through
17 2001 crops.

18 (B) NO NATIONAL AVERAGE YIELD INFOR-
19 MATION AVAILABLE.—To the extent that na-
20 tional average yield information for a des-
21 ignated oilseed is not available, the Secretary
22 shall use such information as the Secretary de-
23 termines to be fair and equitable to establish a
24 national average yield under this section.

1 (3) USE OF COUNTY AVERAGE YIELD.—If the
2 yield per planted acre for a crop of a designated oil-
3 seed for a farm for any of the 1998 through 2001
4 crop years was less than 75 percent of the county
5 yield for that designated oilseed, the Secretary shall
6 assign a yield for that crop year equal to 75 percent
7 of the county yield for the purpose of determining
8 the average under paragraph (1).

9 (4) NO HISTORIC YIELD DATA AVAILABLE.—In
10 the case of establishing yields for designated oil-
11 seeds, if historic yield data is not available, the Sec-
12 retary shall use the ratio for dry peas calculated
13 under paragraph (2)(A)(ii) in determining the yields
14 for designated oilseeds, as determined to be fair and
15 equitable by the Secretary.

16 (c) EFFECT OF LACK OF PAYMENT YIELD.—

17 (1) ESTABLISHMENT BY SECRETARY.—If no
18 payment yield is otherwise established for a farm for
19 which a covered commodity is planted and eligible to
20 receive price loss coverage payments, the Secretary
21 shall establish an appropriate payment yield for the
22 covered commodity on the farm under paragraph
23 (2).

24 (2) USE OF SIMILARLY SITUATED FARMS.—To
25 establish an appropriate payment yield for a covered

1 commodity on a farm as required by paragraph (1),
2 the Secretary shall take into consideration the farm
3 program payment yields applicable to that covered
4 commodity for similarly situated farms. The use of
5 such data in an appeal, by the Secretary or by the
6 producer, shall not be subject to any other provision
7 of law.

8 (d) SINGLE OPPORTUNITY TO UPDATE YIELDS
9 USED TO DETERMINE PRICE LOSS COVERAGE PAY-
10 MENTS.—

11 (1) ELECTION TO UPDATE.—At the sole discre-
12 tion of the owner of a farm, the owner of a farm
13 shall have a 1-time opportunity to update the pay-
14 ment yields on a covered commodity-by-covered-com-
15 modity basis that would otherwise be used in calcu-
16 lating any price loss coverage payment for covered
17 commodities on the farm.

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

22 (3) METHOD OF UPDATING YIELDS.—If the
23 owner of a farm elects to update yields under this
24 subsection, the payment yield for a covered com-
25 modity on the farm, for the purpose of calculating

1 price loss coverage payments only, shall be equal to
2 90 percent of the average of the yield per planted
3 acre for the crop of the covered commodity on the
4 farm for the 2008 through 2012 crop years, as de-
5 termined by the Secretary, excluding any crop year
6 in which the acreage planted to the crop of the cov-
7 ered commodity was zero.

8 (4) USE OF COUNTY AVERAGE YIELD.—If the
9 yield per planted acre for a crop of the covered com-
10 modity for a farm for any of the 2008 through 2012
11 crop years was less than 75 percent of the average
12 of the 2008 through 2012 county yield for that com-
13 modity, the Secretary shall assign a yield for that
14 crop year equal to 75 percent of the average of the
15 2008 through 2012 county yield for the purposes of
16 determining the average yield under paragraph (3).

17 (5) EFFECT OF LACK OF PAYMENT YIELD.—

18 (A) ESTABLISHMENT BY SECRETARY.—

19 For purposes of this subsection, if no payment
20 yield is otherwise established for a covered com-
21 modity on a farm, the Secretary shall establish
22 an appropriate updated payment yield for the
23 covered commodity on the farm under subpara-
24 graph (B).

1 (B) USE OF SIMILARLY SITUATED
2 FARMS.—To establish an appropriate payment
3 yield for a covered commodity on a farm as re-
4 quired by subparagraph (A), the Secretary shall
5 take into consideration the farm program pay-
6 ment yields applicable to that covered com-
7 modity for similarly situated farms. The use of
8 such data in an appeal, by the Secretary or by
9 the producer, shall not be subject to any other
10 provision of law.

11 **SEC. 1107. FARM RISK MANAGEMENT ELECTION.**

12 (a) IN GENERAL.—

13 (1) PAYMENTS REQUIRED.—Except as provided
14 in paragraph (2), if the Secretary determines that
15 payments are required under subsection (b)(1) or
16 (c)(2) for a covered commodity, the Secretary shall
17 make payments for that covered commodity available
18 under such subsection to producers on a farm pursu-
19 ant to the terms and conditions of this section.

20 (2) PROHIBITION ON PAYMENTS; EXCEP-
21 TIONS.—Notwithstanding any other provision of this
22 title, a producer on a farm may not receive price loss
23 coverage payments or revenue loss coverage pay-
24 ments if the sum of the planted acres of covered

1 commodities on the farm is 10 acres or less, as de-
2 termined by the Secretary, unless the producer is—

3 (A) a socially disadvantaged farmer or
4 rancher (as defined in section 355(e) of the
5 Consolidated Farm and Rural Development Act
6 (7 U.S.C. 2003(e))); or

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

9 (b) PRICE LOSS COVERAGE.—

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

15 (A) the effective price for the covered com-
16 modity for the crop year; is less than

17 (B) the reference price for the covered
18 commodity for the crop year.

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

22 (A) the midseason price; or

23 (B) the national average loan rate for a
24 marketing assistance loan for the covered com-

1 modity in effect for such crop year under sub-
2 title B.

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

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

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

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

16 (A) the payment rate for the covered com-
17 modity under paragraph (3);

18 (B) the payment yield for the covered com-
19 modity; and

20 (C) the payment acres for the covered com-
21 modity.

22 (5) TIME FOR PAYMENTS.—If the Secretary de-
23 termines under this subsection that price loss cov-
24 erage payments are required to be provided for the
25 covered commodity, the payments shall be made be-

1 ginning October 1, or as soon as practicable there-
2 after, after the end of the applicable marketing year
3 for the covered commodity.

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

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

13 (c) REVENUE LOSS COVERAGE.—

14 (1) AVAILABLE AS AN ALTERNATIVE.—As an
15 alternative to receiving price loss coverage payments
16 under subsection (b) for a covered commodity, all of
17 the owners of the farm may make a one-time, irrev-
18 ocable election on a covered commodity-by-covered-
19 commodity basis to receive revenue loss coverage
20 payments for each covered commodity in accordance
21 with this subsection. If any of the owners of the
22 farm make different elections on the same covered
23 commodity on the farm, all of the owners of the
24 farm shall be deemed to have not made the election
25 available under this paragraph.

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

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

10 (B) the county revenue loss coverage trig-
11 ger for the crop year for the covered com-
12 modity.

13 (3) TIME FOR PAYMENTS.—If the Secretary de-
14 termines under this subsection that revenue loss cov-
15 erage payments are required to be provided for the
16 covered commodity, payments shall be made begin-
17 ning October 1, or as soon as practicable thereafter,
18 after the end of the applicable marketing year for
19 the covered commodity.

20 (4) ACTUAL COUNTY REVENUE.—The amount
21 of the actual county revenue for a crop year of a
22 covered commodity shall be equal to the product ob-
23 tained by multiplying—

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

4 (B) the higher of—

5 (i) the midseason price; or

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

10 (5) COUNTY REVENUE LOSS COVERAGE TRIG-
 11 GER.—

12 (A) IN GENERAL.—The county revenue
 13 loss coverage trigger for a crop year for a cov-
 14 ered commodity on a farm shall equal 85 per-
 15 cent of the benchmark county revenue.

16 (B) BENCHMARK COUNTY REVENUE.—

17 (i) IN GENERAL.—The benchmark
 18 county revenue shall be the product ob-
 19 tained by multiplying—

20 (I) subject to clause (ii), the av-
 21 erage historical county yield as deter-
 22 mined by the Secretary for the most
 23 recent 5 crop years, excluding each of
 24 the crop years with the highest and
 25 lowest yields; and

1 (II) subject to clause (iii), the av-
2 erage national marketing year average
3 price for the most recent 5 crop years,
4 excluding each of the crop years with
5 the highest and lowest prices.

6 (ii) YIELD CONDITIONS.—If the his-
7 torical county yield in clause (i)(I) for any
8 of the 5 most recent crop years, as deter-
9 mined by the Secretary, is less than 70
10 percent of the transitional yield, as deter-
11 mined by the Secretary, the amounts used
12 for any of those years in clause (i)(I) shall
13 be 70 percent of the transitional yield.

14 (iii) REFERENCE PRICE.—If the na-
15 tional marketing year average price in
16 clause (i)(II) for any of the 5 most recent
17 crop years is lower than the reference price
18 for the covered commodity, the Secretary
19 shall use the reference price for any of
20 those years for the amounts in clause
21 (i)(II).

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

24 (A) the difference between—

1 (i) the county revenue loss coverage
2 trigger for the covered commodity; and

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

5 (B) 10 percent of the benchmark county
6 revenue for the crop year for the covered com-
7 modity.

8 (7) PAYMENT AMOUNT.—If revenue loss cov-
9 erage payments under this subsection are required
10 to be provided for the 2014 crop year or any suc-
11 ceeding crop year of a covered commodity, the
12 amount of the revenue loss coverage payment to be
13 provided to the producers on a farm for the crop
14 year shall be equal to the product obtained by multi-
15 plying—

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

18 (B) the payment acres of the covered com-
19 modity on the farm.

20 (8) DUTIES OF THE SECRETARY.—In providing
21 revenue loss coverage payments under this sub-
22 section, the Secretary—

23 (A) shall ensure that producers on a farm
24 do not reconstitute the farm of the producers to

1 void or change the election made under para-
2 graph (1);

3 (B) to the maximum extent practicable,
4 shall use all available information and analysis,
5 including data mining, to check for anomalies
6 in the provision of revenue loss coverage pay-
7 ments;

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

14 (D) shall assign a benchmark county yield
15 for each planted acre for the crop year for the
16 covered commodity on the basis of the yield his-
17 tory of representative farms in the State, re-
18 gion, or crop reporting district, as determined
19 by the Secretary, if—

20 (i) the Secretary cannot establish the
21 benchmark county yield for each planted
22 acre for a crop year for a covered com-
23 modity in the county in accordance with
24 paragraph (5); or

1 (ii) the yield determined under para-
2 graph (5) is an unrepresentative average
3 yield for the county (as determined by the
4 Secretary); and

5 (E) to the maximum extent practicable,
6 shall ensure that in order to be eligible for a
7 payment under this subsection, the producers
8 on the farm suffered an actual loss on the cov-
9 ered commodity for the crop year for which
10 payment is sought.

11 (d) ANNUAL REPORT.—The Secretary shall submit
12 to the Committee on Agriculture of the House of Rep-
13 resentatives and the Committee on Agriculture, Nutrition,
14 and Forestry of the Senate a report annually containing
15 an evaluation of the impact of price loss coverage and rev-
16 enue loss coverage—

17 (1) on the planting, production, price, and ex-
18 port of covered commodities; and

19 (2) on the cost of each commodity program.

20 (e) CAP ON TOTAL OBLIGATIONS AND EXPENDI-
21 TURES.—Notwithstanding any other provision of this sec-
22 tion, the total amount of price loss coverage payments and
23 revenue loss coverage payments made under this section
24 during the period of fiscal years 2014 through 2020 shall
25 not exceed \$16,956,500,000. Producer agreements re-

1 quired by section 1108 shall specifically state that pay-
2 ments made under this section shall be reduced as nec-
3 essary to comply with this subsection.

4 **SEC. 1108. PRODUCER AGREEMENTS.**

5 (a) COMPLIANCE WITH CERTAIN REQUIREMENTS.—

6 (1) REQUIREMENTS.—Before the producers on
7 a farm may receive payments under this subtitle
8 with respect to the farm, the producers shall agree,
9 during the crop year for which the payments are
10 made and in exchange for the payments—

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

15 (B) to comply with applicable wetland pro-
16 tection requirements under subtitle C of title
17 XII of that Act (16 U.S.C. 3821 et seq.); and

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

22 (2) COMPLIANCE.—The Secretary may issue
23 such rules as the Secretary considers necessary to
24 ensure producer compliance with the requirements of
25 paragraph (1).

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

6 (b) TRANSFER OR CHANGE OF INTEREST IN
7 FARM.—

8 (1) TERMINATION.—

9 (A) IN GENERAL.—Except as provided in
10 paragraph (2), a transfer of (or change in) the
11 interest of the producers on a farm for which
12 payments under this subtitle are provided shall
13 result in the termination of the payments, un-
14 less the transferee or owner of the acreage
15 agrees to assume all obligations under sub-
16 section (a).

17 (B) EFFECTIVE DATE.—The termination
18 shall take effect on the date determined by the
19 Secretary.

20 (2) EXCEPTION.—If a producer entitled to a
21 payment under this subtitle dies, becomes incom-
22 petent, or is otherwise unable to receive the pay-
23 ment, the Secretary shall make the payment in ac-
24 cordance with rules issued by the Secretary.

1 (c) ACREAGE REPORTS.—As a condition on the re-
 2 ceipt of any benefits under this subtitle or subtitle B, the
 3 Secretary shall require producers on a farm to submit to
 4 the Secretary annual acreage reports with respect to all
 5 cropland on the farm.

6 (d) TENANTS AND SHARECROPPERS.—In carrying
 7 out this subtitle, the Secretary shall provide adequate safe-
 8 guards to protect the interests of tenants and share-
 9 croppers.

10 (e) SHARING OF PAYMENTS.—The Secretary shall
 11 provide for the sharing of payments made under this sub-
 12 title among the producers on a farm on a fair and equi-
 13 table basis.

14 **Subtitle B—Marketing Loans**

15 **SEC. 1201. AVAILABILITY OF NONRECOURSE MARKETING** 16 **ASSISTANCE LOANS FOR LOAN COMMOD-** 17 **ITIES.**

18 (a) DEFINITION OF LOAN COMMODITY.—In this sub-
 19 title, the term “loan commodity” means wheat, corn, grain
 20 sorghum, barley, oats, upland cotton, extra long staple
 21 cotton, long grain rice, medium grain rice, peanuts, soy-
 22 beans, other oilseeds, graded wool, nongraded wool, mo-
 23 hair, honey, dry peas, lentils, small chickpeas, and large
 24 chickpeas.

25 (b) NONRECOURSE LOANS AVAILABLE.—

1 (1) IN GENERAL.—For the 2014 crops and
2 each succeeding annual crops of each loan com-
3 modity, the Secretary shall make available to pro-
4 ducers on a farm nonrecourse marketing assistance
5 loans for loan commodities produced on the farm.

6 (2) TERMS AND CONDITIONS.—The marketing
7 assistance loans shall be made under terms and con-
8 ditions that are prescribed by the Secretary and at
9 the loan rate established under section 1202 for the
10 loan commodity.

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

15 (d) COMPLIANCE WITH CONSERVATION AND WET-
16 LANDS REQUIREMENTS.—As a condition of the receipt of
17 a marketing assistance loan under subsection (b), the pro-
18 ducer shall comply with applicable conservation require-
19 ments under subtitle B of title XII of the Food Security
20 Act of 1985 (16 U.S.C. 3811 et seq.) and applicable wet-
21 land protection requirements under subtitle C of title XII
22 of that Act (16 U.S.C. 3821 et seq.) during the term of
23 the loan.

24 (e) SPECIAL RULES FOR PEANUTS.—

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

3 (2) OPTIONS FOR OBTAINING LOAN.—A mar-
4 keting assistance loan under this section, and loan
5 deficiency payments under section 1205, may be ob-
6 tained at the option of the producers on a farm
7 through—

8 (A) a designated marketing association or
9 marketing cooperative of producers that is ap-
10 proved by the Secretary; or

11 (B) the Farm Service Agency.

12 (3) STORAGE OF LOAN PEANUTS.—As a condi-
13 tion on the approval by the Secretary of an indi-
14 vidual or entity to provide storage for peanuts for
15 which a marketing assistance loan is made under
16 this section, the individual or entity shall agree—

17 (A) to provide the storage on a nondiscrim-
18 inatory basis; and

19 (B) to comply with such additional require-
20 ments as the Secretary considers appropriate to
21 accomplish the purposes of this section and pro-
22 mote fairness in the administration of the bene-
23 fits of this section.

24 (4) STORAGE, HANDLING, AND ASSOCIATED
25 COSTS.—

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

8 (B) REDEMPTION AND FORFEITURE.—The
9 Secretary shall—

10 (i) require the repayment of handling
11 and other associated costs paid under sub-
12 paragraph (A) for all peanuts pledged as
13 collateral for a loan that is redeemed under
14 this section; and

15 (ii) pay storage, handling, and other
16 associated costs for all peanuts pledged as
17 collateral that are forfeited under this sec-
18 tion.

19 (5) MARKETING.—A marketing association or
20 cooperative may market peanuts for which a loan is
21 made under this section in any manner that con-
22 forms to consumer needs, including the separation of
23 peanuts by type and quality.

24 (6) REIMBURSABLE AGREEMENTS AND PAY-
25 MENT OF ADMINISTRATIVE EXPENSES.—The Sec-

1 retary may implement any reimbursable agreements
2 or provide for the payment of administrative ex-
3 penses under this subsection only in a manner that
4 is consistent with those activities in regard to other
5 loan commodities.

6 **SEC. 1202. LOAN RATES FOR NONRECOURSE MARKETING**
7 **ASSISTANCE LOANS.**

8 (a) IN GENERAL.—For purposes of the 2014 crop
9 year and each succeeding crop year, the loan rate for a
10 marketing assistance loan under section 1201 for a loan
11 commodity shall be equal to the following:

12 (1) In the case of wheat, \$2.94 per bushel.

13 (2) In the case of corn, \$1.95 per bushel.

14 (3) In the case of grain sorghum, \$1.95 per
15 bushel.

16 (4) In the case of barley, \$1.95 per bushel.

17 (5) In the case of oats, \$1.39 per bushel.

18 (6) In the case of base quality of upland cotton,
19 for the 2014 crop year and each succeeding crop
20 year, the simple average of the adjusted prevailing
21 world price for the 2 immediately preceding mar-
22 keting years, as determined by the Secretary and an-
23 nounced October 1 preceding the next domestic
24 plantings, but in no case less than \$0.47 per pound
25 or more than \$0.52 per pound.

1 (7) In the case of extra long staple cotton,
2 \$0.7977 per pound.

3 (8) In the case of long grain rice, \$6.50 per
4 hundredweight.

5 (9) In the case of medium grain rice, \$6.50 per
6 hundredweight.

7 (10) In the case of soybeans, \$5.00 per bushel.

8 (11) In the case of other oilseeds, \$10.09 per
9 hundredweight for each of the following kinds of oil-
10 seeds:

11 (A) Sunflower seed.

12 (B) Rapeseed.

13 (C) Canola.

14 (D) Safflower.

15 (E) Flaxseed.

16 (F) Mustard seed.

17 (G) Crambe.

18 (H) Sesame seed.

19 (I) Other oilseeds designated by the Sec-
20 retary.

21 (12) In the case of dry peas, \$5.40 per hun-
22 dredweight.

23 (13) In the case of lentils, \$11.28 per hundred-
24 weight.

1 (14) In the case of small chickpeas, \$7.43 per
2 hundredweight.

3 (15) In the case of large chickpeas, \$11.28 per
4 hundredweight.

5 (16) In the case of graded wool, \$1.15 per
6 pound.

7 (17) In the case of nongraded wool, \$0.40 per
8 pound.

9 (18) In the case of mohair, \$4.20 per pound.

10 (19) In the case of honey, \$0.69 per pound.

11 (20) In the case of peanuts, \$355 per ton.

12 (b) SINGLE COUNTY LOAN RATE FOR OTHER OIL-
13 SEEDS.—The Secretary shall establish a single loan rate
14 in each county for each kind of other oilseeds described
15 in subsection (a)(11).

16 **SEC. 1203. TERM OF LOANS.**

17 (a) TERM OF LOAN.—In the case of each loan com-
18 modity, a marketing assistance loan under section 1201
19 shall have a term of 9 months beginning on the first day
20 of the first month after the month in which the loan is
21 made.

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

1 **SEC. 1204. REPAYMENT OF LOANS.**

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

9 (1) the loan rate established for the commodity
10 under section 1202, plus interest (determined in ac-
11 cordance with section 163 of the Federal Agriculture
12 Improvement and Reform Act of 1996 (7 U.S.C.
13 7283));

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

16 (A) is calculated based on average market
17 prices for the loan commodity during the pre-
18 ceding 30-day period; and

19 (B) will minimize discrepancies in mar-
20 keting loan benefits across State boundaries
21 and across county boundaries; or

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

26 (A) minimize potential loan forfeitures;

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

3 (C) minimize the cost incurred by the Fed-
4 eral Government in storing the commodity;

5 (D) allow the commodity produced in the
6 United States to be marketed freely and com-
7 petitively, both domestically and internationally;
8 and

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

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

17 (1) the loan rate established for the commodity
18 under section 1202, plus interest (determined in ac-
19 cordance with section 163 of the Federal Agriculture
20 Improvement and Reform Act of 1996 (7 U.S.C.
21 7283)); or

22 (2) the prevailing world market price for the
23 commodity, as determined and adjusted by the Sec-
24 retary in accordance with this section.

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

8 (d) PREVAILING WORLD MARKET PRICE.—For pur-
9 poses of this section and section 1207, the Secretary shall
10 prescribe by regulation—

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

14 (2) a mechanism by which the Secretary shall
15 announce periodically those prevailing world market
16 prices.

17 (e) ADJUSTMENT OF PREVAILING WORLD MARKET
18 PRICE FOR UPLAND COTTON, LONG GRAIN RICE, AND
19 MEDIUM GRAIN RICE.—

20 (1) RICE.—The prevailing world market price
21 for long grain rice and medium grain rice deter-
22 mined under subsection (d) shall be adjusted to
23 United States quality and location.

1 (2) COTTON.—The prevailing world market
2 price for upland cotton determined under subsection
3 (d)—

4 (A) shall be adjusted to United States
5 quality and location, with the adjustment to in-
6 clude—

7 (i) a reduction equal to any United
8 States Premium Factor for upland cotton
9 of a quality higher than Middling (M)
10 $1\frac{3}{32}$ -inch; and

11 (ii) the average costs to market the
12 commodity, including average transpor-
13 tation costs, as determined by the Sec-
14 retary; and

15 (B) may be further adjusted, during the
16 period beginning on the date of enactment of
17 this Act and ending on July 31, 2019, if the
18 Secretary determines the adjustment is nec-
19 essary—

20 (i) to minimize potential loan forfeit-
21 ures;

22 (ii) to minimize the accumulation of
23 stocks of upland cotton by the Federal
24 Government;

1 (iii) to ensure that upland cotton pro-
2 duced in the United States can be mar-
3 keted freely and competitively, both domes-
4 tically and internationally; and

5 (iv) to ensure an appropriate transi-
6 tion between current-crop and forward-
7 crop price quotations, except that the Sec-
8 retary may use forward-crop price
9 quotations prior to July 31 of a marketing
10 year only if—

11 (I) there are insufficient current-
12 crop price quotations; and

13 (II) the forward-crop price
14 quotation is the lowest such quotation
15 available.

16 (3) GUIDELINES FOR ADDITIONAL ADJUST-
17 MENTS.—In making adjustments under this sub-
18 section, the Secretary shall establish a mechanism
19 for determining and announcing the adjustments in
20 order to avoid undue disruption in the United States
21 market.

22 (f) REPAYMENT RATES FOR CONFECTIONERY AND
23 OTHER KINDS OF SUNFLOWER SEEDS.—The Secretary
24 shall permit the producers on a farm to repay a marketing
25 assistance loan under section 1201 for confectionery and

1 each other kind of sunflower seed (other than oil sunflower
2 seed) at a rate that is the lesser of—

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

8 (2) the repayment rate established for oil sun-
9 flower seed.

10 (g) PAYMENT OF COTTON STORAGE COSTS.—Effec-
11 tive for the 2014 crop year and each succeeding crop year,
12 the Secretary shall make cotton storage payments avail-
13 able in the same manner, and at the same rates as the
14 Secretary provided storage payments for the 2006 crop
15 of cotton, except that the rates shall be reduced by 10
16 percent.

17 (h) REPAYMENT RATE FOR PEANUTS.—The Sec-
18 retary shall permit producers on a farm to repay a mar-
19 keting assistance loan for peanuts under section 1201 at
20 a rate that is the lesser of—

21 (1) the loan rate established for peanuts under
22 section 1202(a)(20), plus interest (determined in ac-
23 cordance with section 163 of the Federal Agriculture
24 Improvement and Reform Act of 1996 (7 U.S.C.
25 7283)); or

1 (2) a rate that the Secretary determines will—

2 (A) minimize potential loan forfeitures;

3 (B) minimize the accumulation of stocks of
4 peanuts by the Federal Government;

5 (C) minimize the cost incurred by the Fed-
6 eral Government in storing peanuts; and

7 (D) allow peanuts produced in the United
8 States to be marketed freely and competitively,
9 both domestically and internationally.

10 (i) **AUTHORITY TO TEMPORARILY ADJUST REPAY-**
11 **MENT RATES.—**

12 (1) **ADJUSTMENT AUTHORITY.—**In the event of
13 a severe disruption to marketing, transportation, or
14 related infrastructure, the Secretary may modify the
15 repayment rate otherwise applicable under this sec-
16 tion for marketing assistance loans under section
17 1201 for a loan commodity.

18 (2) **DURATION.—**Any adjustment made under
19 paragraph (1) in the repayment rate for marketing
20 assistance loans for a loan commodity shall be in ef-
21 fect on a short-term and temporary basis, as deter-
22 mined by the Secretary.

23 **SEC. 1205. LOAN DEFICIENCY PAYMENTS.**

24 (a) **AVAILABILITY OF LOAN DEFICIENCY PAY-**
25 **MENTS.—**

1 (1) IN GENERAL.—Except as provided in sub-
2 section (d), the Secretary may make loan deficiency
3 payments available to producers on a farm that, al-
4 though eligible to obtain a marketing assistance loan
5 under section 1201 with respect to a loan com-
6 modity, agree to forgo obtaining the loan for the
7 commodity in return for loan deficiency payments
8 under this section.

9 (2) UNSHORN PELTS, HAY, AND SILAGE.—

10 (A) MARKETING ASSISTANCE LOANS.—

11 Subject to subparagraph (B), nongraded wool
12 in the form of unshorn pelts and hay and silage
13 derived from a loan commodity are not eligible
14 for a marketing assistance loan under section
15 1201.

16 (B) LOAN DEFICIENCY PAYMENT.—Effec-

17 tive for the 2014 crop year and each succeeding
18 crop year, the Secretary may make loan defi-
19 ciency payments available under this section to
20 producers on a farm that produce unshorn pelts
21 or hay and silage derived from a loan com-
22 modity.

23 (b) COMPUTATION.—A loan deficiency payment for a
24 loan commodity or commodity referred to in subsection

1 (a)(2) shall be equal to the product obtained by multi-
2 plying—

3 (1) the payment rate determined under sub-
4 section (c) for the commodity; by

5 (2) the quantity of the commodity produced by
6 the eligible producers, excluding any quantity for
7 which the producers obtain a marketing assistance
8 loan under section 1201.

9 (c) PAYMENT RATE.—

10 (1) IN GENERAL.—In the case of a loan com-
11 modity, the payment rate shall be the amount by
12 which—

13 (A) the loan rate established under section
14 1202 for the loan commodity; exceeds

15 (B) the rate at which a marketing assist-
16 ance loan for the loan commodity may be repaid
17 under section 1204.

18 (2) UNSHORN PELTS.—In the case of unshorn
19 pelts, the payment rate shall be the amount by
20 which—

21 (A) the loan rate established under section
22 1202 for ungraded wool; exceeds

23 (B) the rate at which a marketing assist-
24 ance loan for ungraded wool may be repaid
25 under section 1204.

1 (3) HAY AND SILAGE.—In the case of hay or si-
2 lage derived from a loan commodity, the payment
3 rate shall be the amount by which—

4 (A) the loan rate established under section
5 1202 for the loan commodity from which the
6 hay or silage is derived; exceeds

7 (B) the rate at which a marketing assist-
8 ance loan for the loan commodity may be repaid
9 under section 1204.

10 (d) EXCEPTION FOR EXTRA LONG STAPLE COT-
11 TON.—This section shall not apply with respect to extra
12 long staple cotton.

13 (e) EFFECTIVE DATE FOR PAYMENT RATE DETER-
14 MINATION.—The Secretary shall determine the amount of
15 the loan deficiency payment to be made under this section
16 to the producers on a farm with respect to a quantity of
17 a loan commodity or commodity referred to in subsection
18 (a)(2) using the payment rate in effect under subsection
19 (c) as of the date the producers request the payment.

20 **SEC. 1206. PAYMENTS IN LIEU OF LOAN DEFICIENCY PAY-**
21 **MENTS FOR GRAZED ACREAGE.**

22 (a) ELIGIBLE PRODUCERS.—

23 (1) IN GENERAL.—Effective for the 2014 crop
24 year and each succeeding crop year, in the case of
25 a producer that would be eligible for a loan defi-

1 ciency payment under section 1205 for wheat, bar-
2 ley, or oats, but that elects to use acreage planted
3 to the wheat, barley, or oats for the grazing of live-
4 stock, the Secretary shall make a payment to the
5 producer under this section if the producer enters
6 into an agreement with the Secretary to forgo any
7 other harvesting of the wheat, barley, or oats on
8 that acreage.

9 (2) GRAZING OF TRITICALE ACREAGE.—Effec-
10 tive for the 2014 crop year and each succeeding crop
11 year, with respect to a producer on a farm that uses
12 acreage planted to triticale for the grazing of live-
13 stock, the Secretary shall make a payment to the
14 producer under this section if the producer enters
15 into an agreement with the Secretary to forgo any
16 other harvesting of triticale on that acreage.

17 (b) PAYMENT AMOUNT.—

18 (1) IN GENERAL.—The amount of a payment
19 made under this section to a producer on a farm de-
20 scribed in subsection (a)(1) shall be equal to the
21 amount determined by multiplying—

22 (A) the loan deficiency payment rate deter-
23 mined under section 1205(c) in effect, as of the
24 date of the agreement, for the county in which
25 the farm is located; by

1 (B) the payment quantity determined by
2 multiplying—

3 (i) the quantity of the grazed acreage
4 on the farm with respect to which the pro-
5 ducer elects to forgo harvesting of wheat,
6 barley, or oats; and

7 (ii)(I) the payment yield in effect for
8 the calculation of price loss coverage under
9 subtitle A with respect to that loan com-
10 modity on the farm; or

11 (II) in the case of a farm without a
12 payment yield for that loan commodity, an
13 appropriate yield established by the Sec-
14 retary in a manner consistent with section
15 1106(c) of this Act.

16 (2) GRAZING OF TRITICALE ACREAGE.—The
17 amount of a payment made under this section to a
18 producer on a farm described in subsection (a)(2)
19 shall be equal to the amount determined by multi-
20 plying—

21 (A) the loan deficiency payment rate deter-
22 mined under section 1205(c) in effect for
23 wheat, as of the date of the agreement, for the
24 county in which the farm is located; by

1 (B) the payment quantity determined by
2 multiplying—

3 (i) the quantity of the grazed acreage
4 on the farm with respect to which the pro-
5 ducer elects to forgo harvesting of triticale;
6 and

7 (ii)(I) the payment yield in effect for
8 the calculation of price loss coverage under
9 subtitle A with respect to wheat on the
10 farm; or

11 (II) in the case of a farm without a
12 payment yield for wheat, an appropriate
13 yield established by the Secretary in a
14 manner consistent with section 1106(e) of
15 this Act.

16 (c) TIME, MANNER, AND AVAILABILITY OF PAY-
17 MENT.—

18 (1) TIME AND MANNER.—A payment under this
19 section shall be made at the same time and in the
20 same manner as loan deficiency payments are made
21 under section 1205.

22 (2) AVAILABILITY.—

23 (A) IN GENERAL.—The Secretary shall es-
24 tablish an availability period for the payments
25 authorized by this section.

1 (B) CERTAIN COMMODITIES.—In the case
2 of wheat, barley, and oats, the availability pe-
3 riod shall be consistent with the availability pe-
4 riod for the commodity established by the Sec-
5 retary for marketing assistance loans author-
6 ized by this subtitle.

7 (d) PROHIBITION ON CROP INSURANCE INDEMNITY
8 OR NONINSURED CROP ASSISTANCE.—A 2014 crop or
9 succeeding annual crop of wheat, barley, oats, or triticale
10 planted on acreage that a producer elects, in the agree-
11 ment required by subsection (a), to use for the grazing
12 of livestock in lieu of any other harvesting of the crop shall
13 not be eligible for an indemnity under a policy or plan
14 of insurance authorized under the Federal Crop Insurance
15 Act (7 U.S.C. 1501 et seq.) or noninsured crop assistance
16 under section 196 of the Federal Agriculture Improvement
17 and Reform Act of 1996 (7 U.S.C. 7333).

18 **SEC. 1207. SPECIAL MARKETING LOAN PROVISIONS FOR**
19 **UPLAND COTTON.**

20 (a) SPECIAL IMPORT QUOTA.—

21 (1) DEFINITION OF SPECIAL IMPORT QUOTA.—
22 In this subsection, the term “special import quota”
23 means a quantity of imports that is not subject to
24 the over-quota tariff rate of a tariff-rate quota.

25 (2) ESTABLISHMENT.—

1 (A) IN GENERAL.—The President shall
2 carry out an import quota program beginning
3 on August 1, 2014, as provided in this sub-
4 section.

5 (B) PROGRAM REQUIREMENTS.—Whenever
6 the Secretary determines and announces that
7 for any consecutive 4-week period, the Friday
8 through Thursday average price quotation for
9 the lowest-priced United States growth, as
10 quoted for Middling (M) 1³/₃₂-inch cotton, deliv-
11 ered to a definable and significant international
12 market, as determined by the Secretary, ex-
13 ceeds the prevailing world market price, there
14 shall immediately be in effect a special import
15 quota.

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

23 (4) APPLICATION.—The quota shall apply to
24 upland cotton purchased not later than 90 days
25 after the date of the Secretary's announcement

1 under paragraph (2) and entered into the United
2 States not later than 180 days after that date.

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

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

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

14 (B) section 204 of the Andean Trade Pref-
15 erence Act (19 U.S.C. 3203);

16 (C) section 503(d) of the Trade Act of
17 1974 (19 U.S.C. 2463(d)); and

18 (D) General Note 3(a)(iv) to the Har-
19 monized Tariff Schedule.

20 (7) LIMITATION.—The quantity of cotton en-
21 tered into the United States during any marketing
22 year under the special import quota established
23 under this subsection may not exceed the equivalent
24 of 10 weeks' consumption of upland cotton by do-
25 mestic mills at the seasonally adjusted average rate

1 of the 3 months immediately preceding the first spe-
2 cial import quota established in any marketing year.

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

5 (1) DEFINITIONS.—In this subsection:

6 (A) DEMAND.—The term “demand”
7 means—

8 (i) the average seasonally adjusted an-
9 nual rate of domestic mill consumption of
10 cotton during the most recent 3 months
11 for which official data of the Department
12 of Agriculture are available or, in the ab-
13 sence of sufficient data, as estimated by
14 the Secretary; and

15 (ii) the larger of—

16 (I) average exports of upland cot-
17 ton during the preceding 6 marketing
18 years; or

19 (II) cumulative exports of upland
20 cotton plus outstanding export sales
21 for the marketing year in which the
22 quota is established.

23 (B) LIMITED GLOBAL IMPORT QUOTA.—

24 The term “limited global import quota” means

1 a quantity of imports that is not subject to the
2 over-quota tariff rate of a tariff-rate quota.

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

6 (i) the carry-over of upland cotton at
7 the beginning of the marketing year (ad-
8 justed to 480-pound bales) in which the
9 quota is established;

10 (ii) production of the current crop;
11 and

12 (iii) imports to the latest date avail-
13 able during the marketing year.

14 (2) PROGRAM.—The President shall carry out
15 an import quota program that provides that when-
16 ever the Secretary determines and announces that
17 the average price of the base quality of upland cot-
18 ton, as determined by the Secretary, in the des-
19 ignated spot markets for a month exceeded 130 per-
20 cent of the average price of the quality of cotton in
21 the markets for the preceding 36 months, notwith-
22 standing any other provision of law, there shall im-
23 mediately be in effect a limited global import quota
24 subject to the following conditions:

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

8 (B) QUANTITY IF PRIOR QUOTA.—If a
9 quota has been established under this sub-
10 section during the preceding 12 months, the
11 quantity of the quota next established under
12 this subsection shall be the smaller of 21 days
13 of domestic mill consumption calculated under
14 subparagraph (A) or the quantity required to
15 increase the supply to 130 percent of the de-
16 mand.

17 (C) PREFERENTIAL TARIFF TREAT-
18 MENT.—The quantity under a limited global
19 import quota shall be considered to be an in-
20 quota quantity for purposes of—

21 (i) section 213(d) of the Caribbean
22 Basin Economic Recovery Act (19 U.S.C.
23 2703(d));

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

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

3 (iv) General Note 3(a)(iv) to the Har-
4 monized Tariff Schedule.

5 (D) QUOTA ENTRY PERIOD.—When a
6 quota is established under this subsection, cot-
7 ton may be entered under the quota during the
8 90-day period beginning on the date the quota
9 is established by the Secretary.

10 (3) NO OVERLAP.—Notwithstanding paragraph
11 (2), a quota period may not be established that over-
12 laps an existing quota period or a special quota pe-
13 riod established under subsection (a).

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

16 (1) IN GENERAL.—Subject to paragraph (2),
17 the Secretary shall, on a monthly basis, make eco-
18 nomic adjustment assistance available to domestic
19 users of upland cotton in the form of payments for
20 all documented use of that upland cotton during the
21 previous monthly period regardless of the origin of
22 the upland cotton.

23 (2) VALUE OF ASSISTANCE.—Effective begin-
24 ning on August 1, 2013, the value of the assistance

1 provided under paragraph (1) shall be 3 cents per
2 pound.

3 (3) ALLOWABLE PURPOSES.—Economic adjust-
4 ment assistance under this subsection shall be made
5 available only to domestic users of upland cotton
6 that certify that the assistance shall be used only to
7 acquire, construct, install, modernize, develop, con-
8 vert, or expand land, plant, buildings, equipment, fa-
9 cilities, or machinery.

10 (4) REVIEW OR AUDIT.—The Secretary may
11 conduct such review or audit of the records of a do-
12 mestic user under this subsection as the Secretary
13 determines necessary to carry out this subsection.

14 (5) IMPROPER USE OF ASSISTANCE.—If the
15 Secretary determines, after a review or audit of the
16 records of the domestic user, that economic adjust-
17 ment assistance under this subsection was not used
18 for the purposes specified in paragraph (3), the do-
19 mestic user shall be—

20 (A) liable for the repayment of the assist-
21 ance to the Secretary, plus interest, as deter-
22 mined by the Secretary; and

23 (B) ineligible to receive assistance under
24 this subsection for a period of 1 year following
25 the determination of the Secretary.

1 **SEC. 1208. SPECIAL COMPETITIVE PROVISIONS FOR EXTRA**
2 **LONG STAPLE COTTON.**

3 (a) **COMPETITIVENESS PROGRAM.**—Notwithstanding
4 any other provision of law, the Secretary shall carry out
5 a program—

6 (1) to maintain and expand the domestic use of
7 extra long staple cotton produced in the United
8 States;

9 (2) to increase exports of extra long staple cot-
10 ton produced in the United States; and

11 (3) to ensure that extra long staple cotton pro-
12 duced in the United States remains competitive in
13 world markets.

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

17 (1) for a consecutive 4-week period, the world
18 market price for the lowest priced competing growth
19 of extra long staple cotton (adjusted to United
20 States quality and location and for other factors af-
21 fecting the competitiveness of such cotton), as deter-
22 mined by the Secretary, is below the prevailing
23 United States price for a competing growth of extra
24 long staple cotton; and

25 (2) the lowest priced competing growth of extra
26 long staple cotton (adjusted to United States quality

1 and location and for other factors affecting the com-
2 petitiveness of such cotton), as determined by the
3 Secretary, is less than 134 percent of the loan rate
4 for extra long staple cotton.

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

12 (d) PAYMENT AMOUNT.—Payments under this sec-
13 tion shall be based on the amount of the difference in the
14 prices referred to in subsection (b)(1) during the fourth
15 week of the consecutive 4-week period multiplied by the
16 amount of documented purchases by domestic users and
17 sales for export by exporters made in the week following
18 such a consecutive 4-week period.

19 **SEC. 1209. AVAILABILITY OF RECOURSE LOANS FOR HIGH**
20 **MOISTURE FEED GRAINS AND SEED COTTON.**

21 (a) HIGH MOISTURE FEED GRAINS.—

22 (1) DEFINITION OF HIGH MOISTURE STATE.—

23 In this subsection, the term “high moisture state”
24 means corn or grain sorghum having a moisture con-
25 tent in excess of Commodity Credit Corporation

1 standards for marketing assistance loans made by
2 the Secretary under section 1201.

3 (2) RECOURSE LOANS AVAILABLE.—For the
4 2014 crop and each succeeding annual crop of corn
5 and grain sorghum, the Secretary shall make avail-
6 able recourse loans, as determined by the Secretary,
7 to producers on a farm that—

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

11 (B) present—

12 (i) certified scale tickets from an in-
13 spected, certified commercial scale, includ-
14 ing a licensed warehouse, feedlot, feed mill,
15 distillery, or other similar entity approved
16 by the Secretary, pursuant to regulations
17 issued by the Secretary; or

18 (ii) field or other physical measure-
19 ments of the standing or stored crop in re-
20 gions of the United States, as determined
21 by the Secretary, that do not have certified
22 commercial scales from which certified
23 scale tickets may be obtained within rea-
24 sonable proximity of harvest operation;

1 (C) certify that the producers on the farm
2 were the owners of the feed grain at the time
3 of delivery to, and that the quantity to be
4 placed under loan under this subsection was in
5 fact harvested on the farm and delivered to, a
6 feedlot, feed mill, or commercial or on-farm
7 high-moisture storage facility, or to a facility
8 maintained by the users of corn and grain sor-
9 ghum in a high moisture state; and

10 (D) comply with deadlines established by
11 the Secretary for harvesting the corn or grain
12 sorghum and submit applications for loans
13 under this subsection within deadlines estab-
14 lished by the Secretary.

15 (3) ELIGIBILITY OF ACQUIRED FEED GRAINS.—

16 A loan under this subsection shall be made on a
17 quantity of corn or grain sorghum of the same crop
18 acquired by the producer equivalent to a quantity
19 determined by multiplying—

20 (A) the acreage of the corn or grain sor-
21 ghum in a high moisture state harvested on the
22 farm of the producer; by

23 (B) the lower of the farm program pay-
24 ment yield used to make payments under sub-
25 title A or the actual yield on a field, as deter-

1 mined by the Secretary, that is similar to the
2 field from which the corn or grain sorghum was
3 obtained.

4 (b) **RECOURSE LOANS AVAILABLE FOR SEED COT-**
5 **TON.**—For the 2014 crop and each succeeding annual
6 crop of upland cotton and extra long staple cotton, the
7 Secretary shall make available recourse seed cotton loans,
8 as determined by the Secretary, on any production.

9 (c) **REPAYMENT RATES.**—Repayment of a recourse
10 loan made under this section shall be at the loan rate es-
11 tablished for the commodity by the Secretary, plus interest
12 (determined in accordance with section 163 of the Federal
13 Agriculture Improvement and Reform Act of 1996 (7
14 U.S.C. 7283)).

15 **SEC. 1210. ADJUSTMENTS OF LOANS.**

16 (a) **ADJUSTMENT AUTHORITY.**—Subject to sub-
17 section (e), the Secretary may make appropriate adjust-
18 ments in the loan rates for any loan commodity (other
19 than cotton) for differences in grade, type, quality, loca-
20 tion, and other factors.

21 (b) **MANNER OF ADJUSTMENT.**—The adjustments
22 under subsection (a) shall, to the maximum extent prac-
23 ticable, be made in such a manner that the average loan
24 level for the commodity will, on the basis of the anticipated
25 incidence of the factors, be equal to the level of support

1 determined in accordance with this subtitle and subtitle
2 C.

3 (c) ADJUSTMENT ON COUNTY BASIS.—

4 (1) IN GENERAL.—The Secretary may establish
5 loan rates for a crop for producers in individual
6 counties in a manner that results in the lowest loan
7 rate being 95 percent of the national average loan
8 rate, if those loan rates do not result in an increase
9 in outlays.

10 (2) PROHIBITION.—Adjustments under this
11 subsection shall not result in an increase in the na-
12 tional average loan rate for any year.

13 (d) ADJUSTMENT IN LOAN RATE FOR COTTON.—

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

17 (2) TYPES OF ADJUSTMENTS.—Loan rate ad-
18 justments under paragraph (1) may include—

19 (A) the use of non-spot market price data,
20 in addition to spot market price data, that
21 would enhance the accuracy of the price infor-
22 mation used in determining quality adjustments
23 under this subsection;

24 (B) adjustments in the premiums or dis-
25 counts associated with upland cotton with a sta-

1 ple length of 33 or above due to micronaire
2 with the goal of eliminating any unnecessary ar-
3 tificial splits in the calculations of the pre-
4 miums or discounts; and

5 (C) such other adjustments as the Sec-
6 retary determines appropriate, after consulta-
7 tions conducted in accordance with paragraph
8 (3).

9 (3) CONSULTATION WITH PRIVATE SECTOR.—

10 (A) PRIOR TO REVISION.—In making ad-
11 justments to the loan rate for cotton (including
12 any review of the adjustments) as provided in
13 this subsection, the Secretary shall consult with
14 representatives of the United States cotton in-
15 dustry.

16 (B) INAPPLICABILITY OF FEDERAL ADVI-
17 SORY COMMITTEE ACT.—The Federal Advisory
18 Committee Act (5 U.S.C. App.) shall not apply
19 to consultations under this subsection.

20 (4) REVIEW OF ADJUSTMENTS.—The Secretary
21 may review the operation of the upland cotton qual-
22 ity adjustments implemented pursuant to this sub-
23 section and may make further adjustments to the
24 administration of the loan program for upland cot-

1 ton, by revoking or revising any adjustment taken
2 under paragraph (2).

3 (e) RICE.—The Secretary shall not make adjust-
4 ments in the loan rates for long grain rice and medium
5 grain rice, except for differences in grade and quality (in-
6 cluding milling yields).

7 **Subtitle C—Sugar**

8 **SEC. 1301. SUGAR PROGRAM.**

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

11 (1) SUGARCANE.—Section 156(a)(5) of the
12 Federal Agriculture Improvement and Reform Act of
13 1996 (7 U.S.C. 7272(a)(5)) is amended by striking
14 “the 2012 crop year” and inserting “the 2012 crop
15 year and each succeeding crop year”.

16 (2) SUGAR BEETS.—Section 156(b)(2) of the
17 Federal Agriculture Improvement and Reform Act of
18 1996 (7 U.S.C. 7272(b)(2)) is amended by striking
19 “each of the 2009 through 2012 crop years” and in-
20 sserting “the 2009 crop year and each succeeding
21 crop year”.

22 (3) EFFECTIVE PERIOD.—Section 156(i) of the
23 Federal Agriculture Improvement and Reform Act of
24 1996 (7 U.S.C. 7272(i)) is repealed.

1 (b) FLEXIBLE MARKETING ALLOTMENTS FOR
2 SUGAR.—

3 (1) SUGAR ESTIMATES.—Section 359b(a)(1) of
4 the Agricultural Adjustment Act of 1938 (7 U.S.C.
5 1359bb(a)(1)) is amended by striking “each of the
6 2008 through 2012 crop years” and inserting “the
7 2008 crop year and each succeeding crop year”.

8 (2) EFFECTIVE PERIOD.—Section 359i(a) of
9 the Agricultural Adjustment Act of 1938 (7 U.S.C.
10 1359ii(a)) is amended by striking “only for the 2008
11 through 2012 crop years” and inserting “for the
12 2008 crop year and each succeeding crop year”.

13 **Subtitle D—Dairy**

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

15 **PROGRAM**

16 **SEC. 1401. DAIRY PRODUCER MARGIN INSURANCE PRO-** 17 **GRAM.**

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

21 **“SEC. 1511. DAIRY PRODUCER MARGIN INSURANCE PRO-** 22 **GRAM.**

23 “(a) DEFINITIONS.—In this section:

24 “(1) ACTUAL DAIRY PRODUCER MARGIN.—The
25 term ‘actual dairy producer margin’ means the dif-

1 ference between the all-milk price and the average
2 feed cost, as calculated under subsection (b)(2).

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

9 “(3) AVERAGE FEED COST.—The term ‘average
10 feed cost’ means the average cost of feed used by a
11 dairy operation to produce a hundredweight of milk,
12 determined under subsection (b)(1) using the sum of
13 the following:

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

16 “(i) 1.0728; by

17 “(ii) the price of corn per bushel.

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

20 “(i) 0.00735; by

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

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

25 “(i) 0.0137; by

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

2 “(4) CONSECUTIVE 2-MONTH PERIOD.—The
3 term ‘consecutive 2-month period’ refers to the 2-
4 month period consisting of the months of January
5 and February, March and April, May and June,
6 July and August, September and October, or No-
7 vember and December, respectively.

8 “(5) DAIRY PRODUCER.—The term ‘dairy pro-
9 ducer’ means an individual or entity that directly or
10 indirectly (as determined by the Secretary)—

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

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

19 “(6) MARGIN INSURANCE PROGRAM.—The term
20 ‘margin insurance program’ means the dairy pro-
21 ducer margin insurance program required by this
22 section.

23 “(7) PARTICIPATING DAIRY PRODUCER.—The
24 term ‘participating dairy producer’ means a dairy

1 producer that registers under subsection (d)(2) to
2 participate in the margin insurance program.

3 “(8) PRODUCTION HISTORY.—The term ‘pro-
4 duction history’ means the quantity of annual milk
5 marketings determined for a dairy producer under
6 subsection (e)(1).

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

10 “(b) CALCULATION OF AVERAGE FEED COST AND
11 ACTUAL DAIRY PRODUCER MARGINS.—

12 “(1) CALCULATION OF AVERAGE FEED COST.—
13 The Secretary shall calculate the national average
14 feed cost for each month using the following data:

15 “(A) The price of corn for a month shall
16 be the price received during that month by agri-
17 cultural producers in the United States for
18 corn, as reported in the monthly Agriculture
19 Prices report by the Secretary.

20 “(B) The price of soybean meal for a
21 month shall be the central Illinois price for soy-
22 bean meal, as reported in the Market News—
23 Monthly Soybean Meal Price Report by the Sec-
24 retary.

1 “(C) The price of alfalfa hay for a month
2 shall be the price received during that month by
3 agricultural producers in the United States for
4 alfalfa hay, as reported in the monthly Agri-
5 culture Prices report by the Secretary.

6 “(2) CALCULATION OF ACTUAL DAIRY PRO-
7 DUCER MARGINS.—The Secretary shall calculate the
8 actual dairy producer margin for each consecutive 2-
9 month period by subtracting—

10 “(A) the average feed cost for that con-
11 secutive 2-month period, determined in accord-
12 ance with paragraph (1); from

13 “(B) the all-milk price for that consecutive
14 2-month period.

15 “(c) ESTABLISHMENT OF DAIRY PRODUCER MARGIN
16 INSURANCE PROGRAM.—The Secretary shall establish and
17 administer a dairy producer margin insurance program for
18 the purpose of protecting dairy producer income by paying
19 participating dairy producers margin insurance payments
20 when actual dairy producer margins are less than the
21 threshold levels for the payments.

22 “(d) ELIGIBILITY AND REGISTRATION OF DAIRY
23 PRODUCERS FOR MARGIN INSURANCE PROGRAM.—

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

4 “(2) REGISTRATION PROCESS.—

5 “(A) REGISTRATION.—

6 “(i) ANNUAL REGISTRATION.—On an
7 annual basis, the Secretary shall register
8 all interested dairy producers in the mar-
9 gin insurance program.

10 “(ii) MANNER AND FORM.—The Sec-
11 retary shall specify the manner and form
12 by which a dairy producer shall register for
13 the margin insurance program.

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

19 “(i) purchasing margin insurance; and

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

22 “(C) TREATMENT OF PRODUCERS WITH
23 MULTIPLE DAIRY OPERATIONS.—If a dairy pro-
24 ducer operates 2 or more dairy operations, each
25 dairy operation of the producer shall require a

1 separate registration to participate and pur-
2 chase margin insurance.

3 “(3) TIME FOR REGISTRATION.—

4 “(A) EXISTING DAIRY PRODUCERS.—Dur-
5 ing the 1-year period beginning on the date of
6 enactment of this section, and annually there-
7 after, a dairy producer that is actively engaged
8 in a dairy operation as of that date may reg-
9 ister with the Secretary to participate in the
10 margin insurance program.

11 “(B) NEW ENTRANTS.—A dairy producer
12 that has no existing interest in a dairy oper-
13 ation as of the date of enactment of this sec-
14 tion, but that, after that date, establishes a new
15 dairy operation, may register with the Secretary
16 during the 180-day period beginning on the
17 date on which the dairy operation first markets
18 milk commercially to participate in the margin
19 insurance program.

20 “(4) RETROACTIVITY.—

21 “(A) NOTICE OF AVAILABILITY OF RETRO-
22 ACTIVE PROTECTION.—Not later than 30 days
23 after the effective date of this section, the Sec-
24 retary shall publish a notice in the Federal Reg-
25 ister to inform dairy producers of the avail-

1 ability of retroactive margin insurance, subject
2 to the condition that interested producers must
3 file a notice of intent (in such form and manner
4 as the Secretary specifies in the Federal Reg-
5 ister notice) to participate in the margin insur-
6 ance program.

7 “(B) RETROACTIVE MARGIN INSURANCE.—

8 “(i) AVAILABILITY.—If a dairy pro-
9 ducer files a notice of intent under sub-
10 paragraph (A) to participate in the margin
11 insurance program before the initiation of
12 the sign-up period for the margin insur-
13 ance program and subsequently signs up
14 for the margin insurance program, the pro-
15 ducer shall receive margin insurance retro-
16 active to the effective date of this section.

17 “(ii) DURATION.—Retroactive margin
18 insurance under this paragraph for a dairy
19 producer shall apply from the effective
20 date of this section until the date on which
21 the producer signs up for the margin in-
22 surance program.

23 “(C) NOTICE OF INTENT AND OBLIGATION
24 TO PARTICIPATE.—In no way does filing a no-
25 tice of intent under this paragraph obligate a

1 dairy producer to sign up for the margin insur-
2 ance program once the program rules are final,
3 but if a producer does file a notice of intent and
4 subsequently signs up for the margin insurance
5 program, that dairy producer is obligated to
6 pay premiums for any retroactive margin insur-
7 ance selected in the notice of intent.

8 “(5) RECONSTITUTION.—The Secretary shall
9 ensure that a dairy producer does not reconstitute a
10 dairy operation for the sole purpose of purchasing
11 margin insurance.

12 “(e) PRODUCTION HISTORY OF PARTICIPATING
13 DAIRY PRODUCERS.—

14 “(1) DETERMINATION OF PRODUCTION HIS-
15 TORY.—

16 “(A) IN GENERAL.—The Secretary shall
17 determine the production history of the dairy
18 operation of each participating dairy producer
19 in the margin insurance program.

20 “(B) CALCULATION.—Except as provided
21 in subparagraphs (C) and (D), the production
22 history of a participating dairy producer shall
23 be equal to the highest annual milk marketings
24 of the dairy producer during any 1 of the 3 cal-
25 endar years immediately preceding the registra-

1 tion of the dairy producer for participation in
2 the margin insurance program.

3 “(C) UPDATING PRODUCTION HISTORY.—

4 So long as a participating producer remains
5 registered, the production history of the partici-
6 pating producer shall be annually updated
7 based on the highest annual milk marketings of
8 the dairy producer during any one of the 3 im-
9 mediately preceding calendar years.

10 “(D) NEW PRODUCERS.—If a dairy pro-
11 ducer has been in operation for less than 1
12 year, the Secretary shall determine the initial
13 production history of the dairy producer under
14 subparagraph (B) by extrapolating the actual
15 milk marketings for the months that the dairy
16 producer has been in operation to a yearly
17 amount.

18 “(2) REQUIRED INFORMATION.—A partici-
19 pating dairy producer shall provide all information
20 that the Secretary may require in order to establish
21 the production history of the dairy operation of the
22 dairy producer.

23 “(3) TRANSFER OF PRODUCTION HISTORY.—

24 “(A) TRANSFER BY SALE.—

1 “(i) REQUEST FOR TRANSFER.—If an
2 existing dairy producer sells an entire
3 dairy operation to another party, the seller
4 and purchaser may jointly request that the
5 Secretary transfer to the purchaser the in-
6 terest of the seller in the production his-
7 tory of the dairy operation.

8 “(ii) TRANSFER.—If the Secretary de-
9 termines that the seller has sold the entire
10 dairy operation to the purchaser, the Sec-
11 retary shall approve the transfer and,
12 thereafter, the seller shall have no interest
13 in the production history of the sold dairy
14 operation.

15 “(B) TRANSFER BY LEASE.—

16 “(i) REQUEST FOR TRANSFER.—If an
17 existing dairy producer leases an entire
18 dairy operation to another party, the lessor
19 and lessee may jointly request that the
20 Secretary transfer to the lessee for the du-
21 ration of the term of the lease the interest
22 of the lessor in the production history of
23 the dairy operation.

24 “(ii) TRANSFER.—If the Secretary de-
25 termines that the lessor has leased the en-

1 tire dairy operation to the lessee, the Sec-
2 retary shall approve the transfer and,
3 thereafter, the lessor shall have no interest
4 for the duration of the term of the lease in
5 the production history of the leased dairy
6 operation.

7 “(C) COVERAGE LEVEL.—A purchaser or
8 lessee to whom the Secretary transfers a pro-
9 duction history under this paragraph may not
10 obtain a different level of margin insurance cov-
11 erage held by the seller or lessor from whom the
12 transfer was obtained.

13 “(D) NEW ENTRANTS.—The Secretary
14 may not transfer the production history deter-
15 mined for a dairy producer described in sub-
16 section (d)(3)(B) to another person.

17 “(4) MOVEMENT AND TRANSFER OF PRODUC-
18 TION HISTORY.—

19 “(A) MOVEMENT AND TRANSFER AUTHOR-
20 IZED.—Subject to subparagraph (B), if a dairy
21 producer moves from 1 location to another loca-
22 tion, the dairy producer may maintain the pro-
23 duction history associated with the operation.

24 “(B) NOTIFICATION REQUIREMENT.—A
25 dairy producer shall notify the Secretary of any

1 move of a dairy operation under subparagraph
2 (A).

3 “(C) SUBSEQUENT OCCUPATION OF VA-
4 CATED LOCATION.—A party subsequently occu-
5 pying a dairy operation location vacated as de-
6 scribed in subparagraph (A) shall have no inter-
7 est in the production history previously associ-
8 ated with the operation at that location.

9 “(f) MARGIN INSURANCE.—

10 “(1) IN GENERAL.—At the time of the registra-
11 tion of a dairy producer in the margin insurance
12 program under subsection (d) and annually there-
13 after during the duration of the margin insurance
14 program, an eligible dairy producer may purchase
15 margin insurance.

16 “(2) SELECTION OF PAYMENT THRESHOLD.—A
17 participating dairy producer purchasing margin in-
18 surance shall elect a coverage level in any increment
19 of \$0.50, with a minimum of \$4.00 and a maximum
20 of \$8.00.

21 “(3) SELECTION OF COVERAGE PERCENTAGE.—
22 A participating dairy producer purchasing margin
23 insurance shall elect a percentage of coverage, equal
24 to not more than 80 percent nor less than 25 per-

1 cent, of the production history of the dairy operation
2 of the participating dairy producer.

3 “(4) PRODUCER PREMIUMS.—

4 “(A) PREMIUMS REQUIRED.—A partici-
5 pating dairy producer that purchases margin
6 insurance shall pay an annual premium equal to
7 the product obtained by multiplying—

8 “(i) the percentage selected by the
9 dairy producer under paragraph (3);

10 “(ii) the production history applicable
11 to the dairy producer; and

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

15 “(B) PREMIUM PER HUNDREDWEIGHT FOR
16 FIRST 4 MILLION POUNDS OF PRODUCTION.—

17 For the first 4,000,000 pounds of milk mar-
18 ketings included in the annual production his-
19 tory of a participating dairy operation, the pre-
20 mium per hundredweight corresponding to each
21 coverage level specified in the following table is
22 as follows:

“Coverage Level	Premium per Cwt.
\$4.00	\$0.00
\$4.50	\$0.01
\$5.00	\$0.02
\$5.50	\$0.035

“Coverage Level	Premium per Cwt.
\$6.00	\$0.045
\$6.50	\$0.09
\$7.00	\$0.18
\$7.50	\$0.60
\$8.00	\$0.95

1 “(C) PREMIUM PER HUNDREDWEIGHT FOR
2 PRODUCTION IN EXCESS OF 4 MILLION
3 POUNDS.—For milk marketings in excess of
4 4,000,000 pounds included in the annual pro-
5 duction history of a participating dairy oper-
6 ation, the premium per hundredweight cor-
7 responding to each coverage level is as follows:

“Coverage Level	Premium per Cwt.
\$4.00	\$0.030
\$4.50	\$0.045
\$5.00	\$0.066
\$5.50	\$0.11
\$6.00	\$0.185
\$6.50	\$0.29
\$7.00	\$0.38
\$7.50	\$0.83
\$8.00	\$1.06

8 “(D) TIME FOR PAYMENT.—

9 “(i) FIRST YEAR.—As soon as prac-
10 ticable after a dairy producer registers to
11 participate in the margin insurance pro-
12 gram and purchases margin insurance, the
13 dairy producer shall pay the premium de-
14 termined under subparagraph (A) for the

1 dairy producer for the first calendar year
2 of the margin insurance.

3 “(ii) SUBSEQUENT YEARS.—

4 “(I) IN GENERAL.—When the
5 dairy producer first purchases margin
6 insurance, the dairy producer shall
7 also elect the method by which the
8 dairy producer will pay premiums
9 under this subsection for subsequent
10 years in accordance with 1 of the
11 schedules described in subclauses (II)
12 and (III).

13 “(II) SINGLE ANNUAL PAY-
14 MENT.—The participating dairy pro-
15 ducer may elect to pay 100 percent of
16 the annual premium determined under
17 subparagraph (A) for the dairy pro-
18 ducer for a calendar year by not later
19 than January 15 of the calendar year.

20 “(III) SEMI-ANNUAL PAY-
21 MENTS.—The participating dairy pro-
22 ducer may elect to pay—

23 “(aa) 50 percent of the an-
24 nual premium determined under
25 subparagraph (A) for the dairy

1 producer for a calendar year by
2 not later than January 15 of the
3 calendar year; and

4 “(bb) the remaining 50 per-
5 cent of the premium by not later
6 than June 15 of the calendar
7 year.

8 “(5) PRODUCER PREMIUM OBLIGATIONS.—

9 “(A) PRO-RATION OF FIRST YEAR PRE-
10 MIUM.—A participating dairy producer that
11 purchases margin insurance after initial reg-
12 istration in the margin insurance program shall
13 pay a pro-rated premium for the first calendar
14 year based on the date on which the producer
15 purchases the coverage.

16 “(B) SUBSEQUENT PREMIUMS.—Except as
17 provided in subparagraph (A), the annual pre-
18 mium for a participating dairy producer shall
19 be determined under paragraph (4) for each
20 year in which the margin insurance program is
21 in effect.

22 “(C) LEGAL OBLIGATION.—

23 “(i) IN GENERAL.—Except as pro-
24 vided in clauses (ii) and (iii), a partici-
25 pating dairy producer that purchases mar-

1 gin insurance shall be legally obligated to
2 pay the applicable premiums for the entire
3 period of the margin insurance program
4 (as provided in the payment schedule elect-
5 ed under paragraph (4)(B)), and may not
6 opt out of the margin insurance program.

7 “(ii) DEATH.—If the dairy producer
8 dies, the estate of the deceased may cancel
9 the margin insurance and shall not be re-
10 sponsible for any further premium pay-
11 ments.

12 “(iii) RETIREMENT.—If the dairy pro-
13 ducer retires, the producer may request
14 that Secretary cancel the margin insurance
15 if the producer has terminated the dairy
16 operation entirely and certifies under oath
17 that the producer will not be actively en-
18 gaged in any dairy operation for at least
19 the next 7 years.

20 “(6) PAYMENT THRESHOLD.—A participating
21 dairy producer with margin insurance shall receive a
22 margin insurance payment whenever the average ac-
23 tual dairy producer margin for a consecutive 2-
24 month period is less than the coverage level thresh-

1 old selected by the dairy producer under paragraph
2 (2).

3 “(7) MARGIN INSURANCE PAYMENTS.—

4 “(A) IN GENERAL.—The Secretary shall
5 make a margin insurance protection payment to
6 each participating dairy producer whenever the
7 average actual dairy producer margin for a con-
8 secutive 2-month period is less than the cov-
9 erage level threshold selected by the dairy pro-
10 ducer under paragraph (2).

11 “(B) AMOUNT OF PAYMENT.—The margin
12 insurance payment for the dairy operation of a
13 participating dairy producer shall be determined
14 as follows:

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

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

20 “(II) the average actual dairy
21 producer margin for the consecutive
22 2-month period.

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

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

4 “(II) the lesser of—

5 “(aa) the quotient obtained
6 by dividing—

7 “(AA) the production
8 history applicable to the pro-
9 ducer under subsection
10 (e)(1); by

11 “(BB) 6; and

12 “(bb) the actual quantity of
13 milk marketed by the dairy oper-
14 ation of the dairy producer dur-
15 ing the consecutive 2-month pe-
16 riod.

17 “(g) EFFECT OF FAILURE TO PAY PREMIUMS.—

18 “(1) LOSS OF BENEFITS.—A participating
19 dairy producer that is in arrears on premium pay-
20 ments for margin insurance—

21 “(A) remains legally obligated to pay the
22 premiums; and

23 “(B) may not receive margin insurance
24 until the premiums are fully paid.

1 “(2) ENFORCEMENT.—The Secretary may take
2 such action as is necessary to collect premium pay-
3 ments for margin insurance.

4 “(h) USE OF COMMODITY CREDIT CORPORATION.—
5 The Secretary shall use the funds, facilities, and the au-
6 thorities of the Commodity Credit Corporation to carry
7 out this section.

8 “(i) PROGRAM START DATE.—The Secretary shall
9 conduct the margin insurance program beginning on Octo-
10 ber 1, 2013.”.

11 **SEC. 1402. RULEMAKING.**

12 (a) PROCEDURE.—The promulgation of regulations
13 for the initiation of the margin insurance program, and
14 for administration of the margin insurance program, shall
15 be made—

16 (1) without regard to chapter 35 of title 44,
17 United States Code (commonly known as the Paper-
18 work Reduction Act);

19 (2) without regard to the Statement of Policy
20 of the Secretary of Agriculture effective July 24,
21 1971 (36 Fed. Reg. 13804), relating to notices of
22 proposed rulemaking and public participation in
23 rulemaking; and

24 (3) subject to subsection (b), pursuant to sec-
25 tion 553 of title 5, United States Code.

1 (b) SPECIAL RULEMAKING REQUIREMENTS.—

2 (1) INTERIM RULES AUTHORIZED.—With re-
3 spect to the margin insurance program, the Sec-
4 retary may promulgate interim rules under the au-
5 thority provided in subparagraph (B) of section
6 553(b) of title 5, United States Code, if the Sec-
7 retary determines such interim rules to be needed.
8 Any such interim rules for the margin insurance
9 program shall be effective on publication.

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

15 (c) INCLUSION OF ADDITIONAL ORDER.—Section
16 143(a)(2) of the Federal Agriculture Improvement and
17 Reform Act of 1996 (7 U.S.C. 7253(a)(2)) is amended
18 by adding at the end the following new sentence: “Sub-
19 section (b)(2) does not apply to the authority of the Sec-
20 retary under this subsection.”.

1 **PART II—REPEAL OR REAUTHORIZATION OF**

2 **OTHER DAIRY-RELATED PROVISIONS**

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

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

9 (b) REPEAL OF MILK INCOME LOSS CONTRACT PRO-
10 GRAM.—Section 1506 of the Food, Conservation, and En-
11 ergy Act of 2008 (7 U.S.C. 8773) is repealed.

12 **SEC. 1412. REPEAL OF DAIRY EXPORT INCENTIVE PRO-**
13 **GRAM.**

14 (a) REPEAL.—Section 153 of the Food Security Act
15 of 1985 (15 U.S.C. 713a–14) is repealed.

16 (b) CONFORMING AMENDMENTS.—Section 902(2) of
17 the Trade Sanctions Reform and Export Enhancement
18 Act of 2000 (22 U.S.C. 7201(2)) is amended—

19 (1) by striking subparagraph (D); and

20 (2) by redesignating subparagraphs (E) and
21 (F) as subparagraphs (D) and (E), respectively.

22 **SEC. 1413. EXTENSION OF DAIRY FORWARD PRICING PRO-**
23 **GRAM.**

24 Section 1502(e) of the Food, Conservation, and En-
25 ergy Act of 2008 (7 U.S.C. 8772(e)) is amended—

1 (1) in paragraph (1), by striking “2012” and
2 inserting “2018”; and

3 (2) in paragraph (2), by striking “2015” and
4 inserting “2021”.

5 **SEC. 1414. EXTENSION OF DAIRY INDEMNITY PROGRAM.**

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

8 **SEC. 1415. EXTENSION OF DAIRY PROMOTION AND RE-**
9 **SEARCH PROGRAM.**

10 Section 113(e)(2) of the Dairy Production Stabiliza-
11 tion Act of 1983 (7 U.S.C. 4504(e)(2)) is amended by
12 striking “2012” and inserting “2018”.

13 **SEC. 1416. REPEAL OF FEDERAL MILK MARKETING ORDER**
14 **REVIEW COMMISSION.**

15 Section 1509 of the Food, Conservation, and Energy
16 Act of 2008 (Public Law 110–246; 122 Stat. 1726) is re-
17 pealed.

18 **PART III—EFFECTIVE DATE**

19 **SEC. 1421. EFFECTIVE DATE.**

20 This subtitle and the amendments made by this sub-
21 title shall take effect on October 1, 2013.

1 **Subtitle E—Supplemental Agricultural**
2 **tural Disaster Assistance Pro-**
3 **grams**

4 **SEC. 1501. SUPPLEMENTAL AGRICULTURAL DISASTER AS-**
5 **SISTANCE.**

6 (a) DEFINITIONS.—In this section:

7 (1) ELIGIBLE PRODUCER ON A FARM.—

8 (A) IN GENERAL.—The term “eligible pro-
9 ducer on a farm” means an individual or entity
10 described in subparagraph (B) that, as deter-
11 mined by the Secretary, assumes the production
12 and market risks associated with the agricul-
13 tural production of crops or livestock.

14 (B) DESCRIPTION.—An individual or enti-
15 ty referred to in subparagraph (A) is—

16 (i) a citizen of the United States;

17 (ii) a resident alien;

18 (iii) a partnership of citizens of the
19 United States; or

20 (iv) a corporation, limited liability cor-
21 poration, or other farm organizational
22 structure organized under State law.

23 (2) FARM-RAISED FISH.—The term “farm-
24 raised fish” means any aquatic species that is propa-
25 gated and reared in a controlled environment.

1 (3) LIVESTOCK.—The term “livestock” in-
2 cludes—

3 (A) cattle (including dairy cattle);

4 (B) bison;

5 (C) poultry;

6 (D) sheep;

7 (E) swine;

8 (F) horses; and

9 (G) other livestock, as determined by the
10 Secretary.

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

13 (b) LIVESTOCK INDEMNITY PAYMENTS.—

14 (1) PAYMENTS.—For fiscal year 2012 and each
15 succeeding fiscal year, the Secretary shall use such
16 sums as are necessary of the funds of the Com-
17 modity Credit Corporation to make livestock indem-
18 nity payments to eligible producers on farms that
19 have incurred livestock death losses in excess of the
20 normal mortality, as determined by the Secretary,
21 due to—

22 (A) attacks by animals reintroduced into
23 the wild by the Federal Government or pro-
24 tected by Federal law, including wolves and
25 avian predators; or

1 (B) adverse weather, as determined by the
2 Secretary, during the calendar year, including
3 losses due to hurricanes, floods, blizzards, dis-
4 ease, wildfires, extreme heat, and extreme cold.

5 (2) PAYMENT RATES.—Indemnity payments to
6 an eligible producer on a farm under paragraph (1)
7 shall be made at a rate of 75 percent of the market
8 value of the applicable livestock on the day before
9 the date of death of the livestock, as determined by
10 the Secretary.

11 (3) SPECIAL RULE FOR PAYMENTS MADE DUE
12 TO DISEASE.—The Secretary shall ensure that pay-
13 ments made to an eligible producer under paragraph
14 (1) are not made for the same livestock losses for
15 which compensation is provided pursuant to section
16 10407(d) of the Animal Health Protection Act (7
17 U.S.C. 8306(d)).

18 (c) LIVESTOCK FORAGE DISASTER PROGRAM.—

19 (1) DEFINITIONS.—In this subsection:

20 (A) COVERED LIVESTOCK.—

21 (i) IN GENERAL.—Except as provided
22 in clause (ii), the term “covered livestock”
23 means livestock of an eligible livestock pro-
24 ducer that, during the 60 days prior to the
25 beginning date of a qualifying drought or

1 fire condition, as determined by the Sec-
2 retary, the eligible livestock producer—

3 (I) owned;

4 (II) leased;

5 (III) purchased;

6 (IV) entered into a contract to
7 purchase;

8 (V) is a contract grower; or

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

12 (aa) the current production
13 year; or

14 (bb) subject to paragraph
15 (3)(B)(ii), 1 or both of the 2 pro-
16 duction years immediately pre-
17 ceding the current production
18 year.

19 (ii) EXCLUSION.—The term “covered
20 livestock” does not include livestock that
21 were or would have been in a feedlot, on
22 the beginning date of the qualifying
23 drought or fire condition, as a part of the
24 normal business operation of the eligible

1 livestock producer, as determined by the
2 Secretary.

3 (B) DROUGHT MONITOR.—The term
4 “drought monitor” means a system for
5 classifying drought severity according to a
6 range of abnormally dry to exceptional drought,
7 as defined by the Secretary.

8 (C) ELIGIBLE LIVESTOCK PRODUCER.—

9 (i) IN GENERAL.—The term “eligible
10 livestock producer” means an eligible pro-
11 ducer on a farm that—

12 (I) is an owner, cash or share
13 lessee, or contract grower of covered
14 livestock that provides the pastureland
15 or grazing land, including cash-leased
16 pastureland or grazing land, for the
17 livestock;

18 (II) provides the pastureland or
19 grazing land for covered livestock, in-
20 cluding cash-leased pastureland or
21 grazing land that is physically located
22 in a county affected by drought;

23 (III) certifies grazing loss; and

1 (IV) meets all other eligibility re-
2 quirements established under this sub-
3 section.

4 (ii) EXCLUSION.—The term “eligible
5 livestock producer” does not include an
6 owner, cash or share lessee, or contract
7 grower of livestock that rents or leases
8 pastureland or grazing land owned by an-
9 other person on a rate-of-gain basis.

10 (D) NORMAL CARRYING CAPACITY.—The
11 term “normal carrying capacity”, with respect
12 to each type of grazing land or pastureland in
13 a county, means the normal carrying capacity,
14 as determined under paragraph (3)(D)(i), that
15 would be expected from the grazing land or
16 pastureland for livestock during the normal
17 grazing period, in the absence of a drought or
18 fire that diminishes the production of the graz-
19 ing land or pastureland.

20 (E) NORMAL GRAZING PERIOD.—The term
21 “normal grazing period”, with respect to a
22 county, means the normal grazing period during
23 the calendar year for the county, as determined
24 under paragraph (3)(D)(i).

1 (2) PROGRAM.—For fiscal year 2012 and each
2 succeeding fiscal year, the Secretary shall use such
3 sums as are necessary of the funds of the Com-
4 modity Credit Corporation to provide compensation
5 for losses to eligible livestock producers due to graz-
6 ing losses for covered livestock due to—

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

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

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

12 (A) ELIGIBLE LOSSES.—

13 (i) IN GENERAL.—An eligible livestock
14 producer may receive assistance under this
15 subsection only for grazing losses for cov-
16 ered livestock that occur on land that—

17 (I) is native or improved
18 pastureland with permanent vegeta-
19 tive cover; or

20 (II) is planted to a crop planted
21 specifically for the purpose of pro-
22 viding grazing for covered livestock.

23 (ii) EXCLUSIONS.—An eligible live-
24 stock producer may not receive assistance
25 under this subsection for grazing losses

1 that occur on land used for haying or graz-
2 ing under the conservation reserve pro-
3 gram established under subchapter B of
4 chapter 1 of subtitle D of title XII of the
5 Food Security Act of 1985 (16 U.S.C.
6 3831 et seq.).

7 (B) MONTHLY PAYMENT RATE.—

8 (i) IN GENERAL.—Except as provided
9 in clause (ii), the payment rate for assist-
10 ance under this paragraph for 1 month
11 shall, in the case of drought, be equal to
12 60 percent of the lesser of—

13 (I) the monthly feed cost for all
14 covered livestock owned or leased by
15 the eligible livestock producer, as de-
16 termined under subparagraph (C); or

17 (II) the monthly feed cost cal-
18 culated by using the normal carrying
19 capacity of the eligible grazing land of
20 the eligible livestock producer.

21 (ii) PARTIAL COMPENSATION.—In the
22 case of an eligible livestock producer that
23 sold or otherwise disposed of covered live-
24 stock due to drought conditions in 1 or
25 both of the 2 production years immediately

1 preceding the current production year, as
2 determined by the Secretary, the payment
3 rate shall be 80 percent of the payment
4 rate otherwise calculated in accordance
5 with clause (i).

6 (C) MONTHLY FEED COST.—

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

10 (I) 30 days;

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

14 (III) a payment rate that is equal
15 to the corn price per pound, as deter-
16 mined under clause (iii).

17 (ii) FEED GRAIN EQUIVALENT.—For
18 purposes of clause (i)(II), the feed grain
19 equivalent shall equal—

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

22 (II) in the case of any other type
23 of weight of livestock, an amount de-
24 termined by the Secretary that rep-
25 represents the average number of pounds

1 of corn per day necessary to feed the
2 livestock.

3 (iii) CORN PRICE PER POUND.—For
4 purposes of clause (i)(III), the corn price
5 per pound shall equal the quotient ob-
6 tained by dividing—

7 (I) the higher of—

8 (aa) the national average
9 corn price per bushel for the 12-
10 month period immediately pre-
11 ceeding March 1 of the year for
12 which the disaster assistance is
13 calculated; or

14 (bb) the national average
15 corn price per bushel for the 24-
16 month period immediately pre-
17 ceeding that March 1; by

18 (II) 56.

19 (D) NORMAL GRAZING PERIOD AND
20 DROUGHT MONITOR INTENSITY.—

21 (i) FSA COUNTY COMMITTEE DETER-
22 MINATIONS.—

23 (I) IN GENERAL.—The Secretary
24 shall determine the normal carrying
25 capacity and normal grazing period

1 for each type of grazing land or
2 pastureland in the county served by
3 the applicable committee.

4 (II) CHANGES.—No change to
5 the normal carrying capacity or nor-
6 mal grazing period established for a
7 county under subclause (I) shall be
8 made unless the change is requested
9 by the appropriate State and county
10 Farm Service Agency committees.

11 (ii) DROUGHT INTENSITY.—

12 (I) D2.—An eligible livestock
13 producer that owns or leases grazing
14 land or pastureland that is physically
15 located in a county that is rated by
16 the U.S. Drought Monitor as having a
17 D2 (severe drought) intensity in any
18 area of the county for at least 8 con-
19 secutive weeks during the normal
20 grazing period for the county, as de-
21 termined by the Secretary, shall be el-
22 ible to receive assistance under this
23 paragraph in an amount equal to 1
24 monthly payment using the monthly

1 payment rate determined under sub-
2 paragraph (B).

3 (II) D3.—An eligible livestock
4 producer that owns or leases grazing
5 land or pastureland that is physically
6 located in a county that is rated by
7 the U.S. Drought Monitor as having
8 at least a D3 (extreme drought) in-
9 tensity in any area of the county at
10 any time during the normal grazing
11 period for the county, as determined
12 by the Secretary, shall be eligible to
13 receive assistance under this para-
14 graph—

15 (aa) in an amount equal to
16 3 monthly payments using the
17 monthly payment rate deter-
18 mined under subparagraph (B);

19 (bb) if the county is rated as
20 having a D3 (extreme drought)
21 intensity in any area of the coun-
22 ty for at least 4 weeks during the
23 normal grazing period for the
24 county, or is rated as having a
25 D4 (exceptional drought) inten-

1 sity in any area of the county at
2 any time during the normal graz-
3 ing period, in an amount equal to
4 4 monthly payments using the
5 monthly payment rate deter-
6 mined under subparagraph (B);
7 or

8 (cc) if the county is rated as
9 having a D4 (exceptional
10 drought) intensity in any area of
11 the county for at least 4 weeks
12 during the normal grazing pe-
13 riod, in an amount equal to 5
14 monthly payments using the
15 monthly rate determined under
16 subparagraph (B).

17 (4) ASSISTANCE FOR LOSSES DUE TO FIRE ON
18 PUBLIC MANAGED LAND.—

19 (A) IN GENERAL.—An eligible livestock
20 producer may receive assistance under this
21 paragraph only if—

22 (i) the grazing losses occur on range-
23 land that is managed by a Federal agency;
24 and

1 (ii) the eligible livestock producer is
2 prohibited by the Federal agency from
3 grazing the normal permitted livestock on
4 the managed rangeland due to a fire.

5 (B) PAYMENT RATE.—The payment rate
6 for assistance under this paragraph shall be
7 equal to 50 percent of the monthly feed cost for
8 the total number of livestock covered by the
9 Federal lease of the eligible livestock producer,
10 as determined under paragraph (3)(C).

11 (C) PAYMENT DURATION.—

12 (i) IN GENERAL.—Subject to clause
13 (ii), an eligible livestock producer shall be
14 eligible to receive assistance under this
15 paragraph for the period—

16 (I) beginning on the date on
17 which the Federal agency excludes the
18 eligible livestock producer from using
19 the managed rangeland for grazing;
20 and

21 (II) ending on the last day of the
22 Federal lease of the eligible livestock
23 producer.

24 (ii) LIMITATION.—An eligible livestock
25 producer may only receive assistance under

1 this paragraph for losses that occur on not
2 more than 180 days per year.

3 (5) NO DUPLICATIVE PAYMENTS.—An eligible
4 livestock producer may elect to receive assistance for
5 grazing or pasture feed losses due to drought condi-
6 tions under paragraph (3) or fire under paragraph
7 (4), but not both for the same loss, as determined
8 by the Secretary.

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

11 (1) IN GENERAL.—For fiscal year 2012 and
12 each succeeding fiscal year, the Secretary shall use
13 not more than \$20,000,000 of the funds of the Com-
14 modity Credit Corporation to provide emergency re-
15 lief to eligible producers of livestock, honey bees, and
16 farm-raised fish to aid in the reduction of losses due
17 to disease (including cattle tick fever), adverse
18 weather, or other conditions, such as blizzards and
19 wildfires, as determined by the Secretary, that are
20 not covered under subsection (b) or (c).

21 (2) USE OF FUNDS.—Funds made available
22 under this subsection shall be used to reduce losses
23 caused by feed or water shortages, disease, or other
24 factors as determined by the Secretary.

1 (3) AVAILABILITY OF FUNDS.—Any funds made
2 available under this subsection shall remain available
3 until expended.

4 (e) TREE ASSISTANCE PROGRAM.—

5 (1) DEFINITIONS.—In this subsection:

6 (A) ELIGIBLE ORCHARDIST.—The term
7 “eligible orchardist” means a person that pro-
8 duces annual crops from trees for commercial
9 purposes.

10 (B) NATURAL DISASTER.—The term “nat-
11 ural disaster” means plant disease, insect infes-
12 tation, drought, fire, freeze, flood, earthquake,
13 lightning, or other occurrence, as determined by
14 the Secretary.

15 (C) NURSERY TREE GROWER.—The term
16 “nursery tree grower” means a person who pro-
17 duces nursery, ornamental, fruit, nut, or Christ-
18 mas trees for commercial sale, as determined by
19 the Secretary.

20 (D) TREE.—The term “tree” includes a
21 tree, bush, and vine.

22 (2) ELIGIBILITY.—

23 (A) LOSS.—Subject to subparagraph (B),
24 for fiscal year 2012 and each succeeding fiscal
25 year, the Secretary shall use such sums as are

1 necessary of the funds of the Commodity Credit
2 Corporation to provide assistance—

3 (i) under paragraph (3) to eligible or-
4 chardists and nursery tree growers that
5 planted trees for commercial purposes but
6 lost the trees as a result of a natural dis-
7 aster, as determined by the Secretary; and

8 (ii) under paragraph (3)(B) to eligible
9 orchardists and nursery tree growers that
10 have a production history for commercial
11 purposes on planted or existing trees but
12 lost the trees as a result of a natural dis-
13 aster, as determined by the Secretary.

14 (B) LIMITATION.—An eligible orchardist
15 or nursery tree grower shall qualify for assist-
16 ance under subparagraph (A) only if the tree
17 mortality of the eligible orchardist or nursery
18 tree grower, as a result of damaging weather or
19 related condition, exceeds 15 percent (adjusted
20 for normal mortality).

21 (3) ASSISTANCE.—Subject to paragraph (4),
22 the assistance provided by the Secretary to eligible
23 orchardists and nursery tree growers for losses de-
24 scribed in paragraph (2) shall consist of—

1 (A)(i) reimbursement of 65 percent of the
2 cost of replanting trees lost due to a natural
3 disaster, as determined by the Secretary, in ex-
4 cess of 15 percent mortality (adjusted for nor-
5 mal mortality); or

6 (ii) at the option of the Secretary, suffi-
7 cient seedlings to reestablish a stand; and

8 (B) reimbursement of 50 percent of the
9 cost of pruning, removal, and other costs in-
10 curred by an eligible orchardist or nursery tree
11 grower to salvage existing trees or, in the case
12 of tree mortality, to prepare the land to replant
13 trees as a result of damage or tree mortality
14 due to a natural disaster, as determined by the
15 Secretary, in excess of 15 percent damage or
16 mortality (adjusted for normal tree damage and
17 mortality).

18 (4) LIMITATIONS ON ASSISTANCE.—

19 (A) DEFINITIONS OF LEGAL ENTITY AND
20 PERSON.—In this paragraph, the terms “legal
21 entity” and “person” have the meaning given
22 those terms in section 1001(a) of the Food Se-
23 curity Act of 1985 (7 U.S.C. 1308(a)).

24 (B) AMOUNT.—The total amount of pay-
25 ments received, directly or indirectly, by a per-

1 son or legal entity (excluding a joint venture or
2 general partnership) under this subsection may
3 not exceed \$125,000 for any crop year, or an
4 equivalent value in tree seedlings.

5 (C) ACRES.—The total quantity of acres
6 planted to trees or tree seedlings for which a
7 person or legal entity shall be entitled to receive
8 payments under this subsection may not exceed
9 500 acres.

10 (f) PAYMENT LIMITATIONS.—

11 (1) DEFINITIONS OF LEGAL ENTITY AND PER-
12 SON.—In this subsection, the terms “legal entity”
13 and “person” have the meaning given those terms in
14 section 1001(a) of the Food Security Act of 1985 (7
15 U.S.C. 1308(a)).

16 (2) AMOUNT.—The total amount of disaster as-
17 sistance payments received, directly or indirectly, by
18 a person or legal entity (excluding a joint venture or
19 general partnership) under this section (excluding
20 payments received under subsection (e)) may not ex-
21 ceed \$125,000 for any crop year.

22 (3) DIRECT CONTRIBUTION.—Subsections (e)
23 and (f) of section 1001 of the Food Security Act of
24 1985 (7 U.S.C. 1308) or any successor provisions

1 relating to direct attribution shall apply with respect
2 to assistance provided under this section.

3 **SEC. 1502. NATIONAL DROUGHT COUNCIL AND NATIONAL**
4 **DROUGHT POLICY ACTION PLAN.**

5 (a) DEFINITIONS.—In this section:

6 (1) COUNCIL.—The term “Council” means the
7 National Drought Council established by this sec-
8 tion.

9 (2) DROUGHT.—The term “drought” means a
10 natural disaster that is caused by a deficiency in
11 precipitation—

12 (A) that may lead to a deficiency in sur-
13 face and subsurface water supplies (including
14 rivers, streams, wetlands, ground water, soil
15 moisture, reservoir supplies, lake levels, and
16 snow pack); and

17 (B) that causes or may cause—

18 (i) substantial economic or social im-
19 pacts; or

20 (ii) physical damage or injury to indi-
21 viduals, property, or the environment.

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

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

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

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

13 (7) STATE.—The term “State” means the sev-
14 eral States, the District of Columbia, American
15 Samoa, Guam, the Commonwealth of the Northern
16 Mariana Islands, the Commonwealth of Puerto Rico,
17 and the United States Virgin Islands.

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

22 (A) in which drought is emerging; or

23 (B) that is experiencing a drought.

24 (9) WATERSHED.—The term “watershed”
25 means a region or area with common hydrology, an

1 area drained by a waterway that drains into a lake
2 or reservoir, the total area above a given point on
3 a stream that contributes water to the flow at that
4 point, or the topographic dividing line from which
5 surface streams flow in two different directions. In
6 no case shall a watershed be larger than a river
7 basin.

8 (10) WATERSHED GROUP.—The term “water-
9 shed group” means a group of individuals, formally
10 recognized by the appropriate State or States, who
11 represent the broad scope of relevant interests with-
12 in a watershed and who work together in a collabo-
13 rative manner to jointly plan the management of the
14 natural resources contained within the watershed.

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

17 (1) the authority of a State to allocate quan-
18 tities of water under the jurisdiction of the State; or

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

21 (c) NATIONAL DROUGHT COUNCIL.—

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

25 (2) MEMBERSHIP.—

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

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

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

7 (iii) the Secretary of the Army (or the
8 designee of the Secretary of the Army);

9 (iv) the Secretary of the Interior (or
10 the designee of the Secretary of the Inte-
11 rior);

12 (v) the Director of the Federal Emer-
13 gency Management Agency (or the des-
14 ignedee of the Director);

15 (vi) the Administrator of the Environ-
16 mental Protection Agency (or the designee
17 of the Administrator);

18 (vii) 4 members appointed by the Sec-
19 retary, in coordination with the National
20 Governors Association, each of whom shall
21 be the Governor of a State (or the designee
22 of the Governor) and who collectively shall
23 represent the geographic diversity of the
24 Nation;

1 (viii) 1 member appointed by the Sec-
2 retary, in coordination with the National
3 Association of Counties;

4 (ix) 1 member appointed by the Sec-
5 retary, in coordination with the United
6 States Conference of Mayors;

7 (x) 1 member appointed by the Sec-
8 retary of the Interior, in coordination with
9 Indian tribes, to represent the interests of
10 tribal governments; and

11 (xi) 1 member appointed by the Sec-
12 retary, in coordination with the National
13 Association of Conservation Districts, to
14 represent local soil and water conservation
15 districts.

16 (B) DATE OF APPOINTMENT.—The ap-
17 pointment of each member of the Council shall
18 be made not later than 120 days after the date
19 of enactment of this Act.

20 (3) TERM; VACANCIES.—

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

24 (B) VACANCIES.—A vacancy on the Coun-
25 cil—

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

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

5 (C) TERMS OF MEMBERS FILLING VACAN-
6 CIES.—Any member appointed to fill a vacancy
7 occurring before the expiration of the term for
8 which the member's predecessor was appointed
9 shall be appointed only for the remainder of
10 that term.

11 (4) MEETINGS.—

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

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

16 (5) QUORUM.—A majority of the members of
17 the Council shall constitute a quorum, but a lesser
18 number may hold hearings or conduct other busi-
19 ness.

20 (6) COUNCIL LEADERSHIP.—

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

24 (B) APPOINTMENT.—

1 (i) FEDERAL CO-CHAIR.—The Sec-
2 retary shall be the Federal co-chair.

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

8 (d) DUTIES OF THE COUNCIL.—

9 (1) IN GENERAL.—The Council shall—

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

14 (i)(I) delineates and integrates re-
15 sponsibilities for activities relating to
16 drought (including drought preparedness,
17 mitigation, research, risk management,
18 training, and emergency relief) among
19 Federal agencies; and

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

24 (ii) is consistent with—

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

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

5 (iii) is integrated with drought man-
6 agement programs of the States, Indian
7 tribes, local governments, watershed
8 groups, and private entities; and

9 (iv) avoids duplicating Federal, State,
10 tribal, local, watershed, and private
11 drought preparedness and monitoring pro-
12 grams in existence on the date of enact-
13 ment of this Act;

14 (B) evaluate Federal drought-related pro-
15 grams in existence on the date of enactment of
16 this Act and make recommendations to Con-
17 gress and the President on means of elimi-
18 nating—

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

21 (ii) duplication among programs; and

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

1 (C) make recommendations to the Presi-
2 dent, Congress, and appropriate Federal agen-
3 cies on—

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

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

10 (D) encourage and facilitate the develop-
11 ment of drought preparedness plans under sub-
12 title C, including establishing the guidelines
13 under this section;

14 (E) based on a review of drought prepared-
15 ness plans, develop and make available to the
16 public drought planning models to reduce water
17 resource conflicts relating to water conservation
18 and droughts;

19 (F) develop and coordinate public aware-
20 ness activities to provide the public with access
21 to understandable and informative materials on
22 drought, including—

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

1 (ii) descriptions of the value and bene-
2 fits of land stewardship to reduce the im-
3 pacts of drought and to protect the envi-
4 ronment;

5 (iii) clear instructions for appropriate
6 responses to drought, including water con-
7 servation, water reuse, and detection and
8 elimination of water leaks;

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

11 (v) opportunities for assistance to re-
12 source-dependent businesses and industries
13 in times of drought; and

14 (G) establish operating procedures for the
15 Council.

16 (2) CONSULTATION.—In carrying out this sub-
17 section, the Council shall consult with groups af-
18 fected by drought emergencies.

19 (3) REPORTS TO CONGRESS.—

20 (A) ANNUAL REPORT.—

21 (i) IN GENERAL.—Not later than one
22 year after the date of the first meeting of
23 the Council, and annually thereafter, the
24 Council shall submit to Congress a report

1 on the activities carried out under this sec-
2 tion.

3 (ii) INCLUSIONS.—

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

7 (II) INITIAL REPORT.—The ini-
8 tial report submitted under subpara-
9 graph (A) shall include any rec-
10 ommendations of the Council.

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

15 (i) amendments to this section; and

16 (ii) whether the Council should con-
17 tinue.

18 (e) POWERS OF THE COUNCIL.—

19 (1) HEARINGS.—The Council may hold hear-
20 ings, meet and act at any time and place, take any
21 testimony and receive any evidence that the Council
22 considers advisable to carry out this section.

23 (2) INFORMATION FROM FEDERAL AGENCIES.—

24 (A) IN GENERAL.—The Council may ob-
25 tain directly from any Federal agency any in-

1 formation that the Council considers necessary
2 to carry out this section.

3 (B) PROVISION OF INFORMATION.—

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

9 (ii) LIMITATION.—The head of a Fed-
10 eral agency shall not provide any informa-
11 tion to the Council that the Federal agency
12 head determines the disclosure of which
13 may cause harm to national security inter-
14 ests.

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

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

21 (f) COUNCIL PERSONNEL MATTERS.—

22 (1) COMPENSATION OF MEMBERS.—

23 (A) NON-FEDERAL EMPLOYEES.—A mem-
24 ber of the Council who is not an officer or em-

1 ployee of the Federal Government shall serve
2 without compensation.

3 (B) FEDERAL EMPLOYEES.—A member of
4 the Council who is an officer or employee of the
5 United States shall serve without compensation
6 in addition to the compensation received for
7 services of the member as an officer or em-
8 ployee of the Federal Government.

9 (2) TRAVEL EXPENSES.—A member of the
10 Council shall be allowed travel expenses at rates au-
11 thorized for an employee of an agency under sub-
12 chapter I of chapter 57 of title 5, United States
13 Code, while away from the home or regular place of
14 business of the member in the performance of the
15 duties of the Council.

16 (g) TERMINATION OF COUNCIL.—The Council shall
17 terminate at the end of the eighth fiscal year beginning
18 on or after the date of the enactment of this Act.

19 **Subtitle F—Administration**

20 **SEC. 1601. ADMINISTRATION GENERALLY.**

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

1 (b) DETERMINATIONS BY SECRETARY.—A deter-
2 mination made by the Secretary under this title shall be
3 final and conclusive.

4 (c) REGULATIONS.—

5 (1) IN GENERAL.—Except as otherwise pro-
6 vided in this subsection, not later than 90 days after
7 the date of enactment of this Act, the Secretary and
8 the Commodity Credit Corporation, as appropriate,
9 shall promulgate such regulations as are necessary
10 to implement this title and the amendments made by
11 this title.

12 (2) PROCEDURE.—The promulgation of the reg-
13 ulations and administration of this title and the
14 amendments made by this title and sections 10003
15 and 10016 of this Act shall be made—

16 (A) pursuant to section 553 of title 5,
17 United States Code, including by interim rules
18 effective on publication under the authority pro-
19 vided in subparagraph (B) of subsection (b) of
20 such section if the Secretary determines such
21 interim rules to be needed and final rules, with
22 an opportunity for notice and comment, no
23 later than 21 months after the date of the en-
24 actment of this Act;

1 (B) without regard to chapter 35 of title
2 44, United States Code (commonly known as
3 the “Paperwork Reduction Act”); and

4 (C) without regard to the Statement of
5 Policy of the Secretary of Agriculture effective
6 July 24, 1971 (36 Fed. Reg. 13804), relating
7 to notices of proposed rulemaking and public
8 participation in rulemaking.

9 (d) ADJUSTMENT AUTHORITY RELATED TO TRADE
10 AGREEMENTS COMPLIANCE.—

11 (1) REQUIRED DETERMINATION; ADJUST-
12 MENT.—If the Secretary determines that expendi-
13 tures under this title that are subject to the total al-
14 lowable domestic support levels under the Uruguay
15 Round Agreements (as defined in section 2 of the
16 Uruguay Round Agreements Act (19 U.S.C. 3501))
17 will exceed the allowable levels for any applicable re-
18 porting period, the Secretary shall, to the maximum
19 extent practicable, make adjustments in the amount
20 of the expenditures during that period to ensure that
21 the expenditures do not exceed the allowable levels.

22 (2) CONGRESSIONAL NOTIFICATION.—Before
23 making any adjustment under paragraph (1), the
24 Secretary shall submit to the Committee on Agri-
25 culture of the House of Representatives and the

1 Committee on Agriculture, Nutrition, and Forestry
2 of the Senate a report describing the determination
3 made under that paragraph and the extent of the
4 adjustment to be made.

5 **SEC. 1602. REPEAL OF PERMANENT PRICE SUPPORT AU-**
6 **THORITY.**

7 (a) AGRICULTURAL ADJUSTMENT ACT OF 1938.—

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

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

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

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

15 (2) INAPPLICABILITY TO UPLAND COTTON.—

16 Section 377 of the Agricultural Adjustment Act of
17 1938 (7 U.S.C. 1377) is amended by striking “was
18 not fully planted” and inserting “was not fully
19 planted: *Provided further*, That effective on the date
20 of the enactment of the Federal Agriculture Reform
21 and Risk Management Act of 2013, this section
22 shall not apply to upland cotton”.

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

25 (1) Section 101 (7 U.S.C. 1441).

1 (2) Section 103(a) (7 U.S.C. 1444(a)).

2 (3) Section 105 (7 U.S.C. 1444b).

3 (4) Section 107 (7 U.S.C. 1445a).

4 (5) Section 110 (7 U.S.C. 1445e).

5 (6) Section 112 (7 U.S.C. 1445g).

6 (7) Section 115 (7 U.S.C. 1445k).

7 (8) Section 201 (7 U.S.C. 1446).

8 (9) Title III (7 U.S.C. 1447 et seq.).

9 (10) Title IV (7 U.S.C. 1421 et seq.), other
10 than sections 404, 412, and 416 (7 U.S.C. 1424,
11 1429, and 1431).

12 (11) Title V (7 U.S.C. 1461 et seq.).

13 (12) Title VI (7 U.S.C. 1471 et seq.).

14 (c) **SUSPENSION OF CERTAIN QUOTA PROVISIONS.—**

15 The joint resolution entitled “A joint resolution relating
16 to corn and wheat marketing quotas under the Agricul-
17 tural Adjustment Act of 1938, as amended”, approved
18 May 26, 1941 (7 U.S.C. 1330, 1340), is repealed.

19 **SEC. 1603. PAYMENT LIMITATIONS.**

20 (a) **IN GENERAL.—**Section 1001 of the Food Security
21 Act of 1985 (7 U.S.C. 1308) is amended—

22 (1) in subsection (a), by striking paragraph (3)
23 and inserting the following:

24 “(3) **LEGAL ENTITY.—**

1 “(A) IN GENERAL.—The term ‘legal entity’
2 means—

3 “(i) an organization that (subject to
4 the requirements of this section and sec-
5 tion 1001A) is eligible to receive a pay-
6 ment under a provision of law referred to
7 in subsection (b), (c), or (d);

8 “(ii) a corporation, joint stock com-
9 pany, association, limited partnership, lim-
10 ited liability company, limited liability
11 partnership, charitable organization, es-
12 tate, irrevocable trust, grantor of a rev-
13 ocable trust, or other similar entity (as de-
14 termined by the Secretary); and

15 “(iii) an organization that is partici-
16 pating in a farming operation as a partner
17 in a general partnership or as a participant
18 in a joint venture.

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

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

24 “(b) LIMITATION ON PAYMENTS FOR COVERED COM-
25 MODITIES AND PEANUTS.—The total amount of payments

1 received, directly or indirectly, by a person or legal entity
2 for any crop year for 1 or more covered commodities and
3 peanuts under title I of the Federal Agriculture Reform
4 and Risk Management Act of 2013 may not exceed
5 \$125,000, of which—

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

10 “(2) not more than \$50,000 may consist of any
11 other payments made for covered commodities and
12 peanuts under title I of the Federal Agriculture Re-
13 form and Risk Management Act of 2013.

14 “(c) SPOUSAL EQUITY.—

15 “(1) IN GENERAL.—Notwithstanding subsection
16 (b), except as provided in paragraph (2), if a person
17 and the spouse of the person are covered by para-
18 graph (2) and receive, directly or indirectly, any pay-
19 ment or gain covered by this section, the total
20 amount of payments or gains (as applicable) covered
21 by this section that the person and spouse may
22 jointly receive during any crop year may not exceed
23 an amount equal to twice the applicable dollar
24 amounts specified in subsection (b).

25 “(2) EXCEPTIONS.—

1 “(A) SEPARATE FARMING OPERATIONS.—
2 In the case of a married couple in which each
3 spouse, before the marriage, was separately en-
4 gaged in an unrelated farming operation, each
5 spouse shall be treated as a separate person
6 with respect to a farming operation brought
7 into the marriage by a spouse, subject to the
8 condition that the farming operation shall re-
9 main a separate farming operation, as deter-
10 mined by the Secretary.

11 “(B) ELECTION TO RECEIVE SEPARATE
12 PAYMENTS.—A married couple may elect to re-
13 ceive payments separately in the name of each
14 spouse if the total amount of payments and
15 benefits described in subsection (b) that the
16 married couple receives, directly or indirectly,
17 does not exceed an amount equal to twice the
18 applicable dollar amounts specified in those
19 subsections.”;

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

22 “(iii) IRREVOCABLE TRUSTS.—In pro-
23 mulgating regulations to define the term
24 ‘legal entity’ as the term applies to irrev-
25 ocable trusts, the Secretary shall ensure

1 that irrevocable trusts are legitimate enti-
2 ties that have not been created for the pur-
3 pose of avoiding a payment limitation.”;
4 and

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

8 (b) CONFORMING AMENDMENTS.—

9 (1) Section 1001 of the Food Security Act of
10 1985 (7 U.S.C. 1308) is amended—

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

15 (B) in subsection (f)—

16 (i) in paragraph (2), by striking
17 “Subsections (b) and (c)” and inserting
18 “Subsection (b)”;

19 (ii) in paragraph (4)(B), by striking
20 “subsection (b) or (c)” and inserting “sub-
21 section (b)”;

22 (iii) in paragraph (5)—

23 (I) in subparagraph (A), by strik-
24 ing “subsection (d)”;

1 (II) in subparagraph (B), by
2 striking “subsection (b), (c), or (d)”
3 and inserting “subsection (b)”; and
4 (iv) in paragraph (6)—

5 (I) in subparagraph (A), by strik-
6 ing “Notwithstanding subsection (d),
7 except as provided in subsection (g)”
8 and inserting “Except as provided in
9 subsection (f)”; and

10 (II) in subparagraph (B), by
11 striking “subsections (b), (c), and
12 (d)” and inserting “subsection (b)”;
13

(C) in subsection (g)—

14 (i) in paragraph (1)—

15 (I) by striking “subsection
16 (f)(6)(A)” and inserting “subsection
17 (e)(6)(A)”; and

18 (II) by striking “subsection (b)
19 or (c)” and inserting “subsection (b)”;
20 and

21 (ii) in paragraph (2)(A), by striking
22 “subsections (b) and (c)” and inserting
23 “subsection (b)”; and

1 (D) by redesignating subsections (e)
2 through (h) as subsections (d) through (g), re-
3 spectively.

4 (2) Section 1001A of the Food Security Act of
5 1985 (7 U.S.C. 1308–1) is amended—

6 (A) in subsection (a), by striking “sub-
7 sections (b) and (c) of section 1001” and in-
8 serting “section 1001(b)”; and

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

12 (3) Section 1001B(a) of the Food Security Act
13 of 1985 (7 U.S.C. 1308–2(a)) is amended in the
14 matter preceding paragraph (1) by striking “sub-
15 sections (b) and (c) of section 1001” and inserting
16 “section 1001(b)”.

17 (c) APPLICATION.—The amendments made by this
18 section shall apply beginning with the 2014 crop year.

19 **SEC. 1603A. PAYMENTS LIMITED TO ACTIVE FARMERS.**

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

22 (1) in subsection (b)(2)—

23 (A) by striking “or active personal man-
24 agement” each place it appears in subpara-
25 graphs (A)(i)(II) and (B)(ii); and

1 (B) in subparagraph (C), by striking “, as
2 applied to the legal entity, are met by the legal
3 entity, the partners or members making a sig-
4 nificant contribution of personal labor or active
5 personal management” and inserting “are met
6 by partners or members making a significant
7 contribution of personal labor, those partners or
8 members”; and

9 (2) in subsection (c)—

10 (A) in paragraph (1)—

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

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

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

18 (iii) by adding at the end the fol-
19 lowing:

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

23 (B) in paragraph (2)(A), by striking “ac-
24 tive personal management or”;

25 (C) in paragraph (5)—

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

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

5 (ii) by inserting “under usual and
6 customary terms” after “services”; and

7 (iii) by striking subparagraph (B);

8 and

9 (D) by adding at the end the following:

10 “(7) FARM MANAGERS.—A person who other-
11 wise meets the requirements of this subsection other
12 than (b)(2)(A)(i)(II) shall be considered to be ac-
13 tively engaged in farming, as determined by the Sec-
14 retary, with respect to the farming operation, includ-
15 ing a farming operation that is a sole proprietorship,
16 a legal entity such as a joint venture or general
17 partnership, or a legal entity such as a corporation
18 or limited partnership, if the person—

19 “(A) makes a significant contribution of
20 management to the farming operation necessary
21 for the farming operation, taking into ac-
22 count—

23 “(i) the size and complexity of the
24 farming operation; and

1 “(ii) the management requirements
2 normally and customarily required by simi-
3 lar farming operations;

4 “(B)(i) is the only person in the farming
5 operation qualifying as actively engaged in
6 farming by using the farm manager special
7 class designation under this paragraph; and

8 “(ii) together with any other persons in the
9 farming operation qualifying as actively en-
10 gaged in farming under subsection (b)(2) or as
11 part of a special class under this subsection,
12 does not collectively receive, directly or indi-
13 rectly, an amount equal to more than the appli-
14 cable limits under section 1001(b);

15 “(C) does not use the management con-
16 tribution under this paragraph to qualify as ac-
17 tively engaged in more than 1 farming oper-
18 ation; and

19 “(D) manages a farm operation that does
20 not substantially share equipment, labor, or
21 management with persons or legal entities that
22 with the person collectively receive, directly or
23 indirectly, an amount equal to more than the
24 applicable limits under section 1001(b).”.

1 **SEC. 1604. ADJUSTED GROSS INCOME LIMITATION.**

2 (a) LIMITATIONS AND COVERED BENEFITS.—Section
3 1001D(b) of the Food Security Act of 1985 (7 U.S.C.
4 1308–3a(b)) is amended—

5 (1) in the subsection heading, by striking “LIM-
6 ITATIONS” and inserting “LIMITATIONS ON COM-
7 MODITY AND CONSERVATION PROGRAMS”;

8 (2) by striking paragraphs (1) and (2) and in-
9 serting the following new paragraphs:

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

16 “(2) COVERED BENEFITS.—Paragraph (1) ap-
17 plies with respect to a payment or benefit under sub-
18 title A, B, or E of title I, or title II of the Federal
19 Agriculture Reform and Risk Management Act of
20 2013, title II of the Farm Security and Rural In-
21 vestment Act of 2002, title II of the Food, Con-
22 servation, and Energy Act of 2008, title XII of the
23 Food Security Act of 1985, section 524(b) of the
24 Federal Crop Insurance Act (7 U.S.C. 1524(b)), or
25 section 196 of the Federal Agriculture Improvement
26 and Reform Act of 1996 (7 U.S.C. 7333).”.

1 (b) ELIMINATION OF UNUSED DEFINITIONS.—Para-
2 graph (1) of section 1001D(a) of the Food Security Act
3 of 1985 (7 U.S.C. 1308–3a(a)) is amended to read as fol-
4 lows:

5 “(1) AVERAGE ADJUSTED GROSS INCOME.—In
6 this section, the term ‘average adjusted gross in-
7 come’, with respect to a person or legal entity,
8 means the average of the adjusted gross income or
9 comparable measure of the person or legal entity
10 over the 3 taxable years preceding the most imme-
11 diately preceding complete taxable year, as deter-
12 mined by the Secretary.”.

13 (c) INCOME DETERMINATION.—Section 1001D of the
14 Food Security Act of 1985 (7 U.S.C. 1308–3a) is amend-
15 ed—

16 (1) by striking subsection (c); and

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

19 (d) CONFORMING AMENDMENTS.—Section 1001D of
20 the Food Security Act of 1985 (7 U.S.C. 1308–3a) is
21 amended—

22 (1) in subsection (a)(2)—

23 (A) by striking “subparagraph (A) or (B)
24 of”; and

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

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

7 (3) in subsection (e) (as redesignated by sub-
8 section (c)(2) of this section)—

9 (A) in paragraph (1), by striking “, aver-
10 age adjusted gross farm income, and average
11 adjusted gross nonfarm income” both places it
12 appears; and

13 (B) in paragraph (2), by striking “para-
14 graphs (1)(C) and (2)(B) of subsection (b)”
15 and inserting “subsection (b)(2)”; and

16 (4) in subsection (d) (as redesignated by sub-
17 section (c)(2) of this section)—

18 (A) by striking “paragraphs (1)(C) and
19 (2)(B) of subsection (b)” and inserting “sub-
20 section (b)(2)”; and

21 (B) by striking “, average adjusted gross
22 farm income, or average adjusted gross non-
23 farm income”.

24 (e) EFFECTIVE PERIOD.—Subsection (e) of section
25 1001D of the Food Security Act of 1985 (7 U.S.C. 1308–

1 3a), as redesignated by subsection (c)(2) of this section,
2 is repealed.

3 (f) LIMITATION ON APPLICABILITY.—Section
4 1001(d) of the Food Security Act of 1985 (7 U.S.C. 1308)
5 is amended by inserting before the period at the end the
6 following: “or title I of the Federal Agriculture Reform
7 and Risk Management Act of 2013”.

8 (g) TRANSITION.—Section 1001D of the Food Secu-
9 rity Act of 1985 (7 U.S.C. 1308–3a), as in effect on the
10 day before the date of the enactment of this Act, shall
11 apply with respect to the 2013 crop, fiscal, or program
12 year, as appropriate, for each program described in para-
13 graphs (1)(C) and (2)(B) of subsection (b) of that section
14 (as so in effect on that day).

15 **SEC. 1605. GEOGRAPHICALLY DISADVANTAGED FARMERS**
16 **AND RANCHERS.**

17 Section 1621(d) of the Food, Conservation, and En-
18 ergy Act of 2008 (7 U.S.C. 8792(d)) is amended by strik-
19 ing “each of fiscal years 2009 through 2012” and insert-
20 ing “fiscal year 2009 and each succeeding fiscal year”.

21 **SEC. 1606. PERSONAL LIABILITY OF PRODUCERS FOR DEFICIENCIES.**
22

23 Section 164 of the Federal Agriculture Improvement
24 and Reform Act of 1996 (7 U.S.C. 7284) is amended by
25 striking “and title I of the Food, Conservation, and En-

1 ergy Act of 2008” each place it appears and inserting
2 “title I of the Food, Conservation, and Energy Act of
3 2008 (7 U.S.C. 8702 et seq.), and title I of the Federal
4 Agriculture Reform and Risk Management Act of 2013”.

5 **SEC. 1607. PREVENTION OF DECEASED INDIVIDUALS RE-**
6 **CEIVING PAYMENTS UNDER FARM COM-**
7 **MODITY PROGRAMS.**

8 (a) RECONCILIATION.—At least twice each year, the
9 Secretary shall reconcile Social Security numbers of all in-
10 dividuals who receive payments under this title, whether
11 directly or indirectly, with the Commissioner of Social Se-
12 curity to determined if the individuals are alive.

13 (b) PRECLUSION.—The Secretary shall preclude the
14 issuance of payments to, and on behalf of, deceased indi-
15 viduals that were not eligible for payments.

16 **SEC. 1608. TECHNICAL CORRECTIONS.**

17 (a) MISSING PUNCTUATION.—Section 359f(c)(1)(B)
18 of the Agricultural Adjustment Act of 1938 (7 U.S.C.
19 1359ff(c)(1)(B)) is amended by adding a period at the
20 end.

21 (b) ERRONEOUS CROSS REFERENCE.—

22 (1) AMENDMENT.—Section 1603(g) of the
23 Food, Conservation, and Energy Act of 2008 (Public
24 Law 110–246; 122 Stat. 1739) is amended in para-
25 graphs (2) through (6) and the amendments made

1 by those paragraphs by striking “1703(a)” each
2 place it appears and inserting “1603(a)”.

3 (2) EFFECTIVE DATE.—This subsection and the
4 amendments made by this subsection take effect as
5 if included in the Food, Conservation, and Energy
6 Act of 2008 (Public Law 110–246; 122 Stat. 1651).

7 (c) CONTINUED APPLICABILITY OF APPROPRIATIONS
8 GENERAL PROVISION.—Section 767 of division A of Pub-
9 lic Law 108–7 (7 U.S.C. 7911 note; 117 Stat. 48) is
10 amended—

11 (1) in subsection (a)—

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

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

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

20 “(b) This section, as amended by section 1608(c) of
21 the Federal Agriculture Reform and Risk Management
22 Act of 2013, shall take effect beginning with the 2014
23 crop year.”.

1 **SEC. 1609. ASSIGNMENT OF PAYMENTS.**

2 (a) IN GENERAL.—The provisions of section 8(g) of
3 the Soil Conservation and Domestic Allotment Act (16
4 U.S.C. 590h(g)), relating to assignment of payments, shall
5 apply to payments made under this title.

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

10 **SEC. 1610. TRACKING OF BENEFITS.**

11 As soon as practicable after the date of enactment
12 of this Act, the Secretary may track the benefits provided,
13 directly or indirectly, to individuals and entities under ti-
14 tles I and II and the amendments made by those titles.

15 **SEC. 1611. SIGNATURE AUTHORITY.**

16 (a) IN GENERAL.—In carrying out this title and title
17 II and amendments made by those titles, if the Secretary
18 approves a document, the Secretary shall not subsequently
19 determine the document is inadequate or invalid because
20 of the lack of authority of any person signing the docu-
21 ment on behalf of the applicant or any other individual,
22 entity, general partnership, or joint venture, or the docu-
23 ments relied upon were determined inadequate or invalid,
24 unless the person signing the program document know-
25 ingly and willfully falsified the evidence of signature au-
26 thority or a signature.

1 (b) AFFIRMATION.—

2 (1) IN GENERAL.—Nothing in this section pro-
3 hibits the Secretary from asking a proper party to
4 affirm any document that otherwise would be consid-
5 ered approved under subsection (a).

6 (2) NO RETROACTIVE EFFECT.—A denial of
7 benefits based on a lack of affirmation under para-
8 graph (1) shall not be retroactive with respect to
9 third-party producers who were not the subject of
10 the erroneous representation of authority, if the
11 third-party producers—

12 (A) relied on the prior approval by the Sec-
13 retary of the documents in good faith; and

14 (B) substantively complied with all pro-
15 gram requirements.

16 **SEC. 1612. IMPLEMENTATION.**

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

19 (1) seek to reduce administrative burdens and
20 costs to producers by streamlining and reducing pa-
21 perwork, forms, and other administrative require-
22 ments;

23 (2) improve coordination, information sharing,
24 and administrative work with the Risk Management

1 Agency and the Natural Resources Conservation
2 Service; and

3 (3) take advantage of new technologies to en-
4 hance efficiency and effectiveness of program deliv-
5 ery to producers.

6 (b) MAINTENANCE OF BASE ACRES AND PAYMENT
7 YIELDS.—

8 (1) IN GENERAL.—The Secretary shall main-
9 tain, for each covered commodity and upland cotton,
10 base acres and payment yields on a farm established
11 under—

12 (A)(i) in the case of covered commodities
13 and upland cotton, sections 1101 and 1102 of
14 the Farm Security and Rural Investment Act of
15 2002 (7 U.S.C. 7911, 7912); and

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

18 (B)(i) in the case of covered commodities
19 and upland cotton, sections 1101 and 1102 of
20 the Food, Conservation, and Energy Act of
21 2008 (7 U.S.C. 8711, 8712); and

22 (ii) in the case of peanuts, section 1302 of
23 that Act (7 U.S.C. 8752).

24 (2) SPECIAL RULE FOR LONG GRAIN AND ME-
25 DIUM GRAIN RICE.—

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

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

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

15 **SEC. 1613. PROTECTION OF PRODUCER INFORMATION.**

16 (a) PROHIBITION OF PUBLIC DISCLOSURE OF PRO-
17 TECTED INFORMATION.—Except as provided in subsection
18 (b), the Secretary, any officer or employee of the Depart-
19 ment of Agriculture, any contractor or cooperator of the
20 Department, and any officer or employee of another Fed-
21 eral agency shall not disclose—

22 (1) information submitted by a producer or
23 owner of agricultural land to the Federal Govern-
24 ment pursuant to title I or II of this Act; or

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

7 (b) EXCEPTIONS.—Information described in sub-
8 section (a) may be disclosed if—

9 (1) the information is required to be made pub-
10 licly available under any other provision of Federal
11 law;

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

15 (3) the producer or owner of agricultural land
16 who provided the information consents to the disclo-
17 sure; or

18 (4) the information is disclosed to the Attorney
19 General, to the extent necessary, to ensure compli-
20 ance and law enforcement.

21 (c) NOTICE OF DISCLOSURE.—Any disclosure of in-
22 formation pursuant to an exception provided in subsection
23 (b) shall be reported to the Committee on Agriculture of
24 the House of Representatives and the Committee on Agri-

1 culture, Nutrition, and Forestry of the Senate within 24
2 hours after the disclosure.

3 (d) PRODUCER DEFINED.—In this section, the term
4 “producer” has the meaning given that term in section
5 1104(14) of this Act.

6 **TITLE II—CONSERVATION**
7 **Subtitle A—Conservation Reserve**
8 **Program**

9 **SEC. 2001. EXTENSION AND ENROLLMENT REQUIREMENTS**
10 **OF CONSERVATION RESERVE PROGRAM.**

11 (a) EXTENSION.—Section 1231(a) of the Food Secu-
12 rity Act of 1985 (16 U.S.C. 3831(a)) is amended by strik-
13 ing “2012” and inserting “2018”.

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

16 (1) in paragraph (1)(B), by striking “the date
17 of enactment of the Food, Conservation, and Energy
18 Act of 2008” and inserting “the date of the enact-
19 ment of the Federal Agriculture Reform and Risk
20 Management Act of 2013”;

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

23 (3) by inserting before paragraph (4) the fol-
24 lowing new paragraph:

25 “(3) grasslands that—

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

4 “(B) are located in an area historically
5 dominated by grasslands; and

6 “(C) could provide habitat for animal and
7 plant populations of significant ecological value
8 if the land is retained in its current use or re-
9 stored to a natural condition;”;

10 (4) in paragraph (4)(C), by striking
11 “filterstrips devoted to trees or shrubs” and insert-
12 ing “filterstrips or riparian buffers devoted to trees,
13 shrubs, or grasses”; and

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

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

18 “(A) more than 50 percent of the land in
19 the field is enrolled as a buffer or filterstrip, or
20 more than 75 percent of the land in the field
21 is enrolled as a conservation practice other than
22 as a buffer or filterstrip; and

23 “(B) the remainder of the field is—

24 “(i) infeasible to farm; and

25 “(ii) enrolled at regular rental rates.”.

1 (c) PLANTING STATUS OF CERTAIN LAND.—Section
2 1231(c) of the Food Security Act of 1985 (16 U.S.C.
3 3831(c)) is amended by striking “if” and all that follows
4 through the period at the end and inserting “if, during
5 the crop year, the land was devoted to a conserving use.”.

6 (d) ENROLLMENT.—Subsection (d) of section 1231
7 of the Food Security Act of 1985 (16 U.S.C. 3831) is
8 amended to read as follows:

9 “(d) ENROLLMENT.—

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

13 “(A) fiscal year 2014, no more than
14 27,500,000 acres;

15 “(B) fiscal year 2015, no more than
16 26,000,000 acres;

17 “(C) fiscal year 2016, no more than
18 25,000,000 acres;

19 “(D) fiscal year 2017, no more than
20 24,000,000 acres; and

21 “(E) fiscal year 2018, no more than
22 24,000,000 acres.

23 “(2) GRASSLANDS.—

24 “(A) LIMITATION.—For purposes of apply-
25 ing the limitations in paragraph (1), no more

1 than 2,000,000 acres of the land described in
2 subsection (b)(3) may be enrolled in the pro-
3 gram at any one time during the 2014 through
4 2018 fiscal years.

5 “(B) PRIORITY.—In enrolling acres under
6 subparagraph (A), the Secretary may give pri-
7 ority to land with expiring conservation reserve
8 program contracts.

9 “(C) METHOD OF ENROLLMENT.—In en-
10 rolling acres under subparagraph (A), the Sec-
11 retary shall make the program available to own-
12 ers or operators of eligible land on a continuous
13 enrollment basis with one or more ranking peri-
14 ods.”.

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

19 “(2) SPECIAL RULE FOR CERTAIN LAND.—In
20 the case of land devoted to hardwood trees,
21 shelterbelts, windbreaks, or wildlife corridors under
22 a contract entered into under this subchapter, the
23 owner or operator of the land may, within the limita-
24 tions prescribed under paragraph (1), specify the du-
25 ration of the contract.”.

1 (f) CONSERVATION PRIORITY AREAS.—Section
2 1231(f) of the Food Security Act of 1985 (16 U.S.C.
3 3831(f)) is amended—

4 (1) in paragraph (1), by striking “watershed
5 areas of the Chesapeake Bay Region, the Great
6 Lakes Region, the Long Island Sound Region, and
7 other”;

8 (2) in paragraph (2), by striking “WATER-
9 SHEDS.—Watersheds” and inserting “AREAS.—
10 Areas”; and

11 (3) in paragraph (3), by striking “a watershed’s
12 designation—” and all that follows through the pe-
13 riod at the end and inserting “an area’s designation
14 if the Secretary finds that the area no longer con-
15 tains actual and significant adverse water quality or
16 habitat impacts related to agricultural production
17 activities.”.

18 **SEC. 2002. FARMABLE WETLAND PROGRAM.**

19 (a) EXTENSION.—Section 1231B(a)(1) of the Food
20 Security Act of 1985 (16 U.S.C. 3831b(a)(1)) is amend-
21 ed—

22 (1) by striking “2012” and inserting “2018”;
23 and

24 (2) by striking “a program” and inserting “a
25 farmable wetland program”.

1 (b) ELIGIBLE ACREAGE.—Section 1231B(b)(1)(B) of
2 the Food Security Act of 1985 (16 U.S.C.
3 3831b(b)(1)(B)) is amended by striking “flow from a row
4 crop agriculture drainage system” and inserting “surface
5 and subsurface flow from row crop agricultural produc-
6 tion”.

7 (c) ACREAGE LIMITATION.—Section 1231B(c)(1)(B)
8 of the Food Security Act of 1985 (16 U.S.C.
9 3831b(c)(1)(B)) is amended by striking “1,000,000” and
10 inserting “750,000”.

11 (d) CLERICAL AMENDMENT.—The heading of section
12 1231B of the Food Security Act of 1985 (16 U.S.C.
13 3831b) is amended to read as follows: “**FARMABLE WET-**
14 **LAND PROGRAM.**”.

15 **SEC. 2003. DUTIES OF OWNERS AND OPERATORS.**

16 (a) LIMITATION ON HARVESTING, GRAZING, OR COM-
17 Mercial Use of Forage.—Section 1232(a)(8) of the
18 Food Security Act of 1985 (16 U.S.C. 3832(a)(8)) is
19 amended by striking “except that” and all that follows
20 through the semicolon at the end of the paragraph and
21 inserting “except as provided in subsection (b) or (c) of
22 section 1233;”.

23 (b) CONSERVATION PLAN REQUIREMENTS.—Sub-
24 section (b) of section 1232 of the Food Security Act of
25 1985 (16 U.S.C. 3832) is amended to read as follows:

1 “(b) CONSERVATION PLANS.—The plan referred to
2 in subsection (a)(1) shall set forth—

3 “(1) the conservation measures and practices to
4 be carried out by the owner or operator during the
5 term of the contract; and

6 “(2) the commercial use, if any, to be permitted
7 on the land during the term.”.

8 (c) RENTAL PAYMENT REDUCTION.—Section 1232
9 of the Food Security Act of 1985 (16 U.S.C. 3832) is
10 amended by striking subsection (d).

11 **SEC. 2004. DUTIES OF THE SECRETARY.**

12 Section 1233 of the Food Security Act of 1985 (16
13 U.S.C. 3833) is amended to read as follows:

14 **“SEC. 1233. DUTIES OF THE SECRETARY.**

15 “(a) COST-SHARE AND RENTAL PAYMENTS.—In re-
16 turn for a contract entered into by an owner or operator
17 under the conservation reserve program, the Secretary
18 shall—

19 “(1) share the cost of carrying out the con-
20 servation measures and practices set forth in the
21 contract for which the Secretary determines that
22 cost sharing is appropriate and in the public inter-
23 est; and

1 “(2) for a period of years not in excess of the
2 term of the contract, pay an annual rental payment
3 in an amount necessary to compensate for—

4 “(A) the conversion of highly erodible crop-
5 land or other eligible lands normally devoted to
6 the production of an agricultural commodity on
7 a farm or ranch to a less intensive use;

8 “(B) the retirement of any base history
9 that the owner or operator agrees to retire per-
10 manently; and

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

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

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

24 “(2) Consistent with the conservation of soil,
25 water quality, and wildlife habitat (including habitat

1 during nesting seasons for birds in the area), and in
2 exchange for a reduction of not less than 25 percent
3 in the annual rental rate for the acres covered by
4 the authorized activity—

5 “(A) managed harvesting and other com-
6 mercial use (including the managed harvesting
7 of biomass), except that in permitting managed
8 harvesting, the Secretary, in coordination with
9 the State technical committee—

10 “(i) shall develop appropriate vegeta-
11 tion management requirements; and

12 “(ii) shall identify periods during
13 which managed harvesting may be con-
14 ducted, such that the frequency is not
15 more than once every three years;

16 “(B) routine grazing or prescribed grazing
17 for the control of invasive species, except that
18 in permitting such routine grazing or prescribed
19 grazing, the Secretary, in coordination with the
20 State technical committee—

21 “(i) shall develop appropriate vegeta-
22 tion management requirements and stock-
23 ing rates for the land that are suitable for
24 continued routine grazing; and

1 “(ii) shall identify the periods during
2 which routine grazing may be conducted,
3 such that the frequency is not more than
4 once every two years, taking into consider-
5 ation regional differences such as—

6 “(I) climate, soil type, and nat-
7 ural resources;

8 “(II) the number of years that
9 should be required between routine
10 grazing activities; and

11 “(III) how often during a year in
12 which routine grazing is permitted
13 that routine grazing should be allowed
14 to occur; and

15 “(C) the installation of wind turbines and
16 associated access, except that in permitting the
17 installation of wind turbines, the Secretary shall
18 determine the number and location of wind tur-
19 bines that may be installed, taking into ac-
20 count—

21 “(i) the location, size, and other phys-
22 ical characteristics of the land;

23 “(ii) the extent to which the land con-
24 tains wildlife and wildlife habitat; and

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

3 “(3) The intermittent and seasonal use of vege-
4 tative buffer practices incidental to agricultural pro-
5 duction on lands adjacent to the buffer such that the
6 permitted use does not destroy the permanent vege-
7 tative cover.

8 “(c) AUTHORIZED ACTIVITIES ON GRASSLANDS.—
9 For eligible land described in section 1231(b)(3), the Sec-
10 retary shall permit the following activities:

11 “(1) Common grazing practices, including
12 maintenance and necessary cultural practices, on the
13 land in a manner that is consistent with maintaining
14 the viability of grassland, forb, and shrub species ap-
15 propriate to that locality.

16 “(2) Haying, mowing, or harvesting for seed
17 production, subject to appropriate restrictions dur-
18 ing the nesting season for critical bird species in the
19 area.

20 “(3) Fire presuppression, fire-related rehabilita-
21 tion, and construction of fire breaks.

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

24 “(d) RESOURCE CONSERVING USE.—

1 “(1) IN GENERAL.—Beginning on the date that
2 is 1 year before the date of termination of a contract
3 under the program, the Secretary shall allow an
4 owner or operator to make conservation and land
5 improvements that facilitate maintaining protection
6 of enrolled land after expiration of the contract.

7 “(2) CONSERVATION PLAN.—The Secretary
8 shall require an owner or operator carrying out the
9 activities described in paragraph (1) to develop and
10 implement a conservation plan.

11 “(3) RE-ENROLLMENT PROHIBITED.—Land im-
12 proved under paragraph (1) may not be re-enrolled
13 in the conservation reserve program for 5 years after
14 the date of termination of the contract.”.

15 **SEC. 2005. PAYMENTS.**

16 (a) TREES, WINDBREAKS, SHELTERBELTS, AND
17 WILDLIFE CORRIDORS.—Section 1234(b)(3)(A) of the
18 Food Security Act of 1985 (16 U.S.C. 3834(b)(3)(A)) is
19 amended—

20 (1) in clause (i), by inserting “and” after the
21 semicolon;

22 (2) by striking clause (ii); and

23 (3) by redesignating clause (iii) as clause (ii).

1 (b) ANNUAL RENTAL PAYMENTS.—Section 1234(c)
2 of the Food Security Act of 1985 (16 U.S.C. 3834(c)) is
3 amended—

4 (1) in paragraph (1), by inserting “or other eli-
5 gible lands” after “highly erodible cropland” both
6 places it appears; and

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

9 “(2) METHODS OF DETERMINATION.—

10 “(A) IN GENERAL.—The amounts payable
11 to owners or operators in the form of rental
12 payments under contracts entered into under
13 this subchapter may be determined through—

14 “(i) the submission of bids for such
15 contracts by owners and operators in such
16 manner as the Secretary may prescribe; or

17 “(ii) such other means as the Sec-
18 retary determines are appropriate.

19 “(B) GRASSLANDS.—In the case of eligible
20 land described in section 1231(b)(3), the Sec-
21 retary shall make annual payments in an
22 amount that is not more than 75 percent of the
23 grazing value of the land covered by the con-
24 tract.”.

1 (c) PAYMENT SCHEDULE.—Subsection (d) of section
2 1234 of the Food Security Act of 1985 (16 U.S.C. 3834)
3 is amended to read as follows:

4 “(d) PAYMENT SCHEDULE.—

5 “(1) IN GENERAL.—Except as otherwise pro-
6 vided in this section, payments under this sub-
7 chapter shall be made in cash in such amount and
8 on such time schedule as is agreed on and specified
9 in the contract.

10 “(2) ADVANCE PAYMENT.—Payments under
11 this subchapter may be made in advance of deter-
12 mination of performance.”.

13 (d) PAYMENT LIMITATION.—Section 1234(f) of the
14 Food Security Act of 1985 (16 U.S.C. 3834(f)) is amend-
15 ed—

16 (1) in paragraph (1), by striking “, including
17 rental payments made in the form of in-kind com-
18 modities,”;

19 (2) by striking paragraph (3); and

20 (3) by redesignating paragraph (4) as para-
21 graph (2).

22 **SEC. 2006. CONTRACT REQUIREMENTS.**

23 (a) EARLY TERMINATION BY OWNER OR OPER-
24 ATOR.—Section 1235(e) of the Food Security Act of 1985
25 (16 U.S.C. 3835(e)) is amended—

1 (1) in paragraph (1)(A)—

2 (A) by striking “The Secretary” and in-
3 serting “During fiscal year 2014, the Sec-
4 retary”; and

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

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

8 “(C) Land devoted to hardwood trees.

9 “(D) Wildlife habitat, duck nesting habi-
10 tat, pollinator habitat, upland bird habitat buff-
11 er, wildlife food plots, State acres for wildlife
12 enhancement, shallow water areas for wildlife,
13 and rare and declining habitat.

14 “(E) Farmable wetland and restored wet-
15 land.

16 “(F) Land that contains diversions, ero-
17 sion control structures, flood control structures,
18 contour grass strips, living snow fences, salinity
19 reducing vegetation, cross wind trap strips, and
20 sediment retention structures.

21 “(G) Land located within a federally-des-
22 ignated wellhead protection area.

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

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

6 (3) in paragraph (3), by striking “60 days after
7 the date on which the owner or operator submits the
8 notice required under paragraph (1)(C)” and insert-
9 ing “upon approval by the Secretary”.

10 (b) TRANSITION OPTION FOR CERTAIN FARMERS OR
11 RANCHERS.—Section 1235(f) of the Food Security Act of
12 1985 (16 U.S.C. 3835(f)) is amended—

13 (1) in paragraph (1)—

14 (A) in the matter preceding subparagraph
15 (A), by striking “DUTIES” and all that follows
16 through “a beginning farmer” and inserting
17 “TRANSITION TO COVERED FARMER OR RANCH-
18 ER.—In the case of a contract modification ap-
19 proved in order to facilitate the transfer of land
20 subject to a contract from a retired farmer or
21 rancher to a beginning farmer”;

22 (B) in subparagraph (A)(i), by inserting “,
23 including preparing to plant an agricultural
24 crop” after “improvements”;

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

4 (D) in subparagraph (E), by striking “sec-
5 tion 1001A(b)(3)(B)” and inserting “section
6 1001”; and

7 (2) in paragraph (2), by striking “requirement
8 of section 1231(h)(4)(B)” and inserting “option pur-
9 suant to section 1234(c)(2)(A)(ii)”.

10 (c) FINAL YEAR CONTRACT.—Section 1235 of the
11 Food Security Act of 1985 (16 U.S.C. 3835) is amended
12 by adding at the end the following new subsections:

13 “(g) FINAL YEAR OF CONTRACT.—The Secretary
14 shall not consider an owner or operator to be in violation
15 of a term or condition of the conservation reserve contract
16 if—

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

20 “(2) the activity required under the conserva-
21 tion stewardship program pursuant to such enroll-
22 ment is consistent with this subchapter.

23 “(h) LAND ENROLLED IN AGRICULTURAL CON-
24 SERVATION EASEMENT PROGRAM.—The Secretary may
25 terminate or modify a contract entered into under this

1 subchapter if eligible land that is subject to such contract
2 is transferred into the agricultural conservation easement
3 program under subtitle H.”.

4 **SEC. 2007. CONVERSION OF LAND SUBJECT TO CONTRACT**
5 **TO OTHER CONSERVING USES.**

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

8 **SEC. 2008. EFFECTIVE DATE.**

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

13 (b) EFFECT ON EXISTING CONTRACTS.—

14 (1) IN GENERAL.—Except as provided in para-
15 graph (2), the amendments made by this subtitle
16 shall not affect the validity or terms of any contract
17 entered into by the Secretary of Agriculture under
18 subchapter B of chapter 1 of subtitle D of title XII
19 of the Food Security Act of 1985 (16 U.S.C. 3831
20 et seq.) before October 1, 2013, or any payments re-
21 quired to be made in connection with the contract.

22 (2) UPDATING OF EXISTING CONTRACTS.—The
23 Secretary shall permit an owner or operator of land
24 subject to a contract entered into under subchapter
25 B of chapter 1 of subtitle D of title XII of the Food

1 Security Act of 1985 (16 U.S.C. 3831 et seq.) be-
2 fore October 1, 2013, to update the contract to re-
3 flect the activities and uses of land under contract
4 permitted under the terms and conditions of section
5 1233(b) of that Act (as amended by section 2004),
6 as determined appropriate by the Secretary.

7 **Subtitle B—Conservation**
8 **Stewardship Program**

9 **SEC. 2101. CONSERVATION STEWARDSHIP PROGRAM.**

10 (a) REVISION OF CURRENT PROGRAM.—Subchapter
11 B of chapter 2 of subtitle D of title XII of the Food Secu-
12 rity Act of 1985 (16 U.S.C. 3838d et seq.) is amended
13 to read as follows:

14 **“Subchapter B—Conservation Stewardship**
15 **Program**

16 **“SEC. 1238D. DEFINITIONS.**

17 “In this subchapter:

18 “(1) AGRICULTURAL OPERATION.—The term
19 ‘agricultural operation’ means all eligible land,
20 whether or not contiguous, that is—

21 “(A) under the effective control of a pro-
22 ducer at the time the producer enters into a
23 contract under the program; and

24 “(B) operated with equipment, labor, man-
25 agement, and production or cultivation prac-

1 tices that are substantially separate from other
2 agricultural operations, as determined by the
3 Secretary.

4 “(2) CONSERVATION ACTIVITIES.—

5 “(A) IN GENERAL.—The term ‘conserva-
6 tion activities’ means conservation systems,
7 practices, or management measures.

8 “(B) INCLUSIONS.—The term ‘conserva-
9 tion activities’ includes—

10 “(i) structural measures, vegetative
11 measures, and land management measures,
12 including agriculture drainage manage-
13 ment systems, as determined by the Sec-
14 retary; and

15 “(ii) planning needed to address a pri-
16 ority resource concern.

17 “(3) CONSERVATION STEWARDSHIP PLAN.—

18 The term ‘conservation stewardship plan’ means a
19 plan that—

20 “(A) identifies and inventories priority re-
21 source concerns;

22 “(B) establishes benchmark data and con-
23 servation objectives;

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

1 “(D) includes a schedule and evaluation
2 plan for the planning, installation, and manage-
3 ment of the new and existing conservation ac-
4 tivities.

5 “(4) ELIGIBLE LAND.—

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

8 “(i) private or tribal land on which
9 agricultural commodities, livestock, or for-
10 est-related products are produced; and

11 “(ii) lands associated with the land
12 described in clause (i) on which priority re-
13 source concerns could be addressed
14 through a contract under the program.

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

17 “(i) cropland;

18 “(ii) grassland;

19 “(iii) rangeland;

20 “(iv) pasture land;

21 “(v) nonindustrial private forest land;

22 and

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

1 for the production of livestock), as deter-
2 mined by the Secretary.

3 “(5) PRIORITY RESOURCE CONCERN.—The
4 term ‘priority resource concern’ means a natural re-
5 source concern or problem, as determined by the
6 Secretary, that—

7 “(A) is identified at the national, State, or
8 local level as a priority for a particular area of
9 a State;

10 “(B) represents a significant concern in a
11 State or region; and

12 “(C) is likely to be addressed successfully
13 through the implementation of conservation ac-
14 tivities under this program.

15 “(6) PROGRAM.—The term ‘program’ means
16 the conservation stewardship program established by
17 this subchapter.

18 “(7) STEWARDSHIP THRESHOLD.—The term
19 ‘stewardship threshold’ means the level of manage-
20 ment required, as determined by the Secretary, to
21 conserve and improve the quality and condition of a
22 natural resource.

23 **“SEC. 1238E. CONSERVATION STEWARDSHIP PROGRAM.**

24 “(a) ESTABLISHMENT AND PURPOSE.—During each
25 of fiscal years 2014 through 2018, the Secretary shall

1 carry out a conservation stewardship program to encour-
2 age producers to address priority resource concerns in a
3 comprehensive manner—

4 “(1) by undertaking additional conservation ac-
5 tivities; and

6 “(2) by improving, maintaining, and managing
7 existing conservation activities.

8 “(b) EXCLUSIONS.—

9 “(1) LAND ENROLLED IN OTHER CONSERVA-
10 TION PROGRAMS.—Subject to paragraph (2), the fol-
11 lowing land (even if covered by the definition of eli-
12 gible land) is not eligible for enrollment in the pro-
13 gram:

14 “(A) Land enrolled in the conservation re-
15 serve program, unless—

16 “(i) the conservation reserve contract
17 will expire at the end of the fiscal year in
18 which the land is to be enrolled in the pro-
19 gram; and

20 “(ii) conservation reserve program
21 payments for land enrolled in the program
22 cease before the first program payment is
23 made to the applicant under this sub-
24 chapter.

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

4 “(C) Land enrolled in the conservation se-
5 curity program.

6 “(2) CONVERSION TO CROPLAND.—Eligible
7 land used for crop production after October 1, 2013,
8 that had not been planted, considered to be planted,
9 or devoted to crop production for at least 4 of the
10 6 years preceding that date shall not be the basis for
11 any payment under the program, unless the land
12 does not meet the requirement because—

13 “(A) the land had previously been enrolled
14 in the conservation reserve program;

15 “(B) the land has been maintained using
16 long-term crop rotation practices, as determined
17 by the Secretary; or

18 “(C) the land is incidental land needed for
19 efficient operation of the farm or ranch, as de-
20 termined by the Secretary.

21 **“SEC. 1238F. STEWARDSHIP CONTRACTS.**

22 “(a) SUBMISSION OF CONTRACT OFFERS.—To be eli-
23 gible to participate in the conservation stewardship pro-
24 gram, a producer shall submit to the Secretary a contract
25 offer for the agricultural operation that—

1 “(1) demonstrates to the satisfaction of the
2 Secretary that the producer, at the time of the con-
3 tract offer, meets or exceeds the stewardship thresh-
4 old for at least 2 priority resource concerns; and

5 “(2) would, at a minimum, meet or exceed the
6 stewardship threshold for at least 1 additional pri-
7 ority resource concern by the end of the stewardship
8 contract by—

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

11 “(B) improving, maintaining, and man-
12 aging existing conservation activities across the
13 entire agricultural operation in a manner that
14 increases or extends the conservation benefits in
15 place at the time the contract offer is accepted
16 by the Secretary.

17 “(b) EVALUATION OF CONTRACT OFFERS.—

18 “(1) RANKING OF APPLICATIONS.—In evalu-
19 ating contract offers submitted under subsection (a),
20 the Secretary shall rank applications based on—

21 “(A) the level of conservation treatment on
22 all applicable priority resource concerns at the
23 time of application;

1 “(B) the degree to which the proposed con-
2 servation activities effectively increase conserva-
3 tion performance;

4 “(C) the number of applicable priority re-
5 source concerns proposed to be treated to meet
6 or exceed the stewardship threshold by the end
7 of the contract;

8 “(D) the extent to which other priority re-
9 source concerns will be addressed to meet or ex-
10 ceed the stewardship threshold by the end of
11 the contract period;

12 “(E) the extent to which the actual and
13 anticipated conservation benefits from the con-
14 tract are provided at the least cost relative to
15 other similarly beneficial contract offers; and

16 “(F) the extent to which priority resource
17 concerns will be addressed when transitioning
18 from the conservation reserve program to agri-
19 cultural production.

20 “(2) PROHIBITION.—The Secretary may not as-
21 sign a higher priority to any application because the
22 applicant is willing to accept a lower payment than
23 the applicant would otherwise be eligible to receive.

24 “(3) ADDITIONAL CRITERIA.—The Secretary
25 may develop and use such additional criteria that

1 the Secretary determines are necessary to ensure
2 that national, State, and local priority resource con-
3 cerns are effectively addressed.

4 “(c) ENTERING INTO CONTRACTS.—After a deter-
5 mination that a producer is eligible for the program under
6 subsection (a), and a determination that the contract offer
7 ranks sufficiently high under the evaluation criteria under
8 subsection (b), the Secretary shall enter into a conserva-
9 tion stewardship contract with the producer to enroll the
10 eligible land to be covered by the contract.

11 “(d) CONTRACT PROVISIONS.—

12 “(1) TERM.—A conservation stewardship con-
13 tract shall be for a term of 5 years.

14 “(2) REQUIRED PROVISIONS.—The conservation
15 stewardship contract of a producer shall—

16 “(A) state the amount of the payment the
17 Secretary agrees to make to the producer for
18 each year of the conservation stewardship con-
19 tract under section 1238G(d);

20 “(B) require the producer—

21 “(i) to implement a conservation stew-
22 ardship plan that describes the program
23 purposes to be achieved through 1 or more
24 conservation activities;

1 “(ii) to maintain and supply informa-
2 tion as required by the Secretary to deter-
3 mine compliance with the conservation
4 stewardship plan and any other require-
5 ments of the program; and

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

9 “(C) permit all economic uses of the eligi-
10 ble land that—

11 “(i) maintain the agricultural nature
12 of the land; and

13 “(ii) are consistent with the conserva-
14 tion purposes of the conservation steward-
15 ship contract;

16 “(D) include a provision to ensure that a
17 producer shall not be considered in violation of
18 the contract for failure to comply with the con-
19 tract due to circumstances beyond the control
20 of the producer, including a disaster or related
21 condition, as determined by the Secretary;

22 “(E) include provisions requiring that
23 upon the violation of a term or condition of the
24 contract at any time the producer has control
25 of the land—

1 “(i) if the Secretary determines that
2 the violation warrants termination of the
3 contract—

4 “(I) the producer shall forfeit all
5 rights to receive payments under the
6 contract; and

7 “(II) the producer shall refund
8 all or a portion of the payments re-
9 ceived by the producer under the con-
10 tract, including any interest on the
11 payments, as determined by the Sec-
12 retary; or

13 “(ii) if the Secretary determines that
14 the violation does not warrant termination
15 of the contract, the producer shall refund
16 or accept adjustments to the payments
17 provided to the producer, as the Secretary
18 determines to be appropriate;

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

21 “(G) include any additional provisions the
22 Secretary determines are necessary to carry out
23 the program.

24 “(3) CHANGE OF INTEREST IN LAND SUBJECT
25 TO A CONTRACT.—

1 “(A) IN GENERAL.—At the time of appli-
2 cation, a producer shall have control of the eli-
3 gible land to be enrolled in the program. Except
4 as provided in subparagraph (B), a change in
5 the interest of a producer in eligible land cov-
6 ered by a contract under the program shall re-
7 sult in the termination of the contract with re-
8 gard to that land.

9 “(B) TRANSFER OF DUTIES AND
10 RIGHTS.—Subparagraph (A) shall not apply
11 if—

12 “(i) within a reasonable period of time
13 (as determined by the Secretary) after the
14 date of the change in the interest in eligi-
15 ble land covered by a contract under the
16 program, the transferee of the land pro-
17 vides written notice to the Secretary that
18 all duties and rights under the contract
19 have been transferred to, and assumed by,
20 the transferee for the portion of the land
21 transferred;

22 “(ii) the transferee meets the eligi-
23 bility requirements of the program; and

1 “(iii) the Secretary approves the
2 transfer of all duties and rights under the
3 contract.

4 “(4) MODIFICATION AND TERMINATION OF
5 CONTRACTS.—

6 “(A) VOLUNTARY MODIFICATION OR TER-
7 MINATION.—The Secretary may modify or ter-
8 minate a contract with a producer if—

9 “(i) the producer agrees to the modi-
10 fication or termination; and

11 “(ii) the Secretary determines that
12 the modification or termination is in the
13 public interest.

14 “(B) INVOLUNTARY TERMINATION.—The
15 Secretary may terminate a contract if the Sec-
16 retary determines that the producer violated the
17 contract.

18 “(5) REPAYMENT.—If a contract is terminated,
19 the Secretary may, consistent with the purposes of
20 the program—

21 “(A) allow the producer to retain payments
22 already received under the contract; or

23 “(B) require repayment, in whole or in
24 part, of payments received and assess liquidated
25 damages.

1 “(e) CONTRACT RENEWAL.—At the end of the initial
2 5-year contract period, the Secretary may allow the pro-
3 ducer to renew the contract for 1 additional 5-year period
4 if the producer—

5 “(1) demonstrates compliance with the terms of
6 the initial contract;

7 “(2) agrees to adopt and continue to integrate
8 conservation activities across the entire agricultural
9 operation, as determined by the Secretary; and

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

11 “(A) to meet the stewardship threshold of
12 at least two additional priority resource con-
13 cerns on the agricultural operation; or

14 “(B) to exceed the stewardship threshold
15 of two existing priority resource concerns that
16 are specified by the Secretary in the initial con-
17 tract.

18 **“SEC. 1238G. DUTIES OF THE SECRETARY.**

19 “(a) IN GENERAL.—To achieve the conservation
20 goals of a contract under the conservation stewardship
21 program, the Secretary shall—

22 “(1) make the program available to eligible pro-
23 ducers on a continuous enrollment basis with 1 or
24 more ranking periods, one of which shall occur in
25 the first quarter of each fiscal year;

1 “(2) identify not less than 5 priority resource
2 concerns in a particular watershed or other appro-
3 priate region or area within a State; and

4 “(3) establish a science-based stewardship
5 threshold for each priority resource concern identi-
6 fied under paragraph (2).

7 “(b) ALLOCATION TO STATES.—The Secretary shall
8 allocate acres to States for enrollment, based—

9 “(1) primarily on each State’s proportion of eli-
10 gible land to the total acreage of eligible land in all
11 States; and

12 “(2) also on consideration of—

13 “(A) the extent and magnitude of the con-
14 servation needs associated with agricultural
15 production in each State;

16 “(B) the degree to which implementation
17 of the program in the State is, or will be, effec-
18 tive in helping producers address those needs;
19 and

20 “(C) other considerations to achieve equi-
21 table geographic distribution of funds, as deter-
22 mined by the Secretary.

23 “(c) ACREAGE ENROLLMENT LIMITATION.—During
24 the period beginning on October 1, 2013, and ending on

1 September 30, 2021, the Secretary shall, to the maximum
2 extent practicable—

3 “(1) enroll in the program an additional
4 8,695,000 acres for each fiscal year; and

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

10 “(d) CONSERVATION STEWARDSHIP PAYMENTS.—

11 “(1) AVAILABILITY OF PAYMENTS.—The Sec-
12 retary shall provide annual payments under the pro-
13 gram to compensate the producer for—

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

16 “(B) improving, maintaining, and man-
17 aging conservation activities in place at the ag-
18 ricultural operation of the producer at the time
19 the contract offer is accepted by the Secretary.

20 “(2) PAYMENT AMOUNT.—The amount of the
21 conservation stewardship annual payment shall be
22 determined by the Secretary and based, to the max-
23 imum extent practicable, on the following factors:

24 “(A) Costs incurred by the producer asso-
25 ciated with planning, design, materials, installa-

1 tion, labor, management, maintenance, or train-
2 ing.

3 “(B) Income forgone by the producer.

4 “(C) Expected conservation benefits.

5 “(D) The extent to which priority resource
6 concerns will be addressed through the installa-
7 tion and adoption of conservation activities on
8 the agricultural operation.

9 “(E) The level of stewardship in place at
10 the time of application and maintained over the
11 term of the contract.

12 “(F) The degree to which the conservation
13 activities will be integrated across the entire ag-
14 ricultural operation for all applicable priority
15 resource concerns over the term of the contract.

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

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

20 “(A) the design, construction, or mainte-
21 nance of animal waste storage or treatment fa-
22 cilities or associated waste transport or transfer
23 devices for animal feeding operations; or

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

4 “(4) DELIVERY OF PAYMENTS.—In making
5 payments under this subsection, the Secretary shall,
6 to the extent practicable—

7 “(A) prorate conservation performance
8 over the term of the contract so as to accommo-
9 date, to the extent practicable, producers earn-
10 ing equal annual payments in each fiscal year;
11 and

12 “(B) make payments as soon as prac-
13 ticable after October 1 of each fiscal year for
14 activities carried out in the previous fiscal year.

15 “(e) SUPPLEMENTAL PAYMENTS FOR RESOURCE-
16 CONSERVING CROP ROTATIONS.—

17 “(1) AVAILABILITY OF PAYMENTS.—The Sec-
18 retary shall provide additional payments to pro-
19 ducers that, in participating in the program, agree
20 to adopt or improve resource-conserving crop rota-
21 tions to achieve beneficial crop rotations as appro-
22 priate for the eligible land of the producers.

23 “(2) BENEFICIAL CROP ROTATIONS.—The Sec-
24 retary shall determine whether a resource-conserving
25 crop rotation is a beneficial crop rotation eligible for

1 additional payments under paragraph (1) based on
2 whether the resource-conserving crop rotation is de-
3 signed to provide natural resource conservation and
4 production benefits.

5 “(3) ELIGIBILITY.—To be eligible to receive a
6 payment described in paragraph (1), a producer
7 shall agree to adopt and maintain beneficial re-
8 source-conserving crop rotations for the term of the
9 contract.

10 “(4) RESOURCE-CONSERVING CROP ROTA-
11 TION.—In this subsection, the term ‘resource-con-
12 serving crop rotation’ means a crop rotation that—

13 “(A) includes at least 1 resource-con-
14 serving crop (as defined by the Secretary);

15 “(B) reduces erosion;

16 “(C) improves soil fertility and tilth;

17 “(D) interrupts pest cycles; and

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

21 “(f) PAYMENT LIMITATIONS.—A person or legal enti-
22 ty may not receive, directly or indirectly, payments under
23 the program that, in the aggregate, exceed \$200,000
24 under all contracts entered into during fiscal years 2014
25 through 2018, excluding funding arrangements with In-

1 dian tribes, regardless of the number of contracts entered
2 into under the program by the person or legal entity.

3 “(g) SPECIALTY CROP AND ORGANIC PRODUCERS.—

4 The Secretary shall ensure that outreach and technical as-
5 sistance are available, and program specifications are ap-
6 propriate to enable specialty crop and organic producers
7 to participate in the program.

8 “(h) COORDINATION WITH ORGANIC CERTIFI-

9 CATION.—The Secretary shall establish a transparent
10 means by which producers may initiate organic certifi-
11 cation under the Organic Foods Production Act of 1990
12 (7 U.S.C. 6501 et seq.) while participating in a contract
13 under the program.

14 “(i) REGULATIONS.—The Secretary shall promulgate
15 regulations that—

16 “(1) prescribe such other rules as the Secretary
17 determines to be necessary to ensure a fair and rea-
18 sonable application of the limitations established
19 under subsection (f); and

20 “(2) otherwise enable the Secretary to carry out
21 the program.”.

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

24 (c) EFFECT ON EXISTING CONTRACTS.—

1 (1) IN GENERAL.—The amendment made by
2 this section shall not affect the validity or terms of
3 any contract entered into by the Secretary of Agri-
4 culture under subchapter B of chapter 2 of subtitle
5 D of title XII of the Food Security Act of 1985 (16
6 U.S.C. 3838d et seq.) before October 1, 2013, or
7 any payments required to be made in connection
8 with the contract.

9 (2) CONSERVATION STEWARDSHIP PROGRAM.—
10 Funds made available under section 1241(a)(4) of
11 the Food Security Act of 1985 (16 U.S.C.
12 3841(a)(4)) (as amended by section 2601(a) of this
13 title) may be used to administer and make payments
14 to program participants that enrolled into contracts
15 during any of fiscal years 2009 through 2013.

16 **Subtitle C—Environmental Quality** 17 **Incentives Program**

18 **SEC. 2201. PURPOSES.**

19 Section 1240 of the Food Security Act of 1985 (16
20 U.S.C. 3839aa) is amended—

21 (1) in paragraph (3)—

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

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

4 (C) by inserting after subparagraph (A)
5 the following new subparagraph:

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

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

10 (3) by striking paragraph (5).

11 **SEC. 2202. ESTABLISHMENT AND ADMINISTRATION.**

12 Section 1240B of the Food Security Act of 1985 (16
13 U.S.C. 3839aa–2) is amended—

14 (1) in subsection (a), by striking “2014” and
15 inserting “2018”;

16 (2) in subsection (b), by striking paragraph (2)
17 and inserting the following new paragraph:

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

20 (3) in subsection (d)(4)—

21 (A) in subparagraph (A), in the matter
22 preceding clause (i), by inserting “, veteran
23 farmer or rancher (as defined in section
24 2501(e) of the Food, Agriculture, Conservation,

1 and Trade Act of 1990 (7 U.S.C. 2279(e)),”
2 before “or a beginning farmer or rancher”; and

3 (B) by striking subparagraph (B) and in-
4 serting the following new subparagraph:

5 “(B) ADVANCE PAYMENTS.—

6 “(i) IN GENERAL.—Not more than 50
7 percent of the amount determined under
8 subparagraph (A) may be provided in ad-
9 vance for the purpose of purchasing mate-
10 rials or contracting.

11 “(ii) RETURN OF FUNDS.—If funds
12 provided in advance are not expended dur-
13 ing the 90-day period beginning on the
14 date of receipt of the funds, the funds shall
15 be returned within a reasonable time
16 frame, as determined by the Secretary.”;

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

19 “(f) ALLOCATION OF FUNDING.—

20 “(1) LIVESTOCK.—For each of fiscal years
21 2014 through 2018, at least 60 percent of the funds
22 made available for payments under the program
23 shall be targeted at practices relating to livestock
24 production.

1 “(2) WILDLIFE HABITAT.—For each of fiscal
2 years 2014 through 2018, 7.5 percent of the funds
3 made available for payments under the program
4 shall be targeted at practices benefitting wildlife
5 habitat.”;

6 (5) in subsection (g)—

7 (A) in the subsection heading, by striking
8 “FEDERALLY RECOGNIZED NATIVE AMERICAN
9 INDIAN TRIBES AND ALASKA NATIVE COR-
10 PORATIONS” and inserting “INDIAN TRIBES”;

11 (B) by striking “federally recognized Na-
12 tive American Indian Tribes and Alaska Native
13 Corporations (including their affiliated member-
14 ship organizations)” and inserting “Indian
15 tribes”; and

16 (C) by striking “or Native Corporation”;
17 and

18 (6) by adding at the end the following:

19 “(j) WILDLIFE HABITAT INCENTIVE PRACTICE.—
20 The Secretary shall provide payments to producers under
21 the program for practices, including recurring practices
22 for the term of the contract, that support the restoration,
23 development, protection, and improvement of wildlife habi-
24 tat on eligible land, including—

25 “(1) upland wildlife habitat;

1 “(2) wetland wildlife habitat;

2 “(3) habitat for threatened and endangered
3 species;

4 “(4) fish habitat;

5 “(5) habitat on pivot corners and other irreg-
6 ular areas of a field; and

7 “(6) other types of wildlife habitat, as deter-
8 mined appropriate by the Secretary.

9 “(k) FUNDING FOR COMMUNITY IRRIGATION ASSO-
10 CIATIONS.—

11 “(1) IN GENERAL.—The Secretary may enter
12 into an alternative funding arrangement with an eli-
13 gible irrigation association if the Secretary deter-
14 mines that—

15 “(A) the purposes of the program will be
16 met by such an arrangement; and

17 “(B) statutory limitations regarding con-
18 tracts with individual producers will not be ex-
19 ceeded by any member of the irrigation associa-
20 tion.

21 “(2) ELIGIBLE IRRIGATION ASSOCIATIONS.—In
22 this subsection, the term ‘eligible irrigation associa-
23 tion’ means an irrigation association that is—

24 “(A) comprised of producers; and

1 “(B) a local government entity, but does
2 not have the authority to impose taxes or lev-
3 ies.”.

4 **SEC. 2203. EVALUATION OF APPLICATIONS.**

5 Section 1240C(b) of the Food Security Act of 1985
6 (16 U.S.C. 3839aa-3(b)) is amended—

7 (1) in paragraph (1), by striking “environ-
8 mental” and inserting “conservation”; and

9 (2) in paragraph (3), by striking “purpose of
10 the environmental quality incentives program speci-
11 fied in section 1240(1)” and inserting “purposes of
12 the program”.

13 **SEC. 2204. DUTIES OF PRODUCERS.**

14 Section 1240D(2) of the Food Security Act of 1985
15 (16 U.S.C. 3839aa-4(2)) is amended by striking “farm,
16 ranch, or forest” and inserting “enrolled”.

17 **SEC. 2205. LIMITATION ON PAYMENTS.**

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

20 **“SEC. 1240G. LIMITATION ON PAYMENTS.**

21 “A person or legal entity may not receive, directly
22 or indirectly, cost-share or incentive payments under this
23 chapter that, in aggregate, exceed \$450,000 for all con-
24 tracts entered into under this chapter by the person or
25 legal entity during the period of fiscal years 2014 through

1 2018, regardless of the number of contracts entered into
2 under this chapter by the person or legal entity.”.

3 **SEC. 2206. CONSERVATION INNOVATION GRANTS AND PAY-**
4 **MENTS.**

5 Section 1240H of the Food Security Act of 1985 (16
6 U.S.C. 3839aa–8) is amended—

7 (1) in subsection (a)(2)—

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

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

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

14 “(E) facilitate on-farm conservation re-
15 search and demonstration activities; and

16 “(F) facilitate pilot testing of new tech-
17 nologies or innovative conservation practices.”;

18 and

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

21 “(b) **REPORTING.**—Not later than December 31,
22 2014, and every two years thereafter, the Secretary shall
23 submit to the Committee on Agriculture, Nutrition, and
24 Forestry of the Senate and the Committee on Agriculture

1 of the House of Representatives a report on the status
2 of projects funded under this section, including—

3 “(1) funding awarded;

4 “(2) project results; and

5 “(3) incorporation of project findings, such as
6 new technology and innovative approaches, into the
7 conservation efforts implemented by the Secretary.”.

8 **SEC. 2207. EFFECTIVE DATE.**

9 (a) IN GENERAL.—The amendments made by this
10 subtitle shall take effect on October 1, 2013.

11 (b) EFFECT ON EXISTING CONTRACTS.—The amend-
12 ments made by this subtitle shall not affect the validity
13 or terms of any contract entered into by the Secretary of
14 Agriculture under chapter 4 of subtitle D of title XII of
15 the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.)
16 before October 1, 2013, or any payments required to be
17 made in connection with the contract.

18 **Subtitle D—Agricultural**
19 **Conservation Easement Program**

20 **SEC. 2301. AGRICULTURAL CONSERVATION EASEMENT**
21 **PROGRAM.**

22 (a) ESTABLISHMENT.—Title XII of the Food Secu-
23 rity Act of 1985 is amended by adding at the end the fol-
24 lowing new subtitle:

1 **“Subtitle H—Agricultural**
2 **Conservation Easement Program**

3 **“SEC. 1265. ESTABLISHMENT AND PURPOSES.**

4 “(a) ESTABLISHMENT.—The Secretary shall estab-
5 lish an agricultural conservation easement program for the
6 conservation of eligible land and natural resources through
7 easements or other interests in land.

8 “(b) PURPOSES.—The purposes of the program are
9 to—

10 “(1) combine the purposes and coordinate the
11 functions of the wetlands reserve program estab-
12 lished under section 1237, the grassland reserve pro-
13 gram established under section 1238N, and the
14 farmland protection program established under sec-
15 tion 1238I, as such sections were in effect on Sep-
16 tember 30, 2013;

17 “(2) restore, protect, and enhance wetlands on
18 eligible land;

19 “(3) protect the agricultural use and related
20 conservation values of eligible land by limiting non-
21 agricultural uses of that land; and

22 “(4) protect grazing uses and related conserva-
23 tion values by restoring and conserving eligible land.

24 **“SEC. 1265A. DEFINITIONS.**

25 “In this subtitle:

1 “(1) AGRICULTURAL LAND EASEMENT.—The
2 term ‘agricultural land easement’ means an ease-
3 ment or other interest in eligible land that—

4 “(A) is conveyed for the purpose of pro-
5 tecting natural resources and the agricultural
6 nature of the land; and

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

11 “(2) ELIGIBLE ENTITY.—The term ‘eligible en-
12 tity’ means—

13 “(A) an agency of State or local govern-
14 ment or an Indian tribe (including a farmland
15 protection board or land resource council estab-
16 lished under State law); or

17 “(B) an organization that is—

18 “(i) organized for, and at all times
19 since the formation of the organization has
20 been operated principally for, 1 or more of
21 the conservation purposes specified in
22 clause (i), (ii), (iii), or (iv) of section
23 170(h)(4)(A) of the Internal Revenue Code
24 of 1986;

1 “(ii) an organization described in sec-
2 tion 501(c)(3) of that Code that is exempt
3 from taxation under section 501(a) of that
4 Code; or

5 “(iii) described in—

6 “(I) paragraph (1) or (2) of sec-
7 tion 509(a) of that Code; or

8 “(II) section 509(a)(3) of that
9 Code and is controlled by an organiza-
10 tion described in section 509(a)(2) of
11 that Code.

12 “(3) ELIGIBLE LAND.—The term ‘eligible land’
13 means private or tribal land that is—

14 “(A) in the case of an agricultural land
15 easement, agricultural land, including land on a
16 farm or ranch—

17 “(i) that is subject to a pending offer
18 for purchase of an agricultural land ease-
19 ment from an eligible entity;

20 “(ii) that—

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

23 “(II) contains historical or ar-
24 chaeological resources; or

1 “(III) the protection of which will
2 further a State or local policy con-
3 sistent with the purposes of the pro-
4 gram; and

5 “(iii) that is—

6 “(I) cropland;

7 “(II) rangeland;

8 “(III) grassland or land that con-
9 tains forbs, or shrubland for which
10 grazing is the predominate use;

11 “(IV) pastureland; or

12 “(V) nonindustrial private forest
13 land that contributes to the economic
14 viability of an offered parcel or serves
15 as a buffer to protect such land from
16 development;

17 “(B) in the case of a wetland easement, a
18 wetland or related area, including—

19 “(i) farmed or converted wetlands, to-
20 gether with adjacent land that is function-
21 ally dependent on that land, if the Sec-
22 retary determines it—

23 “(I) is likely to be successfully
24 restored in a cost-effective manner;
25 and

1 “(II) will maximize the wildlife
2 benefits and wetland functions and
3 values, as determined by the Secretary
4 in consultation with the Secretary of
5 the Interior at the local level;

6 “(ii) cropland or grassland that was
7 used for agricultural production prior to
8 flooding from the natural overflow of—

9 “(I) a closed basin lake and adja-
10 cent land that is functionally depend-
11 ent upon it, if the State or other enti-
12 ty is willing to provide 50 percent
13 share of the cost of an easement; and

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

16 “(iii) farmed wetlands and adjoining
17 lands that—

18 “(I) are enrolled in the conserva-
19 tion reserve program;

20 “(II) have the highest wetland
21 functions and values, as determined
22 by the Secretary; and

23 “(III) are likely to return to pro-
24 duction after they leave the conserva-
25 tion reserve program;

1 “(iv) riparian areas that link wetlands
2 that are protected by easements or some
3 other device that achieves the same pur-
4 pose as an easement; or

5 “(v) other wetlands of an owner that
6 would not otherwise be eligible, if the Sec-
7 retary determines that the inclusion of
8 such wetlands in a wetland easement would
9 significantly add to the functional value of
10 the easement; or

11 “(C) in the case of either an agricultural
12 land easement or wetland easement, other land
13 that is incidental to land described in subpara-
14 graph (A) or (B), if the Secretary determines
15 that it is necessary for the efficient administra-
16 tion of the easements under this program.

17 “(4) PROGRAM.—The term ‘program’ means
18 the agricultural conservation easement program es-
19 tablished by this subtitle.

20 “(5) WETLAND EASEMENT.—The term ‘wetland
21 easement’ means a reserved interest in eligible land
22 that—

23 “(A) is defined and delineated in a deed;

24 and

25 “(B) stipulates—

1 “(i) the rights, title, and interests in
2 land conveyed to the Secretary; and

3 “(ii) the rights, title, and interests in
4 land that are reserved to the landowner.

5 **“SEC. 1265B. AGRICULTURAL LAND EASEMENTS.**

6 “(a) AVAILABILITY OF ASSISTANCE.—The Secretary
7 shall facilitate and provide funding for—

8 “(1) the purchase by eligible entities of agricul-
9 tural land easements and other interests in eligible
10 land; and

11 “(2) technical assistance to provide for the con-
12 servation of natural resources pursuant to an agri-
13 cultural land easement plan.

14 “(b) COST-SHARE ASSISTANCE.—

15 “(1) IN GENERAL.—The Secretary shall protect
16 the agricultural use, including grazing, and related
17 conservation values of eligible land through cost-
18 share assistance to eligible entities for purchasing
19 agricultural land easements.

20 “(2) SCOPE OF ASSISTANCE AVAILABLE.—

21 “(A) FEDERAL SHARE.—An agreement de-
22 scribed in paragraph (4) shall provide for a
23 Federal share determined by the Secretary of
24 an amount not to exceed 50 percent of the fair
25 market value of the agricultural land easement

1 or other interest in land, as determined by the
2 Secretary using—

3 “(i) the Uniform Standards of Profes-
4 sional Appraisal Practice;

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

7 “(iii) another industry-approved meth-
8 od.

9 “(B) NON-FEDERAL SHARE.—

10 “(i) IN GENERAL.—Under the agree-
11 ment, the eligible entity shall provide a
12 share that is at least equivalent to that
13 provided by the Secretary.

14 “(ii) SOURCE OF CONTRIBUTION.—An
15 eligible entity may include as part of its
16 share a charitable donation or qualified
17 conservation contribution (as defined by
18 section 170(h) of the Internal Revenue
19 Code of 1986) from the private landowner
20 if the eligible entity contributes its own
21 cash resources in an amount that is at
22 least 50 percent of the amount contributed
23 by the Secretary.

24 “(C) EXCEPTION.—In the case of grass-
25 land of special environmental significance, as

1 determined by the Secretary, the Secretary may
2 provide an amount not to exceed 75 percent of
3 the fair market value of the agricultural land
4 easement.

5 “(3) EVALUATION AND RANKING OF APPLICA-
6 TIONS.—

7 “(A) CRITERIA.—The Secretary shall es-
8 tablish evaluation and ranking criteria to maxi-
9 mize the benefit of Federal investment under
10 the program.

11 “(B) CONSIDERATIONS.—In establishing
12 the criteria, the Secretary shall emphasize sup-
13 port for—

14 “(i) protecting agricultural uses and
15 related conservation values of the land; and

16 “(ii) maximizing the protection of
17 areas devoted to agricultural use.

18 “(C) BIDDING DOWN.—If the Secretary
19 determines that 2 or more applications for cost-
20 share assistance are comparable in achieving
21 the purpose of the program, the Secretary shall
22 not assign a higher priority to any of those ap-
23 plications solely on the basis of lesser cost to
24 the program.

25 “(4) AGREEMENTS WITH ELIGIBLE ENTITIES.—

1 “(A) IN GENERAL.—The Secretary shall
2 enter into agreements with eligible entities to
3 stipulate the terms and conditions under which
4 the eligible entity is permitted to use cost-share
5 assistance provided under this section.

6 “(B) LENGTH OF AGREEMENTS.—An
7 agreement shall be for a term that is—

8 “(i) in the case of an eligible entity
9 certified under the process described in
10 paragraph (5), a minimum of five years;
11 and

12 “(ii) for all other eligible entities, at
13 least three, but not more than five years.

14 “(C) MINIMUM TERMS AND CONDITIONS.—
15 An eligible entity shall be authorized to use its
16 own terms and conditions for agricultural land
17 easements so long as the Secretary determines
18 such terms and conditions—

19 “(i) are consistent with the purposes
20 of the program;

21 “(ii) permit effective enforcement of
22 the conservation purposes of such ease-
23 ments;

24 “(iii) include a right of enforcement
25 for the Secretary, that may be used only if

1 the terms of the easement are not enforced
2 by the holder of the easement;

3 “(iv) subject the land in which an in-
4 terest is purchased to an agricultural land
5 easement plan that—

6 “(I) describes the activities which
7 promote the long-term viability of the
8 land to meet the purposes for which
9 the easement was acquired;

10 “(II) requires the management of
11 grasslands according to a grasslands
12 management plan; and

13 “(III) includes a conservation
14 plan, where appropriate, and requires,
15 at the option of the Secretary, the
16 conversion of highly erodible cropland
17 to less intensive uses; and

18 “(v) include a limit on the impervious
19 surfaces to be allowed that is consistent
20 with the agricultural activities to be con-
21 ducted.

22 “(D) SUBSTITUTION OF QUALIFIED
23 PROJECTS.—An agreement shall allow, upon
24 mutual agreement of the parties, substitution of

1 qualified projects that are identified at the time
2 of the proposed substitution.

3 “(E) EFFECT OF VIOLATION.—If a viola-
4 tion occurs of a term or condition of an agree-
5 ment under this subsection—

6 “(i) the Secretary may terminate the
7 agreement; and

8 “(ii) the Secretary may require the el-
9 igible entity to refund all or part of any
10 payments received by the entity under the
11 program, with interest on the payments as
12 determined appropriate by the Secretary.

13 “(5) CERTIFICATION OF ELIGIBLE ENTITIES.—

14 “(A) CERTIFICATION PROCESS.—The Sec-
15 retary shall establish a process under which the
16 Secretary may—

17 “(i) directly certify eligible entities
18 that meet established criteria;

19 “(ii) enter into long-term agreements
20 with certified eligible entities; and

21 “(iii) accept proposals for cost-share
22 assistance for the purchase of agricultural
23 land easements throughout the duration of
24 such agreements.

1 “(B) CERTIFICATION CRITERIA.—In order
2 to be certified, an eligible entity shall dem-
3 onstrate to the Secretary that the entity will
4 maintain, at a minimum, for the duration of the
5 agreement—

6 “(i) a plan for administering ease-
7 ments that is consistent with the purpose
8 of this subtitle;

9 “(ii) the capacity and resources to
10 monitor and enforce agricultural land ease-
11 ments; and

12 “(iii) policies and procedures to en-
13 sure—

14 “(I) the long-term integrity of
15 agricultural land easements on eligible
16 land;

17 “(II) timely completion of acqui-
18 sitions of such easements; and

19 “(III) timely and complete eval-
20 uation and reporting to the Secretary
21 on the use of funds provided under
22 the program.

23 “(C) REVIEW AND REVISION.—

24 “(i) REVIEW.—The Secretary shall
25 conduct a review of eligible entities cer-

1 tified under subparagraph (A) every three
2 years to ensure that such entities are
3 meeting the criteria established under sub-
4 paragraph (B).

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

9 “(I) allow the certified eligible
10 entity a specified period of time, at a
11 minimum 180 days, in which to take
12 such actions as may be necessary to
13 meet the criteria; and

14 “(II) revoke the certification of
15 the eligible entity, if, after the speci-
16 fied period of time, the certified eligi-
17 ble entity does not meet such criteria.

18 “(c) METHOD OF ENROLLMENT.—The Secretary
19 shall enroll eligible land under this section through the use
20 of—

21 “(1) permanent easements; or

22 “(2) easements for the maximum duration al-
23 lowed under applicable State laws.

24 “(d) TECHNICAL ASSISTANCE.—The Secretary may
25 provide technical assistance, if requested, to assist in—

1 “(1) compliance with the terms and conditions
2 of easements; and

3 “(2) implementation of an agricultural land
4 easement plan.

5 **“SEC. 1265C. WETLAND EASEMENTS.**

6 “(a) AVAILABILITY OF ASSISTANCE.—The Secretary
7 shall provide assistance to owners of eligible land to re-
8 store, protect, and enhance wetlands through—

9 “(1) wetland easements and related wetland
10 easement plans; and

11 “(2) technical assistance.

12 “(b) EASEMENTS.—

13 “(1) METHOD OF ENROLLMENT.—The Sec-
14 retary shall enroll eligible land under this section
15 through the use of—

16 “(A) 30-year easements;

17 “(B) permanent easements;

18 “(C) easements for the maximum duration
19 allowed under applicable State laws; or

20 “(D) as an option for Indian tribes only,
21 30-year contracts (which shall be considered to
22 be 30-year easements for the purposes of this
23 subtitle).

24 “(2) LIMITATIONS.—

1 “(A) INELIGIBLE LAND.—The Secretary
2 may not acquire easements on—

3 “(i) land established to trees under
4 the conservation reserve program, except in
5 cases where the Secretary determines it
6 would further the purposes of the program;
7 and

8 “(ii) farmed wetlands or converted
9 wetlands where the conversion was not
10 commenced prior to December 23, 1985.

11 “(B) CHANGES IN OWNERSHIP.—No wet-
12 land easement shall be created on land that has
13 changed ownership during the preceding 24-
14 month period unless—

15 “(i) the new ownership was acquired
16 by will or succession as a result of the
17 death of the previous owner;

18 “(ii)(I) the ownership change occurred
19 because of foreclosure on the land; and

20 “(II) immediately before the fore-
21 closure, the owner of the land exercises a
22 right of redemption from the mortgage
23 holder in accordance with State law; or

24 “(iii) the Secretary determines that
25 the land was acquired under circumstances

1 that give adequate assurances that such
2 land was not acquired for the purposes of
3 placing it in the program.

4 “(3) EVALUATION AND RANKING OF OFFERS.—

5 “(A) CRITERIA.—The Secretary shall es-
6 tablish evaluation and ranking criteria to maxi-
7 mize the benefit of Federal investment under
8 the program.

9 “(B) CONSIDERATIONS.—When evaluating
10 offers from landowners, the Secretary may con-
11 sider—

12 “(i) the conservation benefits of ob-
13 taining a wetland easement, including the
14 potential environmental benefits if the land
15 was removed from agricultural production;

16 “(ii) the cost-effectiveness of each
17 wetland easement, so as to maximize the
18 environmental benefits per dollar expended;

19 “(iii) whether the landowner or an-
20 other person is offering to contribute fi-
21 nancially to the cost of the wetland ease-
22 ment to leverage Federal funds; and

23 “(iv) such other factors as the Sec-
24 retary determines are necessary to carry
25 out the purposes of the program.

1 “(C) PRIORITY.—The Secretary shall place
2 priority on acquiring wetland easements based
3 on the value of the wetland easement for pro-
4 tecting and enhancing habitat for migratory
5 birds and other wildlife.

6 “(4) AGREEMENT.—To be eligible to place eligi-
7 ble land into the program through a wetland ease-
8 ment, the owner of such land shall enter into an
9 agreement with the Secretary to—

10 “(A) grant an easement on such land to
11 the Secretary;

12 “(B) authorize the implementation of a
13 wetland easement plan developed for the eligible
14 land under subsection (f);

15 “(C) create and record an appropriate
16 deed restriction in accordance with applicable
17 State law to reflect the easement agreed to;

18 “(D) provide a written statement of con-
19 sent to such easement signed by those holding
20 a security interest in the land;

21 “(E) comply with the terms and conditions
22 of the easement and any related agreements;
23 and

1 “(F) permanently retire any existing base
2 history for the land on which the easement has
3 been obtained.

4 “(5) TERMS AND CONDITIONS OF EASEMENT.—

5 “(A) IN GENERAL.—A wetland easement
6 shall include terms and conditions that—

7 “(i) permit—

8 “(I) repairs, improvements, and
9 inspections on the land that are nec-
10 essary to maintain existing public
11 drainage systems; and

12 “(II) owners to control public ac-
13 cess on the easement areas while iden-
14 tifying access routes to be used for
15 restoration activities and management
16 and easement monitoring;

17 “(ii) prohibit—

18 “(I) the alteration of wildlife
19 habitat and other natural features of
20 such land, unless specifically author-
21 ized by the Secretary;

22 “(II) the spraying of such land
23 with chemicals or the mowing of such
24 land, except where such spraying or

1 mowing is authorized by the Secretary
2 or is necessary—

3 “(aa) to comply with Fed-
4 eral or State noxious weed con-
5 trol laws;

6 “(bb) to comply with a Fed-
7 eral or State emergency pest
8 treatment program; or

9 “(cc) to meet habitat needs
10 of specific wildlife species;

11 “(III) any activities to be carried
12 out on the owner’s or successor’s land
13 that is immediately adjacent to, and
14 functionally related to, the land that
15 is subject to the easement if such ac-
16 tivities will alter, degrade, or other-
17 wise diminish the functional value of
18 the eligible land; and

19 “(IV) the adoption of any other
20 practice that would tend to defeat the
21 purposes of the program, as deter-
22 mined by the Secretary;

23 “(iii) provide for the efficient and ef-
24 fective establishment of wildlife functions
25 and values; and

1 “(iv) include such additional provi-
2 sions as the Secretary determines are de-
3 sirable to carry out the program or facili-
4 tate the practical administration thereof.

5 “(B) VIOLATION.—On the violation of the
6 terms or conditions of a wetland easement, the
7 wetland easement shall remain in force and the
8 Secretary may require the owner to refund all
9 or part of any payments received by the owner
10 under the program, together with interest
11 thereon as determined appropriate by the Sec-
12 retary.

13 “(C) COMPATIBLE USES.—Land subject to
14 a wetland easement may be used for compatible
15 economic uses, including such activities as
16 hunting and fishing, managed timber harvest,
17 or periodic haying or grazing, if such use is spe-
18 cifically permitted by the wetland easement plan
19 developed for the land under subsection (f) and
20 is consistent with the long-term protection and
21 enhancement of the wetland resources for which
22 the easement was established.

23 “(D) RESERVATION OF GRAZING
24 RIGHTS.—The Secretary may include in the
25 terms and conditions of a wetland easement a

1 provision under which the owner reserves graz-
2 ing rights if—

3 “(i) the Secretary determines that the
4 reservation and use of the grazing rights—

5 “(I) is compatible with the land
6 subject to the easement;

7 “(II) is consistent with the his-
8 torical natural uses of the land and
9 the long-term protection and enhance-
10 ment goals for which the easement
11 was established; and

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

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

19 “(6) COMPENSATION.—

20 “(A) DETERMINATION.—

21 “(i) PERMANENT EASEMENTS.—The
22 Secretary shall pay as compensation for a
23 permanent wetland easement acquired
24 under the program an amount necessary to

1 encourage enrollment in the program,
2 based on the lowest of—

3 “(I) the fair market value of the
4 land, as determined by the Secretary,
5 using the Uniform Standards of Pro-
6 fessional Appraisal Practice or an
7 area-wide market analysis or survey;

8 “(II) the amount corresponding
9 to a geographical cap, as determined
10 by the Secretary in regulations; or

11 “(III) the offer made by the
12 landowner.

13 “(ii) 30-YEAR EASEMENTS.—Com-
14 pensation for a 30-year wetland easement
15 shall be not less than 50 percent, but not
16 more than 75 percent, of the compensation
17 that would be paid for a permanent wet-
18 land easement.

19 “(B) FORM OF PAYMENT.—Compensation
20 for a wetland easement shall be provided by the
21 Secretary in the form of a cash payment, in an
22 amount determined under subparagraph (A).

23 “(C) PAYMENT SCHEDULE.—

24 “(i) EASEMENTS VALUED AT \$500,000
25 OR LESS.—For wetland easements valued

1 at \$500,000 or less, the Secretary may
2 provide easement payments in not more
3 than 10 annual payments.

4 “(ii) EASEMENTS VALUED AT MORE
5 THAN \$500,000.—For wetland easements
6 valued at more than \$500,000, the Sec-
7 retary may provide easement payments in
8 at least 5, but not more than 10 annual
9 payments, except that, if the Secretary de-
10 termines it would further the purposes of
11 the program, the Secretary may make a
12 lump-sum payment for such an easement.

13 “(c) EASEMENT RESTORATION.—

14 “(1) IN GENERAL.—The Secretary shall provide
15 financial assistance to owners of eligible land to
16 carry out the establishment of conservation meas-
17 ures and practices and protect wetland functions
18 and values, including necessary maintenance activi-
19 ties, as set forth in a wetland easement plan devel-
20 oped for the eligible land under subsection (f).

21 “(2) PAYMENTS.—The Secretary shall—

22 “(A) in the case of a permanent wetland
23 easement, pay an amount that is not less than
24 75 percent, but not more than 100 percent, of

1 the eligible costs, as determined by the Sec-
2 retary; and

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

7 “(d) TECHNICAL ASSISTANCE.—

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

11 “(2) CONTRACTS OR AGREEMENTS.—The Sec-
12 retary may enter into 1 or more contracts with pri-
13 vate entities or agreements with a State, non-govern-
14 mental organization, or Indian tribe to carry out
15 necessary restoration, enhancement, or maintenance
16 of a wetland easement if the Secretary determines
17 that the contract or agreement will advance the pur-
18 poses of the program.

19 “(e) WETLAND ENHANCEMENT OPTION.—The Sec-
20 retary may enter into 1 or more agreements with a State
21 (including a political subdivision or agency of a State),
22 nongovernmental organization, or Indian tribe to carry out
23 a special wetland enhancement option that the Secretary
24 determines would advance the purposes of program.

25 “(f) ADMINISTRATION.—

1 “(1) WETLAND EASEMENT PLAN.—The Sec-
2 retary shall develop a wetland easement plan for eli-
3 gible lands subject to a wetland easement, which
4 shall include practices and activities necessary to re-
5 store, protect, enhance, and maintain the enrolled
6 lands.

7 “(2) DELEGATION OF EASEMENT ADMINISTRA-
8 TION.—The Secretary may delegate—

9 “(A) any of the easement management,
10 monitoring, and enforcement responsibilities of
11 the Secretary to other Federal or State agencies
12 that have the appropriate authority, expertise,
13 and resources necessary to carry out such dele-
14 gated responsibilities; and

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

20 “(3) PAYMENTS.—

21 “(A) TIMING OF PAYMENTS.—The Sec-
22 retary shall provide payment for obligations in-
23 curred by the Secretary under this section—

24 “(i) with respect to any easement res-
25 toration obligation under subsection (c), as

1 soon as possible after the obligation is in-
2 curred; and

3 “(ii) with respect to any annual ease-
4 ment payment obligation incurred by the
5 Secretary, as soon as possible after Octo-
6 ber 1 of each calendar year.

7 “(B) PAYMENTS TO OTHERS.—If an owner
8 who is entitled to a payment under this section
9 dies, becomes incompetent, is otherwise unable
10 to receive such payment, or is succeeded by an-
11 other person or entity who renders or completes
12 the required performance, the Secretary shall
13 make such payment, in accordance with regula-
14 tions prescribed by the Secretary and without
15 regard to any other provision of law, in such
16 manner as the Secretary determines is fair and
17 reasonable in light of all of the circumstances.

18 **“SEC. 1265D. ADMINISTRATION.**

19 “(a) INELIGIBLE LAND.—The Secretary may not use
20 program funds for the purposes of acquiring an easement
21 on—

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

1 “(2) lands owned in fee title by a State, includ-
2 ing an agency or a subdivision of a State, or a unit
3 of local government;

4 “(3) land subject to an easement or deed re-
5 striction which, as determined by the Secretary, pro-
6 vides similar protection as would be provided by en-
7 rollment in the program; or

8 “(4) lands where the purposes of the program
9 would be undermined due to on-site or off-site condi-
10 tions, such as risk of hazardous substances, pro-
11 posed or existing rights of way, infrastructure devel-
12 opment, or adjacent land uses.

13 “(b) PRIORITY.—In evaluating applications under the
14 program, the Secretary may give priority to land that is
15 currently enrolled in the conservation reserve program in
16 a contract that is set to expire within 1 year and—

17 “(1) in the case of an agricultural land ease-
18 ment, is grassland that would benefit from protec-
19 tion under a long-term easement; and

20 “(2) in the case of a wetland easement, is a
21 wetland or related area with the highest functions
22 and value and is likely to return to production after
23 the land leaves the conservation reserve program.

24 “(c) SUBORDINATION, EXCHANGE, MODIFICATION,
25 AND TERMINATION.—

1 “(1) IN GENERAL.—The Secretary may subor-
2 dinate, exchange, modify, or terminate any interest
3 in land, or portion of such interest, administered by
4 the Secretary, either directly or on behalf of the
5 Commodity Credit Corporation under the program if
6 the Secretary determines that—

7 “(A) it is in the Federal Government’s in-
8 terest to subordinate, exchange, modify, or ter-
9 minate the interest in land;

10 “(B) the subordination, exchange, modi-
11 fication, or termination action—

12 “(i) will address a compelling public
13 need for which there is no practicable al-
14 ternative; or

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

17 “(C) the subordination, exchange, modi-
18 fication, or termination action will result in
19 comparable conservation value and equivalent
20 or greater economic value to the United States.

21 “(2) CONSULTATION.—The Secretary shall
22 work with the owner, and eligible entity if applicable,
23 to address any subordination, exchange, modifica-
24 tion, or termination of the interest, or portion of
25 such interest, in land.

1 “(3) NOTICE.—At least 90 days before taking
2 any termination action described in paragraph (1),
3 the Secretary shall provide written notice of such ac-
4 tion to the Committee on Agriculture of the House
5 of Representatives and the Committee on Agri-
6 culture, Nutrition, and Forestry of the Senate.

7 “(d) LAND ENROLLED IN CONSERVATION RESERVE
8 PROGRAM.—The Secretary may terminate or modify a
9 contract entered into under section 1231(a) if eligible land
10 that is subject to such contract is transferred into the pro-
11 gram.

12 “(e) ALLOCATION OF FUNDS FOR AGRICULTURAL
13 LAND EASEMENTS.—Of the funds made available under
14 section 1241 to carry out the program for a fiscal year,
15 the Secretary shall, to the extent practicable, use for agri-
16 cultural land easements—

17 “(1) no less than 40 percent in each of fiscal
18 years 2014 through 2017; and

19 “(2) no less than 50 percent in fiscal year
20 2018.”.

21 (b) COMPLIANCE WITH CERTAIN REQUIREMENTS.—
22 Before an eligible entity or owner of eligible land may re-
23 ceive assistance under subtitle H of title XII of the Food
24 Security Act of 1985, the eligible entity or person shall

1 agree, during the crop year for which the assistance is pro-
2 vided and in exchange for the assistance—

3 (1) to comply with applicable conservation re-
4 quirements under subtitle B of title XII of that Act
5 (16 U.S.C. 3811 et seq.); and

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

9 (c) CROSS REFERENCE; CALCULATION.—Section
10 1244 of the Food Security Act of 1985 (16 U.S.C. 3844)
11 is amended—

12 (1) in subsection (c)—

13 (A) in paragraph (1)—

14 (i) by inserting “and” at the end of
15 subparagraph (A);

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

18 (iii) by striking subparagraph (C);

19 (B) by redesignating paragraph (2) as
20 paragraph (3); and

21 (C) by inserting after paragraph (1) the
22 following new paragraph:

23 “(2) the agricultural conservation easement
24 program established under subtitle H; and”; and

25 (2) in subsection (f)—

1 (A) in paragraph (1)—

2 (i) in subparagraph (A), by striking
3 “programs administered under subchapters
4 B and C of chapter 1 of subtitle D” and
5 inserting “conservation reserve program
6 established under subchapter B of chapter
7 1 of subtitle D and wetland easements
8 under section 1265C”; and

9 (ii) in subparagraph (B), by striking
10 “an easement acquired under subchapter C
11 of chapter 1 of subtitle D” and inserting
12 “a wetland easement under section
13 1265C”; and

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

16 “(5) CALCULATION.—In calculating the per-
17 centages described in paragraph (1), the Secretary
18 shall include any acreage that was included in cal-
19 culations of percentages made under such para-
20 graph, as in effect on September 30, 2013, and that
21 remains enrolled when the calculation is made after
22 that date under paragraph (1).”.

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

1 **Subtitle E—Regional Conservation**
2 **Partnership Program**

3 **SEC. 2401. REGIONAL CONSERVATION PARTNERSHIP PRO-**
4 **GRAM.**

5 (a) IN GENERAL.—Title XII of the Food Security
6 Act of 1985 is amended by inserting after subtitle H, as
7 added by section 2301, the following new subtitle:

8 **“Subtitle I—Regional Conservation**
9 **Partnership Program**

10 **“SEC. 1271. ESTABLISHMENT AND PURPOSES.**

11 “(a) ESTABLISHMENT.—The Secretary shall estab-
12 lish a regional conservation partnership program to imple-
13 ment eligible activities on eligible land through—

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

16 “(2) contracts with producers.

17 “(b) PURPOSES.—The purposes of the program are
18 as follows:

19 “(1) To use covered programs to accomplish
20 purposes and functions similar to those of the fol-
21 lowing programs, as in effect on September 30,
22 2013:

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

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

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

5 “(D) The Great Lakes basin program for
6 soil erosion and sediment control established
7 under section 1240P.

8 “(2) To further the conservation, restoration,
9 and sustainable use of soil, water, wildlife, and re-
10 lated natural resources on eligible land on a regional
11 or watershed scale.

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

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

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

23 **“SEC. 1271A. DEFINITIONS.**

24 “In this subtitle:

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

3 “(A) The agricultural conservation ease-
4 ment program.

5 “(B) The environmental quality incentives
6 program.

7 “(C) The conservation stewardship pro-
8 gram.

9 “(D) The healthy forests reserve program
10 established under section 501 of the Healthy
11 Forests Restoration Act of 2003 (16 U.S.C.
12 6571).

13 “(2) ELIGIBLE ACTIVITY.—The term ‘eligible
14 activity’ means any of the following conservation ac-
15 tivities:

16 “(A) Water quality or quantity conserva-
17 tion, restoration, or enhancement projects relat-
18 ing to surface water and groundwater re-
19 sources, including—

20 “(i) the conversion of irrigated crop-
21 land to the production of less water-inten-
22 sive agricultural commodities or dryland
23 farming; or

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

1 “(B) Drought mitigation.

2 “(C) Flood prevention.

3 “(D) Water retention.

4 “(E) Air quality improvement.

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

7 “(G) Erosion control and sediment reduc-
8 tion.

9 “(H) Other related activities that the Sec-
10 retary determines will help achieve conservation
11 benefits.

12 “(3) ELIGIBLE LAND.—The term ‘eligible land’
13 means land on which agricultural commodities, live-
14 stock, or forest-related products are produced, in-
15 cluding—

16 “(A) cropland;

17 “(B) grassland;

18 “(C) rangeland;

19 “(D) pastureland;

20 “(E) nonindustrial private forest land; and

21 “(F) other land incidental to agricultural
22 production (including wetlands and riparian
23 buffers) on which significant natural resource
24 issues could be addressed under the program.

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

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

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

6 “(C) An Indian tribe.

7 “(D) A farmer cooperative.

8 “(E) A water district, irrigation district,
9 rural water district or association, or other or-
10 ganization with specific water delivery authority
11 to producers on agricultural land.

12 “(F) An institution of higher education.

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

17 “(i) local conservation priorities re-
18 lated to agricultural production, wildlife
19 habitat development, or nonindustrial pri-
20 vate forest land management; or

21 “(ii) critical watershed-scale soil ero-
22 sion, water quality, sediment reduction, or
23 other natural resource issues.

24 “(5) PARTNERSHIP AGREEMENT.—The term
25 ‘partnership agreement’ means an agreement en-

1 tered into under section 1271B between the Sec-
2 retary and an eligible partner.

3 “(6) PROGRAM.—The term ‘program’ means
4 the regional conservation partnership program estab-
5 lished by this subtitle.

6 **“SEC. 1271B. REGIONAL CONSERVATION PARTNERSHIPS.**

7 “(a) PARTNERSHIP AGREEMENTS AUTHORIZED.—
8 The Secretary may enter into a partnership agreement
9 with an eligible partner to implement a project that will
10 assist producers with installing and maintaining an eligi-
11 ble activity on eligible land.

12 “(b) LENGTH.—A partnership agreement shall be for
13 a period not to exceed 5 years, except that the Secretary
14 may extend the agreement one time for up to 12 months
15 when an extension is necessary to meet the objectives of
16 the program.

17 “(c) DUTIES OF PARTNERS.—

18 “(1) IN GENERAL.—Under a partnership agree-
19 ment, the eligible partner shall—

20 “(A) define the scope of a project, includ-
21 ing—

22 “(i) the eligible activities to be imple-
23 mented;

1 “(ii) the potential agricultural or non-
2 industrial private forest land operations af-
3 fected;

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

6 “(iv) the planning, outreach, imple-
7 mentation, and assessment to be con-
8 ducted;

9 “(B) conduct outreach to producers for po-
10 tential participation in the project;

11 “(C) at the request of a producer, act on
12 behalf of a producer participating in the project
13 in applying for assistance under section 1271C;

14 “(D) leverage financial or technical assist-
15 ance provided by the Secretary with additional
16 funds to help achieve the project objectives;

17 “(E) conduct an assessment of the
18 project’s effects; and

19 “(F) at the conclusion of the project, re-
20 port to the Secretary on its results and funds
21 leveraged.

22 “(2) CONTRIBUTION.—An eligible partner shall
23 provide a significant portion of the overall costs of
24 the scope of the project that is the subject of the

1 agreement entered into under subsection (a), as de-
2 termined by the Secretary.

3 “(d) APPLICATIONS.—

4 “(1) COMPETITIVE PROCESS.—The Secretary
5 shall conduct a competitive process to select applica-
6 tions for partnership agreements and may assess
7 and rank applications with similar conservation pur-
8 poses as a group.

9 “(2) CRITERIA USED.—In carrying out the
10 process described in paragraph (1), the Secretary
11 shall make public the criteria used in evaluating ap-
12 plications.

13 “(3) CONTENT.—An application to the Sec-
14 retary shall include a description of—

15 “(A) the scope of the project, as described
16 in subsection (c)(1)(A);

17 “(B) the plan for monitoring, evaluating,
18 and reporting on progress made toward achiev-
19 ing the project’s objectives;

20 “(C) the program resources requested for
21 the project, including the covered programs to
22 be used and estimated funding needed from the
23 Secretary;

24 “(D) eligible partners collaborating to
25 achieve project objectives, including their roles,

1 responsibilities, capabilities, and financial con-
2 tribution; and

3 “(E) any other elements the Secretary con-
4 siders necessary to adequately evaluate and
5 competitively select applications for funding
6 under the program.

7 “(4) PRIORITY TO CERTAIN APPLICATIONS.—
8 The Secretary may give a higher priority to applica-
9 tions that—

10 “(A) assist producers in meeting or avoid-
11 ing the need for a natural resource regulatory
12 requirement;

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

16 “(C) significantly leverage non-Federal fi-
17 nancial and technical resources and coordinate
18 with other local, State, or national efforts;

19 “(D) deliver high percentages of applied
20 conservation to address conservation priorities
21 or regional, State, or national conservation ini-
22 tiatives;

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

1 “(F) meet other factors that are important
2 for achieving the purposes of the program, as
3 determined by the Secretary.

4 **“SEC. 1271C. ASSISTANCE TO PRODUCERS.**

5 “(a) IN GENERAL.—The Secretary shall enter into
6 contracts with producers to provide financial and technical
7 assistance to—

8 “(1) producers participating in a project with
9 an eligible partner, as described in section 1271B; or

10 “(2) producers that fit within the scope of a
11 project described in section 1271B or a critical con-
12 servation area designated under section 1271F, but
13 who are seeking to implement an eligible activity on
14 eligible land independent of a partner.

15 “(b) TERMS AND CONDITIONS.—

16 “(1) CONSISTENCY WITH PROGRAM RULES.—
17 Except as provided in paragraph (2), the Secretary
18 shall ensure that the terms and conditions of a con-
19 tract under this section are consistent with the ap-
20 plicable rules of the covered programs to be used as
21 part of the project, as described in the application
22 under section 1271B(d)(3)(C).

23 “(2) ADJUSTMENTS.—Except with respect to
24 statutory program requirements governing appeals,
25 payment limitations, and conservation compliance,

1 the Secretary may adjust the discretionary program
2 rules of a covered program—

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

5 “(B) to better reflect unique local cir-
6 cumstances and purposes if the Secretary deter-
7 mines such adjustments are necessary to
8 achieve the purposes of the program.

9 “(c) PAYMENTS.—

10 “(1) IN GENERAL.—In accordance with statu-
11 tory requirements of the covered programs involved,
12 the Secretary may make payments to a producer in
13 an amount determined by the Secretary to be nec-
14 essary to achieve the purposes of the program.

15 “(2) PAYMENTS TO PRODUCERS IN STATES
16 WITH WATER QUANTITY CONCERNS.—The Secretary
17 may provide payments to producers participating in
18 a project that addresses water quantity concerns for
19 a period of five years in an amount sufficient to en-
20 courage conversion from irrigated farming to
21 dryland farming.

22 “(3) WAIVER AUTHORITY.—To assist in the im-
23 plementation of the program, the Secretary may
24 waive the applicability of the limitation in section
25 1001D(b)(2) of this Act for participating producers

1 if the Secretary determines that the waiver is nec-
2 essary to fulfill the objectives of the program.

3 **“SEC. 1271D. FUNDING.**

4 “(a) AVAILABILITY OF FUNDS.—The Secretary shall
5 use \$100,000,000 of the funds of the Commodity Credit
6 Corporation for each of fiscal years 2014 through 2018
7 to carry out the program.

8 “(b) DURATION OF AVAILABILITY.—Funds made
9 available under subsection (a) shall remain available until
10 expended.

11 “(c) ADDITIONAL FUNDING AND ACRES.—

12 “(1) IN GENERAL.—In addition to the funds
13 made available under subsection (a), the Secretary
14 shall reserve 6 percent of the funds and acres made
15 available for a covered program for each of fiscal
16 years 2014 through 2018 in order to ensure addi-
17 tional resources are available to carry out this pro-
18 gram.

19 “(2) UNUSED FUNDS AND ACRES.—Any funds
20 or acres reserved under paragraph (1) for a fiscal
21 year from a covered program that are not obligated
22 under this program by April 1 of that fiscal year
23 shall be returned for use under the covered program.

1 “(d) ALLOCATION OF FUNDING.—Of the funds and
2 acres made available for the program under subsections
3 (a) and (c), the Secretary shall allocate—

4 “(1) 25 percent of the funds and acres to
5 projects based on a State competitive process admin-
6 istered by the State Conservationist, with the advice
7 of the State technical committee established under
8 subtitle G;

9 “(2) 50 percent of the funds and acres to
10 projects based on a national competitive process to
11 be established by the Secretary; and

12 “(3) 25 percent of the funds and acres to
13 projects for the critical conservation areas des-
14 ignated under section 1271F.

15 “(e) LIMITATION ON ADMINISTRATIVE EXPENSES.—
16 None of the funds made available under the program may
17 be used to pay for the administrative expenses of eligible
18 partners.

19 **“SEC. 1271E. ADMINISTRATION.**

20 “(a) DISCLOSURE.—In addition to the criteria used
21 in evaluating applications as described in section
22 1271B(d)(2), the Secretary shall make publicly available
23 information on projects selected through the competitive
24 process described in section 1271B(d)(1).

1 “(b) REPORTING.—Not later than December 31,
2 2014, and every two years thereafter, the Secretary shall
3 submit to the Committee on Agriculture of the House of
4 Representatives and the Committee on Agriculture, Nutri-
5 tion, and Forestry of the Senate a report on the status
6 of projects funded under the program, including—

7 “(1) the number and types of eligible partners
8 and producers participating in the partnership
9 agreements selected;

10 “(2) the number of producers receiving assist-
11 ance; and

12 “(3) total funding committed to projects, in-
13 cluding from Federal and non-Federal resources.

14 **“SEC. 1271F. CRITICAL CONSERVATION AREAS.**

15 “(a) IN GENERAL.—In administering funds under
16 section 1271D(d)(3), the Secretary shall select applica-
17 tions for partnership agreements and producer contracts
18 within critical conservation areas designated under this
19 section.

20 “(b) CRITICAL CONSERVATION AREA DESIGNA-
21 TIONS.—

22 “(1) PRIORITY.—In designating critical con-
23 servation areas under this section, the Secretary
24 shall give priority to geographical areas based on the
25 degree to which the geographical area—

1 “(A) includes multiple States with signifi-
2 cant agricultural production;

3 “(B) is covered by an existing regional,
4 State, binational, or multistate agreement or
5 plan that has established objectives, goals, and
6 work plans and is adopted by a Federal, State,
7 or regional authority;

8 “(C) would benefit from water quality im-
9 provement, including through reducing erosion,
10 promoting sediment control, and addressing nu-
11 trient management activities affecting large
12 bodies of water of regional, national, or inter-
13 national significance;

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

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

19 “(ii) a need to promote water reten-
20 tion and flood prevention; or

21 “(E) contains producers that need assist-
22 ance in meeting or avoiding the need for a nat-
23 ural resource regulatory requirement that could
24 have a negative economic impact on agricultural
25 operations within the area.

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

4 “(c) ADMINISTRATION.—

5 “(1) IN GENERAL.—Except as provided in para-
6 graph (2), the Secretary shall administer any part-
7 nership agreement or producer contract under this
8 section in a manner that is consistent with the terms
9 of the program.

10 “(2) RELATIONSHIP TO EXISTING ACTIVITY.—

11 The Secretary shall, to the maximum extent prac-
12 ticable, ensure that eligible activities carried out in
13 critical conservation areas designated under this sec-
14 tion complement and are consistent with other Fed-
15 eral and State programs and water quality and
16 quantity strategies.

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

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

1 **Subtitle F—Other Conservation**
2 **Programs**

3 **SEC. 2501. CONSERVATION OF PRIVATE GRAZING LAND.**

4 Section 1240M(e) of the Food Security Act of 1985
5 (16 U.S.C. 3839bb(e)) is amended by striking “2012” and
6 inserting “2018”.

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

9 Section 1240O(b) of the Food Security Act of 1985
10 (16 U.S.C. 3839bb–2) is amended to read as follows:

11 “(b) FUNDING.—

12 “(1) AUTHORIZATION OF APPROPRIATIONS.—

13 There is authorized to be appropriated to carry out
14 this section \$20,000,000 for each of fiscal years
15 2008 through 2018.

16 “(2) AVAILABILITY OF FUNDS.—In addition to
17 funds made available under paragraph (1), of the
18 funds of the Commodity Credit Corporation, the
19 Secretary shall use \$5,000,000, to remain available
20 until expended.”.

21 **SEC. 2503. VOLUNTARY PUBLIC ACCESS AND HABITAT IN-**
22 **CENTIVE PROGRAM.**

23 (a) FUNDING.—Section 1240R(f)(1) of the Food Se-
24 curity Act of 1985 (16 U.S.C. 3839bb–5(f)(1)) is amended
25 by inserting before the period at the end the following:

1 “and \$30,000,000 for the period of fiscal years 2014
2 through 2018”.

3 (b) REPORT ON PROGRAM EFFECTIVENESS.—Not
4 later than two years after the date of the enactment of
5 this Act, the Secretary of Agriculture shall submit to the
6 Committee on Agriculture of the House of Representatives
7 and the Committee on Agriculture, Nutrition, and For-
8 estry of the Senate a report evaluating the effectiveness
9 of the voluntary public access program established by sec-
10 tion 1240R of the Food Security Act of 1985 (16 U.S.C.
11 3839bb–5), including—

12 (1) identifying cooperating agencies;

13 (2) identifying the number of land holdings and
14 total acres enrolled by each State and tribal govern-
15 ment;

16 (3) evaluating the extent of improved access on
17 eligible lands, improved wildlife habitat, and related
18 economic benefits; and

19 (4) any other relevant information and data re-
20 lating to the program that would be helpful to such
21 committees.

1 **SEC. 2504. AGRICULTURE CONSERVATION EXPERIENCED**
2 **SERVICES PROGRAM.**

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

6 “(c) FUNDING.—

7 “(1) IN GENERAL.—The Secretary may carry
8 out the ACES program using funds made available
9 to carry out each program under this title.

10 “(2) EXCLUSION.—Funds made available to
11 carry out the conservation reserve program may not
12 be used to carry out the ACES program.”.

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

15 **SEC. 2505. SMALL WATERSHED REHABILITATION PRO-**
16 **GRAM.**

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

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

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

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

1 (4) by adding at the end the following new sub-
2 paragraph:

3 “(H) \$250,000,000 for fiscal year 2014, to
4 remain available until expended.”.

5 (b) **AUTHORIZATION OF APPROPRIATIONS.**—Section
6 14(h)(2)(E) of the Watershed Protection and Flood Pre-
7 vention Act (16 U.S.C. 1012(h)(2)(E)) is amended by
8 striking “2012” and inserting “2018”.

9 **SEC. 2506. AGRICULTURAL MANAGEMENT ASSISTANCE**
10 **PROGRAM.**

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

13 (1) by striking subparagraph (B) and redesign-
14 ating subparagraphs (C) through (F) as subpara-
15 graphs (B) through (E), respectively; and

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

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

19 and

20 (B) by striking clause (i) and redesign-
21 ating clauses (ii) through (iv) as clauses (i)
22 through (iii), respectively.

23 (b) **COMMODITY CREDIT CORPORATION.**—

1 (1) FUNDING.—Section 524(b)(4)(B) of the
2 Federal Crop Insurance Act (7 U.S.C.
3 1524(b)(4)(B)) is amended to read as follows:

4 “(B) FUNDING.—The Commodity Credit
5 Corporation shall make available to carry out
6 this subsection not less than \$10,000,000 for
7 each fiscal year.”.

8 (2) CERTAIN USES.—Section 524(b)(4)(C) of
9 the Federal Crop Insurance Act (7 U.S.C.
10 1524(b)(4)(C)) is amended—

11 (A) in clause (i)—

12 (i) by striking “50” and inserting
13 “30”; and

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

16 (B) in clause (iii), by striking “40” and in-
17 serting “60”.

18 **SEC. 2507. EMERGENCY WATERSHED PROTECTION PRO-**
19 **GRAM.**

20 Section 403 of the Agricultural Credit Act of 1978
21 (16 U.S.C. 2203) is amended by adding at the end the
22 following new sentence: “In evaluating requests for assist-
23 ance under this section, the Secretary shall give priority
24 consideration to projects that address runoff retardation
25 and soil-erosion preventive measures needed to mitigate

1 the risks and remediate the effects of catastrophic wildfire
2 on land that is the source of drinking water for landowners
3 and land users.”.

4 **Subtitle G—Funding and** 5 **Administration**

6 **SEC. 2601. FUNDING.**

7 (a) IN GENERAL.—Subsection (a) of section 1241 of
8 the Food Security Act of 1985 (16 U.S.C. 3841) is
9 amended to read as follows:

10 “(a) ANNUAL FUNDING.—For each of fiscal years
11 2014 through 2018, the Secretary shall use the funds, fa-
12 cilities, and authorities of the Commodity Credit Corpora-
13 tion to carry out the following programs under this title
14 (including the provision of technical assistance):

15 “(1) The conservation reserve program under
16 subchapter B of chapter 1 of subtitle D, including,
17 to the maximum extent practicable, \$25,000,000 for
18 the period of fiscal years 2014 through 2018 to
19 carry out section 1235(f) to facilitate the transfer of
20 land subject to contracts from retired or retiring
21 owners and operators to beginning farmers or ranch-
22 ers and socially disadvantaged farmers or ranchers.

23 “(2) The agriculture conservation easement
24 program under subtitle H, using, to the maximum
25 extent practicable—

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

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

3 “(C) \$475,000,000 in fiscal year 2016;

4 “(D) \$500,000,000 in fiscal year 2017;

5 and

6 “(E) \$200,000,000 in fiscal year 2018.

7 “(3) The conservation security program under
8 subchapter A of chapter 2 of subtitle D, using such
9 sums as are necessary to administer contracts en-
10 tered into before September 30, 2008.

11 “(4) The conservation stewardship program
12 under subchapter B of chapter 2 of subtitle D.

13 “(5) The environmental quality incentives pro-
14 gram under chapter 4 of subtitle D, using, to the
15 maximum extent practicable, \$1,750,000,000 for
16 each of fiscal years 2014 through 2018.”.

17 (b) REGIONAL EQUITY; GUARANTEED AVAILABILITY
18 OF FUNDS.—Section 1241 of the Food Security Act of
19 1985 (16 U.S.C. 3841) is amended—

20 (1) by striking subsection (d);

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

23 (3) by inserting after subsection (a) the fol-
24 lowing new subsection:

1 “(b) AVAILABILITY OF FUNDS.—Amounts made
2 available by subsection (a) shall be used by the Secretary
3 to carry out the programs specified in such subsection for
4 fiscal years 2014 through 2018 and shall remain available
5 until expended. Amounts made available for the programs
6 specified in such subsection during a fiscal year through
7 modifications, cancellations, terminations, and other re-
8 lated administrative actions and not obligated in that fis-
9 cal year shall remain available for obligation during subse-
10 quent fiscal years, but shall reduce the amount of addi-
11 tional funds made available in the subsequent fiscal year
12 by an amount equal to the amount remaining unobli-
13 gated.”.

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

16 **SEC. 2602. TECHNICAL ASSISTANCE.**

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

21 “(c) TECHNICAL ASSISTANCE.—

22 “(1) AVAILABILITY OF FUNDS.—Commodity
23 Credit Corporation funds made available for a fiscal
24 year for each of the programs specified in subsection

25 (a)—

1 “(A) shall be available for the provision of
2 technical assistance for the programs for which
3 funds are made available as necessary to imple-
4 ment the programs effectively; and

5 “(B) shall not be available for the provi-
6 sion of technical assistance for conservation
7 programs specified in subsection (a) other than
8 the program for which the funds were made
9 available.

10 “(2) REPORT.—Not later than December 31,
11 2013, the Secretary shall submit (and update as
12 necessary in subsequent years) to the Committee on
13 Agriculture of the House of Representatives and the
14 Committee on Agriculture, Nutrition, and Forestry
15 of the Senate a report—

16 “(A) detailing the amount of technical as-
17 sistance funds requested and apportioned in
18 each program specified in subsection (a) during
19 the preceding fiscal year; and

20 “(B) any other data relating to this sub-
21 section that would be helpful to such commit-
22 tees.”.

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

1 **SEC. 2603. RESERVATION OF FUNDS TO PROVIDE ASSIST-**
2 **ANCE TO CERTAIN FARMERS OR RANCHERS**
3 **FOR CONSERVATION ACCESS.**

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

7 (1) in paragraph (1) by striking “2012” and in-
8 serting “2018”; and

9 (2) by adding at the end the following new
10 paragraph:

11 “(4) PREFERENCE.—In providing assistance
12 under paragraph (1), the Secretary shall give pref-
13 erence to a veteran farmer or rancher (as defined in
14 section 2501(e) of the Food, Agriculture, Conserva-
15 tion, and Trade Act of 1990 (7 U.S.C. 2279(e)))
16 that qualifies under subparagraph (A) or (B) of
17 paragraph (1).”.

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

20 **SEC. 2604. ANNUAL REPORT ON PROGRAM ENROLLMENTS**
21 **AND ASSISTANCE.**

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

1 (1) in paragraph (1), by striking “wetlands re-
2 serve program” and inserting “agricultural conserva-
3 tion easement program”;

4 (2) by striking paragraphs (2) and (3) and re-
5 designating paragraphs (4), (5), and (6) as para-
6 graphs (2), (3), and (4), respectively; and

7 (3) in paragraph (3) (as so redesignated)—

8 (A) by striking “agricultural water en-
9 hancement program” and inserting “regional
10 conservation partnership program”; and

11 (B) by striking “1240I(g)” and inserting
12 “1271C(e)(3)”.

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

15 **SEC. 2605. REVIEW OF CONSERVATION PRACTICE STAND-**
16 **ARDS.**

17 Section 1242(h)(1)(A) of the Food Security Act of
18 1985 (16 U.S.C. 3842(h)(1)(A)) is amended by striking
19 “the Food, Conservation, and Energy Act of 2008” and
20 inserting “the Federal Agriculture Reform and Risk Man-
21 agement Act of 2013”.

22 **SEC. 2606. ADMINISTRATIVE REQUIREMENTS APPLICABLE**
23 **TO ALL CONSERVATION PROGRAMS.**

24 (a) IN GENERAL.—Section 1244 of the Food Security
25 Act of 1985 (16 U.S.C. 3844) is amended—

1 (1) in subsection (a)(2), by adding at the end
2 the following new subparagraph:

3 “(E) Veteran farmers or ranchers (as de-
4 fined in section 2501(e) of the Food, Agri-
5 culture, Conservation, and Trade Act of 1990
6 (7 U.S.C. 2279(e)).”;

7 (2) in subsection (d), by inserting “, H, and I”
8 before the period at the end;

9 (3) in subsection (f)—

10 (A) in paragraph (1)(B), by striking
11 “country” and inserting “county”; and

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

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

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

21 “(j) IMPROVED ADMINISTRATIVE EFFICIENCY AND
22 EFFECTIVENESS.—In administrating a conservation pro-
23 gram under this title, the Secretary shall, to the maximum
24 extent practicable—

1 “(1) seek to reduce administrative burdens and
2 costs to producers by streamlining conservation
3 planning and program resources; and

4 “(2) take advantage of new technologies to en-
5 hance efficiency and effectiveness.

6 “(k) RELATION TO OTHER PAYMENTS.—Any pay-
7 ment received by an owner or operator under this title,
8 including an easement payment or rental payment, shall
9 be in addition to, and not affect, the total amount of pay-
10 ments that the owner or operator is otherwise eligible to
11 receive under any of the following:

12 “(1) This Act.

13 “(2) The Agricultural Act of 1949 (7 U.S.C.
14 1421 et seq.).

15 “(3) The Federal Agriculture Reform and Risk
16 Management Act of 2013.

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

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

21 **SEC. 2607. STANDARDS FOR STATE TECHNICAL COMMIT-**
22 **TEES.**

23 Section 1261(b) of the Food Security Act of 1985
24 (16 U.S.C. 3861(b)) is amended by striking “Not later
25 than 180 days after the date of enactment of the Food,

1 Conservation, and Energy Act of 2008, the Secretary shall
2 develop” and inserting “The Secretary shall review and
3 update as necessary”.

4 **SEC. 2608. RULEMAKING AUTHORITY.**

5 Subtitle E of title XII of the Food Security Act of
6 1985 (16 U.S.C. 3841 et seq.) is amended by adding at
7 the end the following new section:

8 **“SEC. 1246. REGULATIONS.**

9 “(a) IN GENERAL.—The Secretary shall promulgate
10 such regulations as are necessary to implement programs
11 under this title, including such regulations as the Sec-
12 retary determines to be necessary to ensure a fair and rea-
13 sonable application of the limitations established under
14 section 1244(f).

15 “(b) RULEMAKING PROCEDURE.—The promulgation
16 of regulations and administration of programs under this
17 title—

18 “(1) shall be carried out without regard to—

19 “(A) the Statement of Policy of the Sec-
20 retary effective July 24, 1971 (36 Fed. Reg.
21 13804), relating to notices of proposed rule-
22 making and public participation in rulemaking;
23 and

1 “(B) chapter 35 of title 44, United States
2 Code (commonly known as the Paperwork Re-
3 duction Act); and

4 “(2) shall be made pursuant to section 553 of
5 title 5, United States Code, including by interim
6 rules effective on publication under the authority
7 provided in subparagraph (B) of subsection (b) of
8 such section if the Secretary determines such in-
9 terim rules to be needed and final rules, with an op-
10 portunity for notice and comment, no later than 21
11 months after the date of the enactment of the Fed-
12 eral Agriculture Reform and Risk Management Act
13 of 2013.”.

14 **SEC. 2609. WETLANDS MITIGATION.**

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

17 (1) in subsection (f)—

18 (A) in paragraph (2)(D), by striking “un-
19 less more acreage is needed to provide equiva-
20 lent functions and values that will be lost as a
21 result of the wetland conversion to be miti-
22 gated”; and

23 (B) in paragraph (2)(E)—

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

1 (ii) by striking “if more acreage is
2 needed to provide equivalent functions and
3 values that will be lost as a result of the
4 wetland conversion that is mitigated”; and
5 (2) by striking subsection (g).

6 **SEC. 2610. LESSER PRAIRIE-CHICKEN CONSERVATION RE-**
7 **PORT.**

8 (a) IN GENERAL.—Not later than 90 days after the
9 date of enactment of this Act, the Secretary shall submit
10 to the Committee on Agriculture of the House of Rep-
11 resentatives and the Committee on Agriculture, Nutrition,
12 and Forestry of the Senate a report containing the results
13 of a review and analysis of each of the programs adminis-
14 tered by the Secretary that pertain to the conservation of
15 the lesser prairie-chicken, including the conservation re-
16 serve program, the environmental quality incentives pro-
17 gram, the wildlife habitat incentive program, and the
18 Lesser Prairie-Chicken Initiative.

19 (b) CONTENTS.—The Secretary shall include in the
20 report required by this section, at a minimum—

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

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

4 (B) the conservation effectiveness of the
5 program; and

6 (C) the cost-effectiveness of the program;
7 and

8 (2) a ranking of the programs described in sub-
9 section (a) based on their relative cost-effectiveness.

10 **Subtitle H—Repeal of Superseded**
11 **Program Authorities and Tran-**
12 **sitional Provisions; Technical**
13 **Amendments**

14 **SEC. 2701. COMPREHENSIVE CONSERVATION ENHANCE-**
15 **MENT PROGRAM.**

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

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

22 **SEC. 2702. EMERGENCY FORESTRY CONSERVATION RE-**
23 **SERVE PROGRAM.**

24 (a) REPEAL.—Section 1231A of the Food Security
25 Act of 1985 (16 U.S.C. 3831a) is repealed.

1 (b) TRANSITIONAL PROVISIONS.—

2 (1) EFFECT ON EXISTING CONTRACTS.—The
3 amendment made by this section shall not affect the
4 validity or terms of any contract entered into by the
5 Secretary of Agriculture under section 1231A of the
6 Food Security Act of 1985 (16 U.S.C. 3831a) before
7 October 1, 2013, or any payments required to be
8 made in connection with the contract.

9 (2) FUNDING.—The Secretary may use funds
10 made available to carry out the conservation reserve
11 program under subchapter B of chapter 1 of subtitle
12 D of title XII of the Food Security Act of 1985 (16
13 U.S.C. 3831 et seq.) to continue to carry out con-
14 tracts referred to in paragraph (1) using the provi-
15 sions of law and regulation applicable to such con-
16 tracts as they existed on September 30, 2013.

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

19 **SEC. 2703. WETLANDS RESERVE PROGRAM.**

20 (a) REPEAL.—Subchapter C of chapter 1 of subtitle
21 D of title XII of the Food Security Act of 1985 (16 U.S.C.
22 3837 et seq.) is repealed.

23 (b) TRANSITIONAL PROVISIONS.—

24 (1) EFFECT ON EXISTING CONTRACTS.—The
25 amendment made by this section shall not affect the

1 validity or terms of any contract entered into by the
2 Secretary of Agriculture under subchapter C of
3 chapter 1 of subtitle D of title XII of the Food Se-
4 curity Act of 1985 (16 U.S.C. 3837 et seq.) before
5 October 1, 2013, or any payments required to be
6 made in connection with the contract.

7 (2) FUNDING.—The Secretary may use funds
8 made available to carry out the agricultural con-
9 servation easement program under subtitle H of title
10 XII of the Food Security Act of 1985, as added by
11 section 2301 of this Act, to continue to carry out
12 contracts referred to in paragraph (1) using the pro-
13 visions of law and regulation applicable to such con-
14 tracts as they existed on September 30, 2013.

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

17 **SEC. 2704. FARMLAND PROTECTION PROGRAM AND FARM**
18 **VIABILITY PROGRAM.**

19 (a) REPEAL.—Subchapter C of chapter 2 of subtitle
20 D of title XII of the Food Security Act of 1985 (16 U.S.C.
21 3838h et seq.) is repealed.

22 (b) CONFORMING AMENDMENT.—The heading of
23 chapter 2 of subtitle D of title XII of the Food Security
24 Act of 1985 (16 U.S.C. 3838 et seq.) is amended by strik-
25 ing “**AND FARMLAND PROTECTION**”.

1 (c) TRANSITIONAL PROVISIONS.—

2 (1) EFFECT ON EXISTING CONTRACTS.—The
3 amendments made by this section shall not affect
4 the validity or terms of any contract entered into by
5 the Secretary of Agriculture under subchapter C of
6 chapter 2 of subtitle D of title XII of the Food Se-
7 curity Act of 1985 (16 U.S.C. 3838h et seq.) before
8 October 1, 2013, or any payments required to be
9 made in connection with the contract.

10 (2) FUNDING.—The Secretary may use funds
11 made available to carry out the agricultural con-
12 servation easement program under subtitle H of title
13 XII of the Food Security Act of 1985, as added by
14 section 2301 of this Act, to continue to carry out
15 contracts referred to in paragraph (1) using the pro-
16 visions of law and regulation applicable to such con-
17 tracts as they existed on September 30, 2013.

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

20 **SEC. 2705. GRASSLAND RESERVE PROGRAM.**

21 (a) REPEAL.—Subchapter D of chapter 2 of subtitle
22 D of title XII of the Food Security Act of 1985 (16 U.S.C.
23 3838n et seq.) is repealed.

24 (b) TRANSITIONAL PROVISIONS.—

1 (1) EFFECT ON EXISTING CONTRACTS.—The
2 amendment made by this section shall not affect the
3 validity or terms of any contract entered into by the
4 Secretary of Agriculture under subchapter D of
5 chapter 2 of subtitle D of title XII of the Food Se-
6 curity Act of 1985 (16 U.S.C. 3838n et seq.) before
7 October 1, 2013, or any payments required to be
8 made in connection with the contract.

9 (2) FUNDING.—The Secretary may use funds
10 made available to carry out the agricultural con-
11 servation easement program under subtitle H of title
12 XII of the Food Security Act of 1985, as added by
13 section 2301 of this Act, to continue to carry out
14 contracts referred to in paragraph (1) using the pro-
15 visions of law and regulation applicable to such con-
16 tracts as they existed on September 30, 2013.

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

19 **SEC. 2706. AGRICULTURAL WATER ENHANCEMENT PRO-**
20 **GRAM.**

21 (a) REPEAL.—Section 1240I of the Food Security
22 Act of 1985 (16 U.S.C. 3839aa–9) is repealed.

23 (b) TRANSITIONAL PROVISIONS.—

24 (1) EFFECT ON EXISTING CONTRACTS.—The
25 amendment made by this section shall not affect the

1 validity or terms of any contract entered into by the
2 Secretary of Agriculture under section 1240I of the
3 Food Security Act of 1985 (16 U.S.C. 3839aa–9)
4 before October 1, 2013, or any payments required to
5 be made in connection with the contract.

6 (2) FUNDING.—The Secretary may use funds
7 made available to carry out the regional conservation
8 partnership program under subtitle I of title XII of
9 the Food Security Act of 1985, as added by section
10 2401 of this Act, to continue to carry out contracts
11 referred to in paragraph (1) using the provisions of
12 law and regulation applicable to such contracts as
13 they existed on September 30, 2013.

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

16 **SEC. 2707. WILDLIFE HABITAT INCENTIVE PROGRAM.**

17 (a) REPEAL.—Section 1240N of the Food Security
18 Act of 1985 (16 U.S.C. 3839bb–1) is repealed.

19 (b) TRANSITIONAL PROVISIONS.—

20 (1) EFFECT ON EXISTING CONTRACTS.—The
21 amendment made by this section shall not affect the
22 validity or terms of any contract entered into by the
23 Secretary of Agriculture under section 1240N of the
24 Food Security Act of 1985 (16 U.S.C. 3839bb–1)

1 before October 1, 2013, or any payments required to
2 be made in connection with the contract.

3 (2) FUNDING.—The Secretary may use funds
4 made available to carry out the environmental qual-
5 ity incentives program under chapter 4 of subtitle D
6 of title XII of the Food Security Act of 1985 (16
7 U.S.C. 3839aa et seq.) to continue to carry out con-
8 tracts referred to in paragraph (1) using the provi-
9 sions of law and regulation applicable to such con-
10 tracts as they existed on September 30, 2013.

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

13 **SEC. 2708. GREAT LAKES BASIN PROGRAM.**

14 (a) REPEAL.—Section 1240P of the Food Security
15 Act of 1985 (16 U.S.C. 3839bb–3) is repealed.

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

18 **SEC. 2709. CHESAPEAKE BAY WATERSHED PROGRAM.**

19 (a) REPEAL.—Section 1240Q of the Food Security
20 Act of 1985 (16 U.S.C. 3839bb–4) is repealed.

21 (b) TRANSITIONAL PROVISIONS.—

22 (1) EFFECT ON EXISTING CONTRACTS.—The
23 amendment made by this section shall not affect the
24 validity or terms of any contract entered into by the
25 Secretary of Agriculture under section 1240Q of the

1 Food Security Act of 1985 (16 U.S.C. 3839bb-4)
2 before October 1, 2013, or any payments required to
3 be made in connection with the contract.

4 (2) FUNDING.—The Secretary may use funds
5 made available to carry out the regional conservation
6 partnership program under subtitle I of title XII of
7 the Food Security Act of 1985, as added by section
8 2401 of this Act, to continue to carry out contracts
9 referred to in paragraph (1) using the provisions of
10 law and regulation applicable to such contracts as
11 they existed on September 30, 2013.

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

14 **SEC. 2710. COOPERATIVE CONSERVATION PARTNERSHIP**
15 **INITIATIVE.**

16 (a) REPEAL.—Section 1243 of the Food Security Act
17 of 1985 (16 U.S.C. 3843) is repealed.

18 (b) TRANSITIONAL PROVISIONS.—

19 (1) EFFECT ON EXISTING CONTRACTS.—The
20 amendment made by this section shall not affect the
21 validity or terms of any contract entered into by the
22 Secretary of Agriculture under section 1243 of the
23 Food Security Act of 1985 (16 U.S.C. 3843) before
24 October 1, 2013, or any payments required to be
25 made in connection with the contract.

1 (2) FUNDING.—The Secretary may use funds
2 made available to carry out the regional conservation
3 partnership program under subtitle I of title XII of
4 the Food Security Act of 1985, as added by section
5 2401 of this Act, to continue to carry out contracts
6 referred to in paragraph (1) using the provisions of
7 law and regulation applicable to such contracts as
8 they existed on September 30, 2013.

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

11 **SEC. 2711. ENVIRONMENTAL EASEMENT PROGRAM.**

12 Chapter 3 of subtitle D of title XII of the Food Secu-
13 rity Act of 1985 (16 U.S.C. 3839 et seq.) is repealed.

14 **SEC. 2712. TECHNICAL AMENDMENTS.**

15 (a) DEFINITIONS.—Section 1201(a) of the Food Se-
16 curity Act of 1985 (16 U.S.C. 3801(a)) is amended in the
17 matter preceding paragraph (1) by striking “E” and in-
18 serting “I”.

19 (b) PROGRAM INELIGIBILITY.—Section 1211(a) of
20 the Food Security Act of 1985 (16 U.S.C. 3811(a)) is
21 amended by striking “predominate” each place it appears
22 and inserting “predominant”.

23 (c) SPECIALTY CROP PRODUCERS.—Section 1242(i)
24 of the Food Security Act of 1985 (16 U.S.C. 3842(i)) is

1 amended in the header by striking “SPECIALITY” and in-
2 serting “SPECIALTY”.

3 **TITLE III—TRADE**

4 **Subtitle A—Food for Peace Act**

5 **SEC. 3001. GENERAL AUTHORITY.**

6 Section 201 of the Food for Peace Act (7 U.S.C.
7 1721) is amended—

8 (1) in the matter preceding paragraph (1), by
9 inserting “(to be implemented by the Adminis-
10 trator)” after “under this title”; and

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

13 “(7) build resilience to mitigate and prevent
14 food crises and reduce the future need for emer-
15 gency aid.”.

16 **SEC. 3002. SUPPORT FOR ORGANIZATIONS THROUGH** 17 **WHICH ASSISTANCE IS PROVIDED.**

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

21 **SEC. 3003. FOOD AID QUALITY.**

22 Section 202(h) of the Food for Peace Act (7 U.S.C.
23 1722(h)) is amended—

24 (1) in paragraph (1)—

1 (A) in the matter preceding subparagraph

2 (A)—

3 (i) by striking “The Administrator
4 shall use funds made available for fiscal
5 year 2009” and inserting “In consultation
6 with the Secretary, the Administrator shall
7 use funds made available for fiscal year
8 2013”; and

9 (ii) by inserting “to establish a mech-
10 anism” after “this title”;

11 (B) by striking “and” at the end of sub-
12 paragraph (B); and

13 (C) by striking subparagraph (C) and in-
14 serting the following new subparagraphs:

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

20 “(D) to establish and implement appro-
21 priate protocols for quality assurance of food
22 products procured by the Secretary for food aid
23 programs; and

24 “(E) to periodically update program guide-
25 lines on the recommended use of agricultural

1 commodities and food products in food aid pro-
2 grams to reflect findings from the implementa-
3 tion of this subsection and other relevant infor-
4 mation.”;

5 (2) in paragraph (2), by striking “The Adminis-
6 trator” and inserting “In consultation with the Sec-
7 retary, the Administrator”; and

8 (3) in paragraph (3), by striking “section
9 207(f)” and all that follows through the period at
10 the end and inserting the following: “section
11 207(f)—

12 “(A) for fiscal years 2009 through 2013,
13 not more than \$4,500,000 may be used to carry
14 out this subsection; and

15 “(B) for fiscal years 2014 through 2018,
16 not more than \$1,000,000 may be used to carry
17 out this subsection.”.

18 **SEC. 3004. MINIMUM LEVELS OF ASSISTANCE.**

19 Section 204(a) of the Food for Peace Act (7 U.S.C.
20 1724(a)) is amended—

21 (1) in paragraph (1), by striking “2012” and
22 inserting “2018”; and

23 (2) in paragraph (2), by striking “2012” and
24 inserting “2018”.

1 **SEC. 3005. FOOD AID CONSULTATIVE GROUP.**

2 (a) MEMBERSHIP.—Section 205(b) of the Food for
3 Peace Act (7 U.S.C. 1725(b)) is amended—

4 (1) by striking “and” at the end of paragraph
5 (6);

6 (2) by redesignating paragraph (7) as para-
7 graph (8); and

8 (3) by inserting after paragraph (6) the fol-
9 lowing new paragraph:

10 “(7) representatives from the United States ag-
11 ricultural processing sector involved in providing ag-
12 ricultural commodities for programs under this Act;
13 and”.

14 (b) CONSULTATION.—Section 205(d) of the Food for
15 Peace Act (7 U.S.C. 1725(d)) is amended—

16 (1) by striking the first sentence and inserting
17 the following:

18 “(1) CONSULTATION IN ADVANCE OF ISSUANCE
19 OF IMPLEMENTATION REGULATIONS, HANDBOOKS,
20 AND GUIDELINES.—Not later than 45 days before a
21 proposed regulation, handbook, or guideline imple-
22 menting this title, or a proposed significant revision
23 to a regulation, handbook, or guideline implementing
24 this title, becomes final, the Administrator shall pro-
25 vide the proposal to the Group for review and com-
26 ment.”; and

1 (2) by adding at the end the following new
2 paragraph:

3 “(2) CONSULTATION REGARDING FOOD AID
4 QUALITY EFFORTS.—The Administrator shall seek
5 input from and consult with the Group on the imple-
6 mentation of section 202(h).”.

7 (c) REAUTHORIZATION.—Section 205(f) of the Food
8 for Peace Act (7 U.S.C. 1725(f)) is amended by striking
9 “2012” and inserting “2018”.

10 **SEC. 3006. OVERSIGHT, MONITORING, AND EVALUATION.**

11 (a) REGULATIONS AND GUIDANCE.—Section 207(c)
12 of the Food for Peace Act (7 U.S.C. 1726a(c)) is amend-
13 ed—

14 (1) in the subsection heading, by inserting
15 “AND GUIDANCE” after “REGULATIONS”;

16 (2) in paragraph (1), by adding at the end the
17 following new sentence: “Not later than 270 days
18 after the date of the enactment of the Federal Agri-
19 culture Reform and Risk Management Act of 2013,
20 the Administrator shall issue all regulations and re-
21 visions to agency guidance necessary to implement
22 the amendments made to this title by such Act.”;
23 and

24 (3) in paragraph (2), by inserting “and guid-
25 ance” after “develop regulations”.

1 (b) FUNDING.—Section 207(f) of the Food for Peace
2 Act (7 U.S.C. 1726a(f)) is amended—

3 (1) in paragraph (2)—

4 (A) by inserting “and” at the end of sub-
5 paragraph (D);

6 (B) by striking “; and” at the end of sub-
7 paragraph (E) and inserting the period; and

8 (C) by striking subparagraph (F);

9 (2) by striking paragraphs (3) and (4); and

10 (3) by redesignating paragraphs (5) and (6) as
11 paragraphs (3) and (4), respectively; and

12 (4) in paragraph (4) (as so redesignated)—

13 (A) in subparagraph (A), by striking
14 “2012” and all that follows through the period
15 at the end and inserting “2013, and up to
16 \$10,000,000 of such funds for each of fiscal
17 years 2014 through 2018.”; and

18 (B) in subparagraph (B)(i), by striking
19 “2012” and inserting “2018”.

20 (c) IMPLEMENTATION REPORTS.—Not later than 270
21 days after the date of the enactment of this Act, the Ad-
22 ministrator of the Agency for International Development
23 shall submit to the Committee on Agriculture, Nutrition,
24 and Forestry of the Senate and the Committees on Agri-

1 culture and Foreign Affairs of the House of Representa-
2 tives a report describing—

3 (1) the implementation of section 207(c) of the
4 Food for Peace Act (7 U.S.C. 1726a(c));

5 (2) the surveys, studies, monitoring, reporting,
6 and audit requirements for programs conducted
7 under title II of such Act (7 U.S.C. 1721 et seq.)
8 by an eligible organization that is a nongovern-
9 mental organization (as such term is defined in sec-
10 tion 402 of such Act (7 U.S.C. 1732)); and

11 (3) the surveys, studies, monitoring, reporting,
12 and audit requirements for such programs by an eli-
13 gible organization that is an intergovernmental orga-
14 nization, such as the World Food Program or other
15 multilateral organization.

16 **SEC. 3007. ASSISTANCE FOR STOCKPILING AND RAPID**
17 **TRANSPORTATION, DELIVERY, AND DIS-**
18 **TRIBUTION OF SHELF-STABLE PRE-**
19 **PACKAGED FOODS.**

20 Section 208(f) of the Food for Peace Act (7 U.S.C.
21 1726b(f)) is amended by striking “2012” and inserting
22 “2018”.

23 **SEC. 3008. GENERAL PROVISIONS.**

24 (a) **IMPACT ON LOCAL FARMERS AND ECONOMY.—**
25 Section 403(b) of the Food for Peace Act (7 U.S.C.

1 1733(b)) is amended by adding at the end the following
2 new sentence: “The Secretary or the Administrator, as ap-
3 propriate, shall seek information, as part of the regular
4 proposal and submission process, from implementing
5 agencies on the potential benefits to the local economy of
6 sales of agricultural commodities within the recipient
7 country.”.

8 (b) PREVENTION OF PRICE DISRUPTIONS.—Section
9 403(e) of the Food for Peace Act (7 U.S.C. 1733(e)) is
10 amended—

11 (1) in paragraph (2), by striking “reasonable
12 market price” and inserting “fair market value”;
13 and

14 (2) by adding at the end the following new
15 paragraph:

16 “(3) COORDINATION ON ASSESSMENTS.—The
17 Secretary and the Administrator shall coordinate in
18 assessments to carry out paragraph (1) and in the
19 development of approaches to be used by imple-
20 menting agencies for determining the fair market
21 value described in paragraph (2).”.

22 (c) REPORT ON USE OF FUNDS.—Section 403 of the
23 Food for Peace Act (7 U.S.C. 1733) is amended by adding
24 at the end the following new subsection:

1 “(m) REPORT ON USE OF FUNDS.—Not later than
2 180 days after the date of the enactment of the Federal
3 Agriculture Reform and Risk Management Act of 2013,
4 and annually thereafter, the Administrator shall submit
5 to Congress a report—

6 “(1) specifying the amount of funds (including
7 funds for administrative costs, indirect cost recovery,
8 and internal transportation, storage and handling,
9 and associated distribution costs) provided to each
10 eligible organization that received assistance under
11 this Act in the previous fiscal year; and

12 “(2) describing how those funds were used by
13 the eligible organization.”.

14 **SEC. 3009. PREPOSITIONING OF AGRICULTURAL COMMOD-**
15 **ITIES.**

16 Section 407(c)(4) of the Food for Peace Act (7
17 U.S.C. 1736a(c)(4)) is amended—

18 (1) in subparagraph (A)—

19 (A) by striking “2012” and inserting
20 “2018”; and

21 (B) by striking “for each such fiscal year
22 not more than \$10,000,000 of such funds” and
23 inserting “for each of fiscal years 2001 through
24 2013 not more than \$10,000,000 of such funds

1 and for each of fiscal years 2014 through 2018
2 not more than \$15,000,000 of such funds”; and
3 (2) by striking subparagraph (B) and inserting
4 the following new subparagraph:

5 “(B) ADDITIONAL PREPOSITIONING
6 SITES.—The Administrator may establish addi-
7 tional sites for prepositioning in foreign coun-
8 tries or change the location of current sites for
9 prepositioning in foreign countries after con-
10 ducting, and based on the results of, assess-
11 ments of need, the availability of appropriate
12 technology for long-term storage, feasibility,
13 and cost.”.

14 **SEC. 3010. ANNUAL REPORT REGARDING FOOD AID PRO-**
15 **GRAMS AND ACTIVITIES.**

16 Section 407(f)(1) of the Food for Peace Act (7
17 U.S.C. 1736a(f)(1)) is amended—

18 (1) in the paragraph heading, by striking “AG-
19 RICULTURAL TRADE” and inserting “FOOD AID”;

20 (2) in subparagraph (B)(ii), by inserting before
21 the semicolon at the end the following: “and the
22 total number of beneficiaries of the project and the
23 activities carried out through such project”; and

24 (3) in subparagraph (B)(iii)—

1 (A) in the matter preceding subclause (I),
2 by inserting “, and the total number of bene-
3 ficiaries in,” after “commodities made available
4 to”;

5 (B) by striking “and” at the end of sub-
6 clause (I);

7 (C) by inserting “and” at the end of sub-
8 clause (II); and

9 (D) by inserting after subclause (II) the
10 following new subclause:

11 “(III) the McGovern-Dole Inter-
12 national Food for Education and
13 Child Nutrition Program established
14 by section 3107 of the Farm Security
15 and Rural Investment Act of 2002 (7
16 U.S.C. 1736o-1);”.

17 **SEC. 3011. DEADLINE FOR AGREEMENTS TO FINANCE**
18 **SALES OR TO PROVIDE OTHER ASSISTANCE.**

19 Section 408 of the Food for Peace Act (7 U.S.C.
20 1736b) is amended by striking “2012” and inserting
21 “2018”.

22 **SEC. 3012. AUTHORIZATION OF APPROPRIATIONS.**

23 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Section
24 412(a)(1) of the Food for Peace Act (7 U.S.C.
25 1736f(a)(1)) is amended by striking “for fiscal year 2008

1 and each fiscal year thereafter, \$2,500,000,000” and in-
2 serting “\$2,500,000,000 for each of fiscal years 2008
3 through 2013 and \$2,000,000,000 for each of fiscal years
4 2014 through 2018”.

5 (b) **MINIMUM LEVEL OF NONEMERGENCY FOOD AS-**
6 **SISTANCE.**—Paragraph (1) of section 412(e) of the Food
7 for Peace Act (7 U.S.C. 1736f(e)) is amended to read as
8 follows:

9 “(1) **FUNDS AND COMMODITIES.**—For each of
10 fiscal years 2014 through 2018, of the amounts
11 made available to carry out emergency and non-
12 emergency food assistance programs under title II,
13 not less than \$400,000,000 shall be expended for
14 nonemergency food assistance programs under such
15 title.”.

16 **SEC. 3013. MICRONUTRIENT FORTIFICATION PROGRAMS.**

17 (a) **ELIMINATION OF OBSOLETE REFERENCE TO**
18 **STUDY.**—Section 415(a)(2)(B) of the Food for Peace Act
19 (7 U.S.C. 1736g–2(a)(2)(B)) is amended by striking “,
20 using recommendations” and all that follows through
21 “quality enhancements”.

22 (b) **EXTENSION.**—Section 415(c) of the Food for
23 Peace Act (7 U.S.C. 1736g–2(c)) is amended by striking
24 “2012” and inserting “2018”.

1 **SEC. 3014. JOHN OGWONSKI AND DOUG BEREUTER FARM-**
2 **ER-TO-FARMER PROGRAM.**

3 Section 501 of the Food for Peace Act (7 U.S.C.
4 1737) is amended—

5 (1) in subsection (d), in the matter preceding
6 paragraph (1), by striking “2012” and inserting
7 “2013, and not less than the greater of \$15,000,000
8 or 0.5 percent of the amounts made available for
9 each of fiscal years 2014 through 2018,”; and

10 (2) in subsection (e)(1), by striking “2012” and
11 inserting “2018”.

12 **Subtitle B—Agricultural Trade Act**
13 **of 1978**

14 **SEC. 3101. FUNDING FOR EXPORT CREDIT GUARANTEE**
15 **PROGRAM.**

16 Section 211(b) of the Agricultural Trade Act of 1978
17 (7 U.S.C. 5641(b)) is amended by striking “2012” and
18 inserting “2018”.

19 **SEC. 3102. FUNDING FOR MARKET ACCESS PROGRAM.**

20 Section 211(c)(1)(A) of the Agricultural Trade Act
21 of 1978 (7 U.S.C. 5641(c)(1)(A)) is amended by striking
22 “2012” and inserting “2018”.

1 **SEC. 3103. FOREIGN MARKET DEVELOPMENT COOPERATOR**
2 **PROGRAM.**

3 Section 703(a) of the Agricultural Trade Act of 1978
4 (7 U.S.C. 5723(a)) is amended by striking “2012” and
5 inserting “2018”.

6 **Subtitle C—Other Agricultural**
7 **Trade Laws**

8 **SEC. 3201. FOOD FOR PROGRESS ACT OF 1985.**

9 (a) EXTENSION.—The Food for Progress Act of 1985
10 (7 U.S.C. 1736o) is amended—

11 (1) in subsection (f)(3), by striking “2012” and
12 inserting “2018”;

13 (2) in subsection (g), by striking “2012” and
14 inserting “2018”;

15 (3) in subsection (k), by striking “2012” and
16 inserting “2018”; and

17 (4) in subsection (l)(1), by striking “2012” and
18 inserting “2018”.

19 (b) REPEAL OF COMPLETED PROJECT.—Subsection
20 (f) of the Food for Progress Act of 1985 (7 U.S.C. 1736o)
21 is amended by striking paragraph (6).

22 **SEC. 3202. BILL EMERSON HUMANITARIAN TRUST ACT.**

23 Section 302 of the Bill Emerson Humanitarian Trust
24 Act (7 U.S.C. 1736f–1) is amended—

1 (1) in subsection (b)(2)(B)(i), by striking
2 “2012” both places it appears and inserting “2018”;
3 and

4 (2) in subsection (h), by striking “2012” both
5 places it appears and inserting “2018”.

6 **SEC. 3203. PROMOTION OF AGRICULTURAL EXPORTS TO**
7 **EMERGING MARKETS.**

8 (a) DIRECT CREDITS OR EXPORT CREDIT GUARAN-
9 TEES.—Section 1542(a) of the Food, Agriculture, Con-
10 servation, and Trade Act of 1990 (Public Law 101–624;
11 7 U.S.C. 5622 note) is amended by striking “2012” and
12 inserting “2018”.

13 (b) DEVELOPMENT OF AGRICULTURAL SYSTEMS.—
14 Section 1542(d)(1)(A)(i) of the Food, Agriculture, Con-
15 servation, and Trade Act of 1990 (Public Law 101–624;
16 7 U.S.C. 5622 note) is amended by striking “2012” and
17 inserting “2018”.

18 **SEC. 3204. MCGOVERN-DOLE INTERNATIONAL FOOD FOR**
19 **EDUCATION AND CHILD NUTRITION PRO-**
20 **GRAM.**

21 (a) REAUTHORIZATION.—Section 3107(l)(2) of the
22 Farm Security and Rural Investment Act of 2002 (7
23 U.S.C. 1736o–1(l)(2)) is amended by striking “2012” and
24 inserting “2018”.

1 (b) TECHNICAL CORRECTION.—Section 3107(d) of
2 the Farm Security and Rural Investment Act of 2002 (7
3 U.S.C. 1736o–1(d)) is amended by striking “to” in the
4 matter preceding paragraph (1).

5 **SEC. 3205. TECHNICAL ASSISTANCE FOR SPECIALTY CROPS.**

6 (a) PURPOSE.—Section 3205(b) of the Farm Secu-
7 rity and Rural Investment Act of 2002 (7 U.S.C. 5680(b))
8 is amended by striking “related barriers to trade” and in-
9 serting “technical barriers to trade”.

10 (b) FUNDING.—Section 3205(e)(2) of the Farm Se-
11 curity and Rural Investment Act of 2002 (7 U.S.C.
12 5680(e)(2)) is amended—

13 (1) by inserting “and” at the end of subpara-
14 graph (C); and

15 (2) by striking subparagraphs (D) and (E) and
16 inserting the following new subparagraph:

17 “(D) \$9,000,000 for each of fiscal years
18 2011 through 2018.”.

19 (c) U.S. ATLANTIC SPINY DOGFISH STUDY.—Not
20 later than 90 days after the date of the enactment of this
21 Act, the Secretary shall conduct an economic study on the
22 existing market in the United States for U.S. Atlantic
23 Spiny Dogfish.

1 **SEC. 3206. GLOBAL CROP DIVERSITY TRUST.**

2 Section 3202(c) of the Food, Conservation, and En-
3 ergy Act of 2008 (Public Law 110–246; 22 U.S.C. 2220a
4 note) is amended by striking “section” and all that follows
5 through the period and inserting the following: “section—

6 “(1) \$60,000,000 for the period of fiscal years
7 2008 through 2013; and

8 “(2) \$50,000,000 for the period of fiscal years
9 2014 through 2018.”.

10 **SEC. 3207. UNDER SECRETARY OF AGRICULTURE FOR FOR-**
11 **IGN AGRICULTURAL SERVICES.**

12 (a) IN GENERAL.—Subtitle B of the Department of
13 Agriculture Reorganization Act of 1994 is amended by in-
14 serting after section 225 (7 U.S.C. 6931) the following
15 new section:

16 **“SEC. 225A. UNDER SECRETARY OF AGRICULTURE FOR**
17 **FOREIGN AGRICULTURAL SERVICES.**

18 “(a) AUTHORIZATION.—The Secretary is authorized
19 to establish in the Department the position of Under Sec-
20 retary of Agriculture for Foreign Agricultural Services.

21 “(b) CONFIRMATION REQUIRED.—If the Secretary
22 establishes the position of Under Secretary of Agriculture
23 for Foreign Agricultural Services under subsection (a), the
24 Under Secretary shall be appointed by the President, by
25 and with the advice and consent of the Senate.

26 “(c) FUNCTIONS OF UNDER SECRETARY.—

1 “(1) PRINCIPAL FUNCTIONS.—Upon establish-
2 ment, the Secretary shall delegate to the Under Sec-
3 retary of Agriculture for Foreign Agricultural Serv-
4 ices those functions under the jurisdiction of the De-
5 partment that are related to foreign agricultural
6 services.

7 “(2) ADDITIONAL FUNCTIONS.—The Under
8 Secretary of Agriculture for Foreign Agricultural
9 Services shall perform such other functions as may
10 be required by law or prescribed by the Secretary.

11 “(d) SUCCESSION.—Any official who is serving as
12 Under Secretary of Agriculture for Farm and Foreign Ag-
13 ricultural Services on the date of the enactment of this
14 section and who was appointed by the President, by and
15 with the advice and consent of the Senate, shall not be
16 required to be reappointed under subsection (b) or section
17 225(b) to the successor position authorized under sub-
18 section (a) or section 225(a) if the Secretary establishes
19 the position, and the official occupies the new position,
20 with 180 days after the date of the enactment of this sec-
21 tion (or such later date set by the Secretary if litigation
22 delays rapid succession).”.

23 (b) CONFORMING AMENDMENTS.—Section 225 of the
24 Department of Agriculture Reorganization Act of 1994 (7
25 U.S.C. 6931) is amended—

1 (1) by striking “Under Secretary of Agriculture
2 for Farm and Foreign Agricultural Services” each
3 place it appears and inserting “Under Secretary of
4 Agriculture for Farm Services”; and

5 (2) in subsection (c)(1), by striking “and for-
6 eign agricultural”.

7 (c) PERMANENT AUTHORITY.—Section 296(b) of the
8 Department of Agriculture Reorganization Act of 1994 (7
9 U.S.C. 7014(b)) is amended—

10 (1) in paragraph (6)(C), by striking “or” at the
11 end;

12 (2) in paragraph (7), by striking the period at
13 the end and inserting a semicolon; and

14 (3) by adding at the end the following new
15 paragraph:

16 “(8) the authority of the Secretary to establish
17 in the Department the position of Under Secretary
18 of Agriculture for Foreign Agricultural Services in
19 accordance with section 225A;”.

20 **SEC. 3208. DEPARTMENT OF AGRICULTURE CERTIFICATES**
21 **OF ORIGIN.**

22 The Secretary of Agriculture shall seek to ensure that
23 Department of Agriculture certificates of origin are ac-
24 cepted by any country with respect to which the United

1 States has entered into a free trade agreement providing
2 for preferential duty treatment.

3 **TITLE IV—CREDIT**

4 **Subtitle A—Farm Ownership Loans**

5 **SEC. 4001. ELIGIBILITY FOR FARM OWNERSHIP LOANS.**

6 (a) IN GENERAL.—Section 302(a) of the Consoli-
7 dated Farm and Rural Development Act (7 U.S.C.
8 1922(a)) is amended—

9 (1) by striking “(a) IN GENERAL.—The” and
10 inserting the following:

11 “(a) IN GENERAL.—

12 “(1) ELIGIBILITY REQUIREMENTS.—The”;

13 (2) in the 1st sentence, by inserting after “lim-
14 ited liability companies” the following: “, and such
15 other legal entities as the Secretary deems appro-
16 priate,”;

17 (3) in the 2nd sentence, by redesignating
18 clauses (1) through (4) as clauses (A) through (D),
19 respectively;

20 (4) in each of the 2nd and 3rd sentences, by
21 striking “and limited liability companies” each place
22 it appears and inserting “limited liability companies,
23 and such other legal entities”;

1 (5) in the 3rd sentence, by striking “(3)” and
2 “(4)” and inserting “(C)” and “(D)”, respectively;
3 and

4 (6) by adding at the end the following:

5 “(2) SPECIAL DEEMING RULES.—

6 “(A) ELIGIBILITY OF CERTAIN OPER-
7 ATING-ONLY ENTITIES.—An entity that is or
8 will become only the operator of a family farm
9 is deemed to meet the owner-operator require-
10 ments of paragraph (1) if the individuals that
11 are the owners of the family farm own more
12 than 50 percent (or such other percentage as
13 the Secretary determines is appropriate) of the
14 entity.

15 “(B) ELIGIBILITY OF CERTAIN EMBEDDED
16 ENTITIES.—An entity that is an owner-operator
17 described in paragraph (1), or an operator de-
18 scribed in subparagraph (A) of this paragraph
19 that is owned, in whole or in part, by other en-
20 tities, is deemed to meet the direct ownership
21 requirement imposed under paragraph (1) if at
22 least 75 percent of the ownership interests of
23 each embedded entity of such entity is owned
24 directly or indirectly by the individuals that own
25 the family farm.”.

1 (b) DIRECT FARM OWNERSHIP EXPERIENCE RE-
2 QUIREMENT.—Section 302(b)(1) of such Act (7 U.S.C.
3 1922(b)(1)) is amended by inserting “or has other accept-
4 able experience for a period of time, as determined by the
5 Secretary,” after “3 years”.

6 (c) CONFORMING AMENDMENTS.—

7 (1) Section 304(c)(2) of such Act (7 U.S.C.
8 1924(c)(2)) by striking “paragraphs (1) and (2) of
9 section 302(a)” and inserting “clauses (A) and (B)
10 of section 302(a)(1)”.

11 (2) Section 310D of such Act (7 U.S.C. 1934)
12 is amended—

13 (A) by inserting after “partnership” the
14 following: “, or such other legal entities as the
15 Secretary deems appropriate,”; and

16 (B) by striking “or partners” each place it
17 appears and inserting “partners, or owners”.

18 **SEC. 4002. CONSERVATION LOAN AND LOAN GUARANTEE**

19 **PROGRAM.**

20 (a) ELIGIBILITY.—Section 304(c) of the Consolidated
21 Farm and Rural Development Act (7 U.S.C. 1924(c)) is
22 amended by inserting after “limited liability companies”
23 the following: “, or such other legal entities as the Sec-
24 retary deems appropriate,”.

1 (b) LIMITATION ON LOAN GUARANTEE AMOUNT.—
2 Section 304(e) of such Act (7 U.S.C. 1924(e)) is amended
3 by striking “75 percent” and inserting “90 percent”.

4 (c) EXTENSION OF PROGRAM.—Section 304(h) of
5 such Act (7 U.S.C. 1924(h)) is amended by striking
6 “2012” and inserting “2018”.

7 **SEC. 4003. DOWN PAYMENT LOAN PROGRAM.**

8 (a) IN GENERAL.—Section 310E(b)(1)(C) of the
9 Consolidated Farm and Rural Development Act (7 U.S.C.
10 1935(b)(1)(C)) is amended by striking “\$500,000” and
11 inserting “\$667,000”.

12 (b) TECHNICAL CORRECTION.—Section 310E(b) of
13 such Act (7 U.S.C. 1935(b)) is amended by striking the
14 2nd paragraph (2).

15 **SEC. 4004. ELIMINATION OF MINERAL RIGHTS APPRAISAL**
16 **REQUIREMENT.**

17 Section 307 of the Consolidated Farm and Rural De-
18 velopment Act (7 U.S.C. 1927) is amended by striking
19 subsection (d) and redesignating subsection (e) as sub-
20 section (d).

21 **Subtitle B—Operating Loans**

22 **SEC. 4101. ELIGIBILITY FOR FARM OPERATING LOANS.**

23 Section 311(a) of the Consolidated Farm and Rural
24 Development Act (7 U.S.C. 1941(a)) is amended—

1 (1) by striking “(a) IN GENERAL.—The” and
2 inserting the following:

3 “(a) IN GENERAL.—

4 “(1) ELIGIBILITY REQUIREMENTS.—The”;

5 (2) in the 1st sentence, by inserting after “limited liability companies” the following: “, and such
6 other legal entities as the Secretary deems appropriate,”;
7
8

9 (3) in the 2nd sentence, by redesignating
10 clauses (1) through (4) as clauses (A) through (D),
11 respectively;

12 (4) in each of the 2nd and 3rd sentences, by
13 striking “and limited liability companies” each place
14 it appears and inserting “limited liability companies,
15 and such other legal entities”;

16 (5) in the 3rd sentence, by striking “(3)” and
17 “(4)” and inserting “(C)” and “(D)”, respectively;
18 and

19 (6) by adding at the end the following:

20 “(2) SPECIAL DEEMING RULE.—An entity that
21 is an operator described in paragraph (1) that is
22 owned, in whole or in part, by other entities, is
23 deemed to meet the direct ownership requirement
24 imposed under paragraph (1) if at least 75 percent
25 of the ownership interests of each embedded entity

1 of such entity is owned directly or indirectly by the
2 individuals that own the family farm.”.

3 **SEC. 4102. ELIMINATION OF RURAL RESIDENCY REQUIRE-**
4 **MENT FOR OPERATING LOANS TO YOUTH.**

5 Section 311(b)(1) of the Consolidated Farm and
6 Rural Development Act (7 U.S.C. 1941(b)(1)) is amended
7 by striking “who are rural residents”.

8 **SEC. 4103. AUTHORITY TO WAIVE PERSONAL LIABILITY**
9 **FOR YOUTH LOANS DUE TO CIRCUMSTANCES**
10 **BEYOND BORROWER CONTROL.**

11 Section 311(b) of the Consolidated Farm and Rural
12 Development Act (7 U.S.C. 1941(b)) is amended by add-
13 ing at the end the following:

14 “(5) The Secretary may, on a case-by-case basis,
15 waive the personal liability of a borrower for a loan made
16 under this subsection if any default on the loan was due
17 to circumstances beyond the control of the borrower.”.

18 **SEC. 4104. MICROLOANS.**

19 (a) IN GENERAL.—Section 313 of the Consolidated
20 Farm and Rural Development Act (7 U.S.C. 1943) is
21 amended by adding at the end the following:

22 “(c) MICROLOANS.—

23 “(1) IN GENERAL.—Subject to paragraph (2),
24 the Secretary may establish a program to make or
25 guarantee microloans.

1 “(2) LIMITATION.—The Secretary shall not
2 make or guarantee a microloan under this sub-
3 section that exceeds \$35,000 or that would cause the
4 total principal indebtedness outstanding at any 1
5 time for microloans made under this chapter to any
6 1 borrower to exceed \$70,000.

7 “(3) APPLICATIONS.—To the maximum extent
8 practicable, the Secretary shall limit the administra-
9 tive burdens and streamline the application and ap-
10 proval process for microloans under this subsection.

11 “(4) COOPERATIVE LENDING PROJECTS.—

12 “(A) IN GENERAL.—Subject to subpara-
13 graph (B), the Secretary may contract with
14 community-based and nongovernmental organi-
15 zations, State entities, or other intermediaries,
16 as the Secretary determines appropriate—

17 “(i) to make or guarantee a microloan
18 under this subsection; and

19 “(ii) to provide business, financial,
20 marketing, and credit management services
21 to borrowers.

22 “(B) REQUIREMENTS.—Before contracting
23 with an entity described in subparagraph (A),
24 the Secretary—

25 “(i) shall review and approve—

1 “(I) the loan loss reserve fund
2 for microloans established by the enti-
3 ty; and

4 “(II) the underwriting standards
5 for microloans of the entity; and

6 “(ii) establish such other requirements
7 for contracting with the entity as the Sec-
8 retary determines necessary.”.

9 (b) EXCEPTIONS FOR DIRECT LOANS.—Section
10 311(c)(2) of such Act (7 U.S.C. 1941(c)(2)) is amended
11 to read as follows:

12 “(2) EXCEPTIONS.—In this subsection, the
13 term ‘direct operating loan’ shall not include—

14 “(A) a loan made to a youth under sub-
15 section (b); or

16 “(B) a microloan made to a beginning
17 farmer or rancher or a veteran farmer or ranch-
18 er (as defined in section 2501(e) of the Food,
19 Agriculture, Conservation, and Trade Act of
20 1990 (7 U.S.C. 2279(e)).”.

21 (c) Section 312(a) of such Act (7 U.S.C. 1942(a))
22 is amended by inserting “(including a microloan, as de-
23 fined by the Secretary)” after “A direct loan”.

24 (d) Section 316(a)(2) of such Act (7 U.S.C.
25 1946(a)(2)) is amended by inserting “a microloan to a be-

1 ginning farmer or rancher or veteran farmer or rancher
2 (as defined in section 2501(e) of the Food, Agriculture,
3 Conservation, and Trade Act of 1990 (7 U.S.C. 2279(e)),
4 or” after “The interest rate on”.

5 **Subtitle C—Emergency Loans**

6 **SEC. 4201. ELIGIBILITY FOR EMERGENCY LOANS.**

7 Section 321(a) of the Consolidated Farm and Rural
8 Development Act (7 U.S.C. 1961(a)) is amended—

9 (1) by striking “owner-operators (in the case of
10 loans for a purpose under subtitle A) or operators
11 (in the case of loans for a purpose under subtitle
12 B)” each place it appears and inserting “(in the
13 case of farm ownership loans in accordance with
14 subtitle A) owner-operators or operators, or (in the
15 case of loans for a purpose under subtitle B) opera-
16 tors”;

17 (2) by inserting after “limited liability compa-
18 nies” the 1st place it appears the following: “, or
19 such other legal entities as the Secretary deems ap-
20 propriate”;

21 (3) by inserting after “limited liability compa-
22 nies” the 2nd place it appears the following: “, or
23 other legal entities”;

1 (4) by striking “and limited liability compa-
2 nies,” and inserting “limited liability companies, and
3 such other legal entities”;

4 (5) by striking “ownership and operator” and
5 inserting “ownership or operator”; and

6 (6) by adding at the end the following: “An en-
7 tity that is an owner-operator or operator described
8 in this subsection is deemed to meet the direct own-
9 ership requirement imposed under this subsection if
10 at least 75 percent of the ownership interests of
11 each embedded entity of such entity is owned di-
12 rectly or indirectly by the individuals that own the
13 family farm.”.

14 **Subtitle D—Administrative** 15 **Provisions**

16 **SEC. 4301. BEGINNING FARMER AND RANCHER INDIVIDUAL** 17 **DEVELOPMENT ACCOUNTS PILOT PROGRAM.**

18 Section 333B(h) of the Consolidated Farm and Rural
19 Development Act (7 U.S.C. 1983b(h)) is amended by
20 striking “2012” and inserting “2018”.

21 **SEC. 4302. ELIGIBLE BEGINNING FARMERS AND RANCH-** 22 **ERS.**

23 (a) CONFORMING AMENDMENTS RELATING TO
24 CHANGES IN ELIGIBILITY RULES.—Section 343(a)(11) of
25 such Act (7 U.S.C. 1991(a)(11)) is amended—

1 (1) by inserting after “joint operation,” the 1st
2 place it appears the following: “or such other legal
3 entity as the Secretary deems appropriate,”;

4 (2) by striking “or joint operators” each place
5 it appears and inserting “joint operators, or own-
6 ers”; and

7 (3) by inserting after “joint operation,” the 2nd
8 and 3rd place it appears the following: “or such
9 other legal entity,”.

10 (b) **MODIFICATION OF ACREAGE OWNERSHIP LIM-**
11 **TATION.**—Section 343(a)(11)(F) of such Act (7 U.S.C.
12 1991(a)(11)(F)) is amended by striking “median acreage”
13 and inserting “average acreage”.

14 **SEC. 4303. LOAN AUTHORIZATION LEVELS.**

15 Section 346(b)(1) of the Consolidated Farm and
16 Rural Development Act (7 U.S.C. 1994(b)(1)) is amended
17 in the matter preceding subparagraph (A) by striking
18 “2012” and inserting “2018”.

19 **SEC. 4304. PRIORITY FOR PARTICIPATION LOANS.**

20 Section 346(b)(2)(A)(i) of the Consolidated Farm
21 and Rural Development Act (7 U.S.C. 1994(b)(2)(A)(i))
22 is amended by adding at the end the following:

23 (III) **PRIORITY.**—In order to
24 maximize the number of borrowers

1 served under this clause, the Sec-
2 retary—

3 “(aa) shall give priority to
4 applicants who apply under the
5 down payment loan program
6 under section 310E or joint fi-
7 nancing arrangements under sec-
8 tion 307(a)(3)(D); and

9 “(bb) may offer other fi-
10 nancing options under this sub-
11 title to applicants only if the Sec-
12 retary determines that down pay-
13 ment or other participation loan
14 options are not a viable approach
15 for the applicants.”.

16 **SEC. 4305. LOAN FUND SET-ASIDES.**

17 Section 346(b)(2)(A)(ii)(III) of the Consolidated
18 Farm and Rural Development Act (7 U.S.C.
19 1994(b)(2)(A)(ii)(III)) is amended—

20 (1) by striking “2012” and inserting “2018”;

21 and

22 (2) by striking “of the total amount”.

1 **SEC. 4306. CONFORMING AMENDMENT TO BORROWER**
2 **TRAINING PROVISION, RELATING TO ELIGI-**
3 **BILITY CHANGES.**

4 Section 359(c)(2) of the Consolidated Farm and
5 Rural Development Act (7 U.S.C. 2006a(c)(2)) is amend-
6 ed by striking “section 302(a)(2) or 311(a)(2)” and in-
7 serting “section 302(a)(1)(B) or 311(a)(1)(B)”.

8 **Subtitle E—State Agricultural**
9 **Mediation Programs**

10 **SEC. 4401. STATE AGRICULTURAL MEDIATION PROGRAMS.**

11 Section 506 of the Agricultural Credit Act of 1987
12 (7 U.S.C. 5106) is amended by striking “2015” and in-
13 serting “2018”.

14 **Subtitle F—Loans to Purchasers of**
15 **Highly Fractionated Land**

16 **SEC. 4501. LOANS TO PURCHASERS OF HIGHLY**
17 **FRACTIONATED LAND.**

18 The first section of Public Law 91–229 (25 U.S.C.
19 488) is amended in subsection (b)(1) by striking “pursu-
20 ant to section 205(c) of the Indian Land Consolidation
21 Act (25 U.S.C. 2204(c))” and inserting “or to inter-
22 mediaries in order to establish revolving loan funds for the
23 purchase of highly fractionated land”.

1 **TITLE V—RURAL DEVELOPMENT**
2 **Subtitle A—Consolidated Farm and**
3 **Rural Development Act**

4 **SEC. 5001. WATER, WASTE DISPOSAL, AND WASTEWATER**
5 **FACILITY GRANTS.**

6 Section 306(a)(2)(B)(vii) of the Consolidated Farm
7 and Rural Development Act (7 U.S.C. 1926(a)(2)(B)(vii))
8 is amended by striking “2008 through 2012” and insert-
9 ing “2014 through 2018”.

10 **SEC. 5002. RURAL BUSINESS OPPORTUNITY GRANTS.**

11 Section 306(a)(11)(D) of the Consolidated Farm and
12 Rural Development Act (7 U.S.C. 1926(a)(11)(D)) is
13 amended by striking “\$15,000,000 for each of fiscal years
14 2008 through 2012” and inserting “\$15,000,000 for each
15 of fiscal years 2014 through 2018”.

16 **SEC. 5003. ELIMINATION OF RESERVATION OF COMMUNITY**
17 **FACILITIES GRANT PROGRAM FUNDS.**

18 Section 306(a)(19) of the Consolidated Farm and
19 Rural Development Act (7 U.S.C. 1926(a)(19)) is amend-
20 ed by striking subparagraph (C).

21 **SEC. 5004. UTILIZATION OF LOAN GUARANTEES FOR COM-**
22 **MUNITY FACILITIES.**

23 Section 306(a)(24) of the Consolidated Farm and
24 Rural Development Act (7 U.S.C. 1926(a)(24)) is amend-
25 ed by adding at the end the following:

1 “(C) UTILIZATION OF LOAN GUARANTEES
2 FOR COMMUNITY FACILITIES.—The Secretary
3 shall consider the benefits to communities that
4 result from using loan guarantees in the Com-
5 munity Facilities Program and to the maximum
6 extent possible utilize guarantees to enhance
7 community involvement.”.

8 **SEC. 5005. RURAL WATER AND WASTEWATER CIRCUIT**
9 **RIDER PROGRAM.**

10 Section 306(a)(22) of the Consolidated Farm and
11 Rural Development Act (7 U.S.C. 1926(a)(22)) is amend-
12 ed to read as follows:

13 “(22) RURAL WATER AND WASTEWATER CIR-
14 CUIT RIDER PROGRAM.—

15 “(A) IN GENERAL.—The Secretary shall
16 continue a national rural water and wastewater
17 circuit rider program that—

18 “(i) is consistent with the activities
19 and results of the program conducted be-
20 fore the date of enactment of this para-
21 graph, as determined by the Secretary; and

22 “(ii) receives funding from the Sec-
23 retary, acting through the Rural Utilities
24 Service.

1 “(B) AUTHORIZATION OF APPROPRIA-
2 TIONS.—There is authorized to be appropriated
3 to carry out this paragraph \$20,000,000 for fis-
4 cal year 2014 and each fiscal year thereafter.”.

5 **SEC. 5006. TRIBAL COLLEGE AND UNIVERSITY ESSENTIAL**
6 **COMMUNITY FACILITIES.**

7 Section 306(a)(25)(C) of the Consolidated Farm and
8 Rural Development Act (7 U.S.C. 1926(a)(25)(C)) is
9 amended by striking “\$10,000,000 for each of fiscal years
10 2008 through 2012” and inserting “\$5,000,000 for each
11 of fiscal years 2014 through 2018”.

12 **SEC. 5007. ESSENTIAL COMMUNITY FACILITIES TECHNICAL**
13 **ASSISTANCE AND TRAINING.**

14 Section 306(a) of the Consolidated Farm and Rural
15 Development Act (7 U.S.C. 1926(a)(19)) is amended by
16 adding at the end the following new paragraph:

17 “(26) ESSENTIAL COMMUNITY FACILITIES
18 TECHNICAL ASSISTANCE AND TRAINING.—

19 “(A) IN GENERAL.—The Secretary may
20 make grants to public bodies and private non-
21 profit corporations, such as States, counties,
22 cities, townships, and incorporated towns and
23 villages, boroughs, authorities, districts and In-
24 dian tribes on Federal and State reservations
25 which will serve rural areas for the purpose of

1 enabling them to provide to associations de-
2 scribed in this subsection technical assistance
3 and training, with respect to essential commu-
4 nity facilities programs authorized under this
5 subsection, to—

6 “(i) assist communities in identifying
7 and planning for community facility needs;

8 “(ii) identify public and private re-
9 sources to finance community facilities
10 needs;

11 “(iii) prepare reports and surveys nec-
12 essary to request financial assistance to de-
13 velop community facilities;

14 “(iv) prepare applications for financial
15 assistance;

16 “(v) improve the management, includ-
17 ing financial management, related to the
18 operation of community facilities; or

19 “(vi) assist with other areas of need
20 identified by the Secretary.

21 “(B) SELECTION PRIORITY.—In selecting
22 recipients of grants under this paragraph, the
23 Secretary shall give priority to private, non-
24 profit, or public organizations that have experi-

1 ence in providing technical assistance and train-
2 ing to rural entities.

3 “(C) FUNDING.—Not less than 3 nor more
4 than 5 percent of any funds appropriated to
5 carry out each of the essential community facili-
6 ties grant, loan and loan guarantee programs as
7 authorized under this subsection for any fiscal
8 year shall be reserved for grants under this
9 paragraph.”.

10 **SEC. 5008. EMERGENCY AND IMMINENT COMMUNITY**
11 **WATER ASSISTANCE GRANT PROGRAM.**

12 Section 306A(i)(2) of the Consolidated Farm and
13 Rural Development Act (7 U.S.C. 1926a(i)(2)) is amended
14 by striking “\$35,000,000 for each of fiscal years 2008
15 through 2012” and inserting “\$27,000,000 for each of fis-
16 cal years 2014 through 2018”.

17 **SEC. 5009. HOUSEHOLD WATER WELL SYSTEMS.**

18 Section 306E(d) of the Consolidated Farm and Rural
19 Development Act (7 U.S.C. 1926e(d)) is amended by
20 striking “\$10,000,000 for each of fiscal years 2008
21 through 2012” and inserting “\$5,000,000 for each of fis-
22 cal years 2014 through 2018”.

1 **SEC. 5010. RURAL BUSINESS AND INDUSTRY LOAN PRO-**
2 **GRAM.**

3 (a) FLEXIBILITY FOR THE BUSINESS AND LOAN
4 PROGRAM.—Section 310B(a)(2)(A) of the Consolidated
5 Farm and Rural Development Act (7 U.S.C.
6 1932(a)(2)(A)) is amended by inserting “including work-
7 ing capital” after “employment”.

8 (b) GREATER FLEXIBILITY FOR ADEQUATE COLLAT-
9 ERAL THROUGH ACCOUNTS RECEIVABLE.—Section
10 310B(g)(7) of such Act (7 U.S.C. 1932(g)(7)) is amended
11 by adding at the end the following: “In the discretion of
12 the Secretary, if the Secretary determines that the action
13 would not create or otherwise contribute to an unreason-
14 able risk of default or loss to the Federal Government,
15 the Secretary may take account receivables as security for
16 the obligations entered into in connection with loans and
17 a borrower may use account receivables as collateral to
18 secure a loan made or guaranteed under this subsection.”.

19 (c) REGULATIONS.—Not later than 6 months after
20 the date of the enactment of this Act, the Secretary shall
21 promulgate such regulations as are necessary to imple-
22 ment the amendments made by this section.

23 **SEC. 5011. RURAL COOPERATIVE DEVELOPMENT GRANTS.**

24 Section 310B(e)(12) of the Consolidated Farm and
25 Rural Development Act (7 U.S.C. 1932(e)(12)) is amend-
26 ed by striking “\$50,000,000 for each of fiscal years 2008

1 through 2012” and inserting “\$40,000,000 for each of fis-
2 cal years 2014 through 2018”.

3 **SEC. 5012. LOCALLY OR REGIONALLY PRODUCED AGRICUL-**
4 **TURAL FOOD PRODUCTS.**

5 Section 310B(g)(9)(B)(v)(I) of the Consolidated
6 Farm and Rural Development Act (7 U.S.C.
7 1932(g)(9)(B)(v)(I)) is amended—

8 (1) by striking “2012” and inserting “2018”;
9 and

10 (2) by inserting “and not more than 7 percent”
11 after “5 percent”.

12 **SEC. 5013. INTERMEDIARY RELENDING PROGRAM.**

13 (a) IN GENERAL.—Subtitle A of the Consolidated
14 Farm and Rural Development Act (7 U.S.C. 1922–1936a)
15 is amended by adding at the end the following:

16 **“SEC. 310H. INTERMEDIARY RELENDING PROGRAM.**

17 “(a) IN GENERAL.—The Secretary shall make loans
18 to the entities, for the purposes, and subject to the terms
19 and conditions specified in the 1st, 2nd, and last sentences
20 of section 623(a) of the Community Economic Develop-
21 ment Act of 1981 (42 U.S.C. 9812(a)).

22 “(b) LIMITATIONS ON AUTHORIZATION OF APPRO-
23 PRIATIONS.—For loans under subsection (a), there are au-
24 thorized to be appropriated to the Secretary not more than
25 \$10,000,000 for each of fiscal years 2014 through 2018.”.

1 (b) CONFORMING AMENDMENTS.—Section
2 1323(b)(2) of the Food Security Act of 1985 (Public Law
3 99–198; 7 U.S.C. 1932 note) is amended—

4 (1) in subparagraph (A), by adding “and” at
5 the end;

6 (2) in subparagraph (B), by striking “; and”
7 and inserting a period; and

8 (3) by striking subparagraph (C).

9 **SEC. 5014. RURAL COLLEGE COORDINATED STRATEGY.**

10 Section 331 of the Consolidated Farm and Rural De-
11 velopment Act (7 U.S.C. 1981) is amended by adding at
12 the end the following:

13 “(d) RURAL COLLEGE COORDINATED STRATEGY.—
14 The Secretary shall develop a coordinated strategy across
15 the relevant programs within the Rural Development mis-
16 sion areas to serve the specific, local needs of rural com-
17 munities when making investments in rural community
18 colleges and technical colleges through other current au-
19 thorities. During the development of a coordinated strat-
20 egy, the Secretary shall consult with groups representing
21 rural-serving community colleges and technical colleges to
22 coordinate critical investments in rural community colleges
23 and technical colleges involved in workforce training.
24 Nothing in this subsection shall be construed to provide
25 a priority for funding within current authorities. The Sec-

1 retary shall use the coordinated strategy and information
2 developed for the strategy to more effectively serve rural
3 communities with respect to investments in community
4 colleges and technical colleges.”.

5 **SEC. 5015. RURAL WATER AND WASTE DISPOSAL INFRA-**
6 **STRUCTURE.**

7 Section 333 of the Consolidated Farm and Rural De-
8 velopment Act (7 U.S.C. 1983) is amended—

9 (1) by striking “require”;

10 (2) in paragraph (1), by inserting “require”
11 after “(1)”;

12 (3) in paragraph (2), by inserting “, require”
13 after “314”;

14 (4) in paragraph (3), by inserting “require”
15 after “loans,”;

16 (5) in paragraph (4)—

17 (A) by inserting “require” after “(4)”;

18 (B) by striking “and” after the semicolon;

19 (6) in paragraph (5)—

20 (A) by inserting “require” after “(5)”;

21 (B) by striking the period at the end and
22 inserting “; and”;

23 (7) by adding at the end the following:

24 “(6) with respect to water and waste disposal
25 direct and guaranteed loans provided under section

1 306, encourage, to the maximum extent practicable,
2 private or cooperative lenders to finance rural water
3 and waste disposal facilities by—

4 “(A) maximizing the use of loan guaran-
5 tees to finance eligible projects in rural commu-
6 nities where the population exceeds 5,500;

7 “(B) maximizing the use of direct loans to
8 finance eligible projects in rural communities
9 where the impact on rate payers will be mate-
10 rial when compared to financing with a loan
11 guarantee;

12 “(C) establishing and applying a materi-
13 ality standard when determining the difference
14 in impact on rate payers between a direct loan
15 and a loan guarantee;

16 “(D) in the case of projects that require
17 interim financing in excess of \$500,000, requir-
18 ing that such projects initially seek such financ-
19 ing from private or cooperative lenders; and

20 “(E) determining if an existing direct loan
21 borrower can refinance with a private or cooper-
22 ative lender, including with a loan guarantee,
23 prior to providing a new direct loan.”.

1 **SEC. 5016. SIMPLIFIED APPLICATIONS.**

2 (a) IN GENERAL.—Section 333A of the Consolidated
3 Farm and Rural Development Act (7 U.S.C. 1983a) is
4 amended by adding at the end the following:

5 “(h) SIMPLIFIED APPLICATION FORMS.—Except as
6 provided in subsection (g)(2) of this section, the Secretary
7 shall, to the maximum extent practicable, develop a sim-
8 plified application process, including a single page applica-
9 tion where possible, for grants and relending authorized
10 under sections 306, 306C, 306D, 306E, 310B(b),
11 310B(c), 310B(e), 310B(f), 310H, 379B, and 379E.”.

12 (b) REPORT TO THE CONGRESS.—Within 2 years
13 after the date of the enactment of this Act, the Secretary
14 shall submit to the Committee on Agriculture of the House
15 of Representatives and the Committee on Agriculture, Nu-
16 trition, and Forestry of the Senate a written report that
17 contains an evaluation of the implementation of the
18 amendment made by subsection (a).

19 **SEC. 5017. GRANTS FOR NOAA WEATHER RADIO TRANSMIT-**
20 **TERS.**

21 Section 379B(d) of the Consolidated Farm and Rural
22 Development Act (7 U.S.C. 2008p(d)) is amended to read
23 as follows:

24 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
25 is authorized to be appropriated to carry out this section
26 \$1,000,000 for each of fiscal years 2014 through 2018.”.

1 **SEC. 5018. RURAL MICROENTREPRENEUR ASSISTANCE**
2 **PROGRAM.**

3 Section 379E(d)(2) of the Consolidated Farm and
4 Rural Development Act (7 U.S.C. 2008s(d)(2)) is amend-
5 ed by striking “\$40,000,000 for each of fiscal years 2009
6 through 2012” and inserting “\$20,000,000 for each of fis-
7 cal years 2014 through 2018”.

8 **SEC. 5019. DELTA REGIONAL AUTHORITY.**

9 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
10 382M(a) of the Consolidated Farm and Rural Develop-
11 ment Act (7 U.S.C. 2009aa–12(a)) is amended by striking
12 “\$30,000,000 for each of fiscal years 2008 through 2012”
13 and inserting “\$12,000,000 for each of fiscal years 2014
14 through 2018”.

15 (b) TERMINATION OF AUTHORITY.—Section 382N of
16 such Act (7 U.S.C. 2009aa–13) is amended by striking
17 “2012” and inserting “2018”.

18 **SEC. 5020. NORTHERN GREAT PLAINS REGIONAL AUTHOR-**
19 **ITY.**

20 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
21 383N(a) of the Consolidated Farm and Rural Develop-
22 ment Act (7 U.S.C. 2009bb–12(a)) is amended by striking
23 “\$30,000,000 for each of fiscal years 2008 through 2012”
24 and inserting “\$2,000,000 for each of fiscal years 2014
25 through 2018”.

1 (b) TERMINATION OF AUTHORITY.—Section 3830 of
2 such Act (7 U.S.C. 2009bb–13) is amended by striking
3 “2012” and inserting “2018”.

4 **SEC. 5021. RURAL BUSINESS INVESTMENT PROGRAM.**

5 Section 384S of the Consolidated Farm and Rural
6 Development Act (7 U.S.C. 2009cc–18) is amended by
7 striking “\$50,000,000 for the period of fiscal years 2008
8 through 2012” and inserting “\$20,000,000 for each of fis-
9 cal years 2014 through 2018”.

10 **Subtitle B—Rural Electrification**
11 **Act of 1936**

12 **SEC. 5101. RELENDING FOR CERTAIN PURPOSES.**

13 (a) IN GENERAL.—The Rural Electrification Act of
14 1936 (7 U.S.C. 901 et seq.) is amended—

15 (1) in section 2(a), by inserting “(including re-
16 lending for this purpose as provided in section 4)”
17 after “efficiency”;

18 (2) in section 4(a), by inserting “(including re-
19 lending to ultimate consumers for this purpose by
20 borrowers enumerated in the proviso in this sec-
21 tion)” after “efficiency”; and

22 (3) in section 313(b)(2)(B)—

23 (A) by inserting “(acting through the
24 Rural Utilities Service)” after “Secretary”; and

1 (B) by inserting “energy efficiency (includ-
2 ing relending to ultimate consumers for this
3 purpose),” after “promoting”.

4 (b) CURRENT AUTHORITY.—The authority provided
5 in this section is in addition to any other relending author-
6 ity of the Secretary under the Rural Electrification Act
7 of 1936 (7 U.S.C. 901 et. seq.) or any other law.

8 (c) ADMINISTRATION.—The Secretary (acting
9 through the Rural Utilities Service) shall continue to carry
10 out section 313 of the Rural Electrification Act of 1936
11 (7 U.S.C. 940c) in the same manner as on the day before
12 enactment of this Act until such time as any regulations
13 necessary to carry out the amendments made by this sec-
14 tion are fully implemented.

15 **SEC. 5102. FEES FOR CERTAIN LOAN GUARANTEES.**

16 The Rural Electrification Act of 1936 (7 U.S.C. 901
17 et seq.) is amended by inserting after section 4 the fol-
18 lowing:

19 **“SEC. 5. FEES FOR CERTAIN LOAN GUARANTEES.**

20 “(a) IN GENERAL.—For electrification baseload gen-
21 eration loan guarantees, the Secretary shall, at the request
22 of the borrower, charge an upfront fee to cover the costs
23 of the loan guarantee.

24 “(b) FEE.—The fee described in subsection (a) for
25 a loan guarantee shall be equal to the costs of the loan

1 guarantee (within the meaning of section 502(5)(C) of the
2 Federal Credit Reform Act of 1990 (2 U.S.C.
3 661a(5)(C))).

4 “(c) LIMITATION.—Funds received from a borrower
5 to pay the fee described in this section shall not be derived
6 from a loan or other debt obligation that is made or guar-
7 anteed by the Federal Government.”.

8 **SEC. 5103. RURAL UTILITIES SERVICE CONTRACTING AU-**
9 **THORITY.**

10 Section 18(c) of the Rural Electrification Act of 1936
11 (7 U.S.C. 918(c)) is amended—

12 (1) in paragraph (1), by striking “Rural Elec-
13 trification Administration” each place it appears and
14 inserting “Rural Utilities Service”; and

15 (2) in paragraph (4)—

16 (A) in the paragraph heading, by inserting
17 “COOPERATIVE” before “AGREEMENTS”; and

18 (B) by inserting after the 1st sentence the
19 following: “A contract funded by a borrower
20 that is to be paid for out of the general funds
21 of the borrower is not a public contract within
22 the meaning of title 41, United States Code.”.

1 **SEC. 5104. GUARANTEES FOR BONDS AND NOTES ISSUED**
2 **FOR ELECTRIFICATION OR TELEPHONE PUR-**
3 **POSES.**

4 Section 313A(f) of the Rural Electrification Act of
5 1936 (7 U.S.C. 940c-1(f)) is amended by striking “2012”
6 and inserting “2018”.

7 **SEC. 5105. EXPANSION OF 911 ACCESS.**

8 Section 315(d) of the Rural Electrification Act of
9 1936 (7 U.S.C. 940e(d)) is amended by striking “2012”
10 and inserting “2018”.

11 **SEC. 5106. ACCESS TO BROADBAND TELECOMMUNICATIONS**
12 **SERVICES IN RURAL AREAS.**

13 Section 601 of the Rural Electrification Act of 1936
14 (7 U.S.C. 950bb) is amended—

15 (1) in subsection (c), by striking paragraph (2)
16 and inserting the following:

17 “(2) PRIORITIES.—In making or guaranteeing
18 loans under paragraph (1), the Secretary shall
19 give—

20 “(A) the highest priority to applicants that
21 offer to provide broadband service to the great-
22 est proportion of households that, prior to the
23 provision of the broadband service, had no in-
24 cumbent service provider; and

25 “(B) priority to applicants that offer in
26 their applications to provide broadband service

1 not predominantly for business service, but
2 where at least 25 percent of customers in the
3 proposed service territory are commercial inter-
4 ests.”;

5 (2) in subsection (d)—

6 (A) in paragraph (5)—

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

9 (ii) by striking the period at the end
10 of subparagraph (C) and inserting a semi-
11 colon; and

12 (iii) by adding at the end the fol-
13 lowing:

14 “(D) the amount and type of support re-
15 quested; and

16 “(E) a list of the census block groups or
17 tracts proposed to be so served.”; and

18 (B) by adding at the end the following:

19 “(8) **ADDITIONAL PROCESS.**—The Secretary
20 shall establish a process under which an incumbent
21 service provider which, as of the date of the publica-
22 tion of notice under paragraph (5) with respect to
23 an application submitted by the provider, is pro-
24 viding broadband service to a remote rural area,
25 may (but shall not be required to) submit to the

1 Secretary, not less than 15 and not more than 30
2 days after that date, information regarding the
3 broadband services that the provider offers in the
4 proposed service territory, so that the Secretary may
5 assess whether the application meets the require-
6 ments of this section with respect to eligible
7 projects.”;

8 (3) in subsection (e), by adding at the end the
9 following:

10 “(3) REQUIREMENT.—In considering the tech-
11 nology needs of customers in a proposed service ter-
12 ritory, the Secretary shall take into consideration the
13 upgrade or replacement cost for the construction or
14 acquisition of facilities and equipment in the terri-
15 tory.”; and

16 (4) in each of subsections (k)(1) and (l), by
17 striking “2012” and inserting “2018”.

18 **Subtitle C—Miscellaneous**

19 **SEC. 5201. DISTANCE LEARNING AND TELEMEDICINE.**

20 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
21 2335A of the Food, Agriculture, Conservation, and Trade
22 Act of 1990 (7 U.S.C. 950aaa–5) is amended by striking
23 “\$100,000,000 for each of fiscal years 1996 through
24 2012” and inserting “\$65,000,000 for each of fiscal years
25 2014 through 2018”.

1 (b) CONFORMING AMENDMENT.—Section 1(b) of
2 Public Law 102–551 (7 U.S.C. 950aaa note) is amended
3 by striking “2012” and inserting “2018”.

4 **SEC. 5202. VALUE-ADDED AGRICULTURAL MARKET DEVELOPMENT PROGRAM GRANTS.**

5
6 Section 231(b)(7) of the Agricultural Risk Protection
7 Act of 2000 (7 U.S.C. 1632a(b)(7)) is amended—

8 (1) in subparagraph (A)—

9 (A) by striking “2008” and inserting
10 “2013”; and

11 (B) by striking “\$15,000,000” and insert-
12 ing “\$50,000,000”; and

13 (2) in subparagraph (B), by striking “2012”
14 and inserting “2018”.

15 **SEC. 5203. AGRICULTURE INNOVATION CENTER DEMONSTRATION PROGRAM.**

16
17 Section 6402(i) of the Farm Security and Rural In-
18 vestment Act of 2002 (7 U.S.C. 1632b(i)) is amended by
19 striking “\$6,000,000 for each of fiscal years 2008 through
20 2012” and inserting “\$1,000,000 for each of fiscal years
21 2014 through 2018”.

22 **SEC. 5204. PROGRAM METRICS.**

23 (a) IN GENERAL.—The Secretary of Agriculture shall
24 collect data regarding economic activities created through
25 grants and loans, including any technical assistance pro-

1 vided as a component of the grant or loan program, and
2 measure the short and long term viability of award recipi-
3 ents and any entities to whom those recipients provide as-
4 sistance using award funds under section 231 of the Agri-
5 cultural Risk Protection Act of 2000 (7 U.S.C. 1621 note;
6 Public Law 106–224), section 9007 of the Farm Security
7 and Rural Investment Act of 2002 (7 U.S.C. 8107), sec-
8 tion 313(b)(2) of the Rural Electrification Act of 1936
9 (7 U.S.C. 940e(b)(2)), or section 306(a)(11), 310B(e),
10 310B(e), 310B(g), 310H, or 379E, or subtitle E, of the
11 Consolidated Farm and Rural Development Act (7 U.S.C.
12 1926(a)(11), 1932(c), 1932(e), 1932(g), 2008s, or 2009
13 through 2009m).

14 (b) DATA.—The data collected under subsection (a)
15 shall include information collected from recipients both
16 during the award period and after the period as deter-
17 mined by the Secretary, but not less than 2 years after
18 the award period ends.

19 (c) REPORT.—Not later than 4 years after the date
20 of enactment of this Act, and every 2 years thereafter,
21 the Secretary shall submit to the Committee on Agri-
22 culture of the House of Representatives and the Com-
23 mittee on Agriculture, Nutrition, and Forestry of the Sen-
24 ate a report that contains the data described in subsection

1 (a). The report shall include detailed information regard-
2 ing—

3 (1) actions taken by the Secretary to utilize the
4 data;

5 (2) the number of jobs, including self-employ-
6 ment and the value of salaries and wages;

7 (3) how the provision of funds from the grant
8 or loan involved affected the local economy;

9 (4) any benefit, such as an increase in revenue
10 or customer base; and

11 (5) such other information as the Secretary
12 deems appropriate.

13 **SEC. 5205. STUDY OF RURAL TRANSPORTATION ISSUES.**

14 (a) IN GENERAL.—The Secretary of Agriculture and
15 the Secretary of Transportation shall publish an updated
16 version of the study described in section 6206 of the Food,
17 Conservation, and Energy Act of 2008 (as amended by
18 subsection (b)).

19 (b) ADDITION TO STUDY.—Section 6206(b) of the
20 Food, Conservation, and Energy Act of 2008 (Public Law
21 110–246; 122 Stat. 1971) is amended—

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

24 (2) in paragraph (4), by striking the period at
25 the end and inserting “; and”; and

1 (3) by adding at the end the following new
2 paragraph:

3 “(5) the sufficiency of infrastructure along wa-
4 terways in the United States and the impact of such
5 infrastructure on the movement of agricultural goods
6 in terms of safety, efficiency and speed, as well as
7 the benefits derived through upgrades and repairs to
8 locks and dams.”.

9 (c) REPORT TO CONGRESS.—Not later than 1 year
10 after the date of enactment of this Act, the Secretary of
11 Agriculture and the Secretary of Transportation shall sub-
12 mit to the Congress the updated version of the study re-
13 quired by subsection (a).

14 **SEC. 5206. CERTAIN FEDERAL ACTIONS NOT TO BE CONSID-**
15 **ERED MAJOR.**

16 In the case of a loan, loan guarantee, or grant pro-
17 gram in the rural development mission area of the Depart-
18 ment of Agriculture, an action of the Secretary before, on,
19 or after the date of enactment of this Act that does not
20 involve the provision by the Department of Agriculture of
21 Federal dollars or a Federal loan guarantee, including—

22 (1) the approval by the Department of Agri-
23 culture of the decision of a borrower to commence
24 a privately funded activity;

25 (2) a lien accommodation or subordination;

- 1 (3) a debt settlement or restructuring; or
2 (4) the restructuring of a business entity by a
3 borrower,
4 shall not be considered a major Federal action.

5 **SEC. 5207. TELEMEDICINE AND DISTANCE LEARNING SERV-**
6 **ICES IN RURAL AREAS.**

7 Section 2333(d) of the Food, Agriculture, Conserva-
8 tion, and Trade Act of 1990 (7 U.S.C. 950aaa-2(d)) is
9 amended—

10 (1) by striking “and” at the end of paragraph
11 (12); and

12 (2) by redesignating paragraph (13) as para-
13 graph (14) and inserting after paragraph (12) the
14 following:

15 “(13) whether the applicant for assistance is lo-
16 cated in a designated health professional shortage
17 area (within the meaning of section 332 of the Pub-
18 lic Health Service Act)”.

19 **SEC. 5208. REGIONAL ECONOMIC AND INFRASTRUCTURE**
20 **DEVELOPMENT.**

21 Section 15751 of title 40, United States Code, is
22 amended—

23 (1) in subsection (a), by striking “2012” and
24 inserting “2018”; and

25 (2) in subsection (b)—

1 (A) by striking “Not more than” and in-
 2 serting the following:

3 “(1) IN GENERAL.—Except as provided in para-
 4 graph (2), not more than”; and

5 (B) by adding at the end the following:

6 “(2) LIMITED FUNDING.—In a case in which
 7 less than \$10,000,000 is made available to a Com-
 8 mission for a fiscal year under this section, para-
 9 graph (1) shall not apply.”.

10 **TITLE VI—RESEARCH, EXTEN-**
 11 **SION, AND RELATED MAT-**
 12 **TERS**

13 **Subtitle A—National Agricultural**
 14 **Research, Extension, and Teach-**
 15 **ing Policy Act of 1977**

16 **SEC. 6101. OPTION TO BE INCLUDED AS NON-LAND-GRANT**
 17 **COLLEGE OF AGRICULTURE.**

18 Section 1404 of the National Agricultural Research,
 19 Extension, and Teaching Policy Act of 1977 (7 U.S.C.
 20 3103) is amended—

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

23 “(5) COOPERATING FORESTRY SCHOOL.—

24 “(A) IN GENERAL.—The term ‘cooperating
 25 forestry school’ means an institution—

1 “(i) that is eligible to receive funds
2 under the Act of October 10, 1962 (16
3 U.S.C. 582a et seq.), commonly known as
4 the McIntire-Stennis Act of 1962; and

5 “(ii) with respect to which the Sec-
6 retary has not received a declaration of the
7 intent of that institution to not be consid-
8 ered a cooperating forestry school.

9 “(B) TERMINATION OF DECLARATION.—A
10 declaration of the intent of an institution to not
11 be considered a cooperating forestry school sub-
12 mitted to the Secretary shall be in effect until
13 September 30, 2018.”; and

14 (2) in paragraph (10)—

15 (A) in subparagraph (A)—

16 (i) in the matter preceding clause (i),
17 by striking “that”;

18 (ii) in clause (i)—

19 (I) by inserting “that” before
20 “qualify”; and

21 (II) by striking “and” at the end;

22 (iii) in clause (ii)—

23 (I) by inserting “that” before
24 “offer”; and

1 (II) by striking the period at the
2 end and inserting “; and”; and

3 (iv) by adding at the end the following
4 new clause:

5 “(iii) with respect to which the Sec-
6 retary has not received a statement of the
7 declaration of the intent of a college or
8 university to not be considered a Hispanic-
9 serving agricultural college or university.”;
10 and

11 (B) by adding at the end the following new
12 subparagraph:

13 “(C) TERMINATION OF DECLARATION OF
14 INTENT.—A declaration of the intent of a col-
15 lege or university to not be considered a His-
16 panic-serving agricultural college or university
17 submitted to the Secretary shall be in effect
18 until September 30, 2018.”.

19 **SEC. 6102. NATIONAL AGRICULTURAL RESEARCH, EXTEN-**
20 **SION, EDUCATION, AND ECONOMICS ADVI-**
21 **SORY BOARD.**

22 (a) EXTENSION OF TERMINATION DATE.—Section
23 1408(h) of the National Agricultural Research, Extension,
24 and Teaching Policy Act of 1977 (7 U.S.C. 3123(h)) is
25 amended by striking “2012” and inserting “2018”.

1 (b) DUTIES OF NATIONAL AGRICULTURAL RE-
2 SEARCH, EXTENSION, EDUCATION, AND ECONOMICS AD-
3 VISORY BOARD.—Section 1408(c) of the National Agricul-
4 tural Research, Extension, and Teaching Policy Act of
5 1977 (7 U.S.C. 3123(c)) is amended—

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

8 (2) in paragraph (4)(C), by striking the period
9 at the end and inserting “; and”; and

10 (3) by adding at the end the following new
11 paragraph:

12 “(5) consult with industry groups on agricul-
13 tural research, extension, education, and economics,
14 and make recommendations to the Secretary based
15 on that consultation.”.

16 **SEC. 6103. SPECIALTY CROP COMMITTEE.**

17 Section 1408A(c) of the National Agricultural Re-
18 search, Extension, and Teaching Policy Act of 1977 (7
19 U.S.C. 3123a(c)) is amended—

20 (1) in paragraph (1), by striking “Measures”
21 and inserting “Programs”;

22 (2) by striking paragraph (2);

23 (3) by redesignating paragraphs (3), (4), and

24 (5) as paragraphs (2), (3), and (4), respectively; and

25 (4) in paragraph (2) (as so redesignated)—

1 (A) in the matter preceding subparagraph
2 (A), by striking “Programs that would” and in-
3 serting “Research, extension, and teaching pro-
4 grams designed to improve competitiveness in
5 the specialty crop industry, including programs
6 that would”;

7 (B) in subparagraph (D), by inserting “,
8 including improving the quality and taste of
9 processed specialty crops” before the semicolon;
10 and

11 (C) in subparagraph (G), by inserting “the
12 remote sensing and the” before “mechaniza-
13 tion”.

14 **SEC. 6104. VETERINARY SERVICES GRANT PROGRAM.**

15 The National Agricultural Research, Extension, and
16 Teaching Policy Act of 1977 is amended by inserting after
17 section 1415A (7 U.S.C. 3151a) the following new section:

18 **“SEC. 1415B. VETERINARY SERVICES GRANT PROGRAM.**

19 “(a) DEFINITIONS.—In this section:

20 “(1) QUALIFIED ENTITY.—The term ‘qualified
21 entity’ means—

22 “(A) a for-profit or nonprofit entity located
23 in the United States that, or an individual who,
24 operates a veterinary clinic providing veterinary
25 services—

1 “(i) in a rural area, as defined in sec-
2 tion 343(a) of the Consolidated Farm and
3 Rural Development Act (7 U.S.C.
4 1991(a)); and

5 “(ii) in a veterinarian shortage situa-
6 tion;

7 “(B) a State, national, allied, or regional
8 veterinary organization or specialty board rec-
9 ognized by the American Veterinary Medical
10 Association;

11 “(C) a college or school of veterinary medi-
12 cine accredited by the American Veterinary
13 Medical Association;

14 “(D) a university research foundation or
15 veterinary medical foundation;

16 “(E) a department of veterinary science or
17 department of comparative medicine accredited
18 by the Department of Education;

19 “(F) a State agricultural experiment sta-
20 tion; or

21 “(G) a State, local, or tribal government
22 agency.

23 “(2) VETERINARIAN SHORTAGE SITUATION.—

24 The term ‘veterinarian shortage situation’ means a

1 veterinarian shortage situation as determined by the
2 Secretary under section 1415A.

3 “(b) ESTABLISHMENT.—

4 “(1) COMPETITIVE GRANTS.—The Secretary
5 shall carry out a program to make competitive
6 grants to qualified entities that carry out programs
7 or activities described in paragraph (2) for the pur-
8 pose of developing, implementing, and sustaining
9 veterinary services.

10 “(2) ELIGIBILITY REQUIREMENTS.—A qualified
11 entity shall be eligible to receive a grant described
12 in paragraph (1) if the entity carries out programs
13 or activities that the Secretary determines will—

14 “(A) substantially relieve veterinarian
15 shortage situations;

16 “(B) support or facilitate private veteri-
17 nary practices engaged in public health activi-
18 ties; or

19 “(C) support or facilitate the practices of
20 veterinarians who are providing or have com-
21 pleted providing services under an agreement
22 entered into with the Secretary under section
23 1415A(a)(2).

24 “(c) AWARD PROCESSES AND PREFERENCES.—

1 “(1) APPLICATION, EVALUATION, AND INPUT
2 PROCESSES.—In administering the grant program
3 established under this section, the Secretary shall—

4 “(A) use an appropriate application and
5 evaluation process, as determined by the Sec-
6 retary; and

7 “(B) seek the input of interested persons.

8 “(2) COORDINATION PREFERENCE.—In select-
9 ing recipients of grants to be used for any of the
10 purposes described in subsection (d)(1), the Sec-
11 retary shall give a preference to qualified entities
12 that provide documentation of coordination with
13 other qualified entities, with respect to any such
14 purpose.

15 “(3) CONSIDERATION OF AVAILABLE FUNDS.—
16 In selecting recipients of grants to be used for any
17 of the purposes described in subsection (d), the Sec-
18 retary shall take into consideration the amount of
19 funds available for grants and the purposes for
20 which the grant funds will be used.

21 “(4) NATURE OF GRANTS.—A grant awarded
22 under this section shall be considered to be a com-
23 petitive research, extension, or education grant.

1 “(d) USE OF GRANTS TO RELIEVE VETERINARIAN
2 SHORTAGE SITUATIONS AND SUPPORT VETERINARY
3 SERVICES.—

4 “(1) IN GENERAL.—Except as provided in para-
5 graph (2), a qualified entity may use funds provided
6 by a grant awarded under this section to relieve vet-
7 erinarian shortage situations and support veterinary
8 services for any of the following purposes:

9 “(A) To promote recruitment (including
10 for programs in secondary schools), placement,
11 and retention of veterinarians, veterinary tech-
12 nicians, students of veterinary medicine, and
13 students of veterinary technology.

14 “(B) To allow veterinary students, veteri-
15 nary interns, externs, fellows, and residents,
16 and veterinary technician students to cover ex-
17 penses (other than the types of expenses de-
18 scribed in section 1415A(e)(5)) to attend train-
19 ing programs in food safety or food animal
20 medicine.

21 “(C) To establish or expand accredited vet-
22 erinary education programs (including faculty
23 recruitment and retention), veterinary residency
24 and fellowship programs, or veterinary intern-
25 ship and externship programs carried out in co-

1 ordination with accredited colleges of veterinary
2 medicine.

3 “(D) To provide continuing education and
4 extension, including veterinary telemedicine and
5 other distance-based education, for veterinar-
6 ians, veterinary technicians, and other health
7 professionals needed to strengthen veterinary
8 programs and enhance food safety.

9 “(E) To provide technical assistance for
10 the preparation of applications submitted to the
11 Secretary for designation as a veterinarian
12 shortage situation under this section or section
13 1415A.

14 “(2) QUALIFIED ENTITIES OPERATING VETERI-
15 NARY CLINICS.—A qualified entity described in sub-
16 section (a)(1)(A) may only use funds provided by a
17 grant awarded under this section to establish or ex-
18 pand veterinary practices, including—

19 “(A) equipping veterinary offices;

20 “(B) sharing in the reasonable overhead
21 costs of such veterinary practices, as deter-
22 mined by the Secretary; or

23 “(C) establishing mobile veterinary facili-
24 ties in which a portion of the facilities will ad-
25 dress education or extension needs.

1 “(e) SPECIAL REQUIREMENTS FOR CERTAIN
2 GRANTS.—

3 “(1) TERMS OF SERVICE REQUIREMENTS.—

4 “(A) IN GENERAL.—Funds provided
5 through a grant made under this section to a
6 qualified entity described in subsection
7 (a)(1)(A) and used by such entity under sub-
8 section (d)(2) shall be subject to an agreement
9 between the Secretary and such entity that in-
10 cludes a required term of service for such entity
11 (including a qualified entity operating as an in-
12 dividual), as prospectively established by the
13 Secretary.

14 “(B) CONSIDERATIONS.—In establishing a
15 term of service under subparagraph (A), the
16 Secretary shall consider only—

17 “(i) the amount of the grant awarded;

18 and

19 “(ii) the specific purpose of the grant.

20 “(2) BREACH REMEDIES.—

21 “(A) IN GENERAL.—An agreement under
22 paragraph (1) shall provide remedies for any
23 breach of the agreement by the qualified entity
24 referred to in paragraph (1)(A), including re-

1 payment or partial repayment of the grant
2 funds, with interest.

3 “(B) WAIVER.—The Secretary may grant
4 a waiver of the repayment obligation for breach
5 of contract if the Secretary determines that
6 such qualified entity demonstrates extreme
7 hardship or extreme need.

8 “(C) TREATMENT OF AMOUNTS RECOV-
9 ERED.—Funds recovered under this paragraph
10 shall—

11 “(i) be credited to the account avail-
12 able to carry out this section; and

13 “(ii) remain available until expended
14 without further appropriation.

15 “(f) PROHIBITION ON USE OF GRANT FUNDS FOR
16 CONSTRUCTION.—Except as provided in subsection (d)(2),
17 funds made available for grants under this section may
18 not be used—

19 “(1) to construct a new building or facility; or

20 “(2) to acquire, expand, remodel, or alter an ex-
21 isting building or facility, including site grading and
22 improvement and architect fees.

23 “(g) REGULATIONS.—Not later than 1 year after the
24 date of the enactment of this section, the Secretary shall
25 promulgate regulations to carry out this section.

1 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to the Secretary to carry
3 out this section \$10,000,000 for fiscal year 2014 and each
4 fiscal year thereafter, to remain available until ex-
5 pended.”.

6 **SEC. 6105. GRANTS AND FELLOWSHIPS FOR FOOD AND AG-**
7 **RICULTURE SCIENCES EDUCATION.**

8 Section 1417(m) of the National Agricultural Re-
9 search, Extension, and Teaching Policy Act of 1977 (7
10 U.S.C. 3152(m)) is amended by striking “section
11 \$60,000,000” and all that follows and inserting the fol-
12 lowing: “section—

13 “(1) \$60,000,000 for each of fiscal years 1990
14 through 2013; and

15 “(2) \$40,000,000 for each of fiscal years 2014
16 through 2018.”.

17 **SEC. 6106. POLICY RESEARCH CENTERS.**

18 Section 1419A of the National Agricultural Research,
19 Extension, and Teaching Policy Act of 1977 (7 U.S.C.
20 3155) is amended—

21 (1) in the section heading, by inserting “**AGRI-**
22 **CULTURAL AND FOOD**” before “**POLICY**”;

23 (2) in subsection (a), in the matter preceding
24 paragraph (1)—

1 (A) by striking “Secretary may” and in-
2 serting “Secretary shall, acting through the Of-
3 fice of the Chief Economist,”;

4 (B) by striking “make grants, competitive
5 grants, and special research grants to, and
6 enter into cooperative agreements and other
7 contracting instruments with,” and inserting
8 “make competitive grants to, or enter into coop-
9 erative agreements with,”; and

10 (C) by inserting “with a history of pro-
11 viding unbiased, nonpartisan economic analysis
12 to Congress” after “subsection (b)”;

13 (3) in subsection (b), by striking “other re-
14 search institutions” and all that follows through
15 “shall be eligible” and inserting “and other public
16 research institutions and organizations shall be eligi-
17 ble”;

18 (4) by redesignating subsections (c) and (d) as
19 subsections (d) and (e), respectively;

20 (5) by inserting after subsection (b), the fol-
21 lowing new subsection:

22 “(c) PREFERENCE.—In awarding grants under this
23 section, the Secretary shall give a preference to policy re-
24 search centers that have extensive databases, models, and
25 demonstrated experience in providing Congress with agri-

1 cultural market projections, rural development analysis,
2 agricultural policy analysis, and baseline projections at the
3 farm, multiregional, national, and international levels.”;
4 and

5 (6) by striking subsection (e) (as redesignated
6 by paragraph (4)) and inserting the following new
7 subsection:

8 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
9 are authorized to be appropriated to carry out this sec-
10 tion—

11 “(1) such sums as are necessary for each of fis-
12 cal years 1996 through 2013; and

13 “(2) \$5,000,000 for each of fiscal years 2014
14 through 2018.”.

15 **SEC. 6107. REPEAL OF HUMAN NUTRITION INTERVENTION**
16 **AND HEALTH PROMOTION RESEARCH PRO-**
17 **GRAM.**

18 Effective October 1, 2013, section 1424 of the Na-
19 tional Agricultural Research, Extension, and Teaching
20 Policy Act of 1977 (7 U.S.C. 3174) is repealed.

1 **SEC. 6108. REPEAL OF PILOT RESEARCH PROGRAM TO**
2 **COMBINE MEDICAL AND AGRICULTURAL RE-**
3 **SEARCH.**

4 Effective October 1, 2013, section 1424A of the Na-
5 tional Agricultural Research, Extension, and Teaching
6 Policy Act of 1977 (7 U.S.C. 3174a) is repealed.

7 **SEC. 6109. NUTRITION EDUCATION PROGRAM.**

8 Section 1425(f) of the National Agricultural Re-
9 search, Extension, and Teaching Policy Act of 1977 (7
10 U.S.C. 3175(f)) is amended by striking “2012” and in-
11 serting “2018”.

12 **SEC. 6110. CONTINUING ANIMAL HEALTH AND DISEASE RE-**
13 **SEARCH PROGRAMS.**

14 Section 1433 of the National Agricultural Research,
15 Extension, and Teaching Policy Act of 1977 (7 U.S.C.
16 3195) is amended by striking the section designation and
17 heading and all that follows through subsection (a) and
18 inserting the following:

19 **“SEC. 1433. APPROPRIATIONS FOR CONTINUING ANIMAL**
20 **HEALTH AND DISEASE RESEARCH PRO-**
21 **GRAMS.**

22 **“(a) AUTHORIZATION OF APPROPRIATIONS.—**

23 **“(1) IN GENERAL.—**There are authorized to be
24 appropriated to support continuing animal health
25 and disease research programs at eligible institu-
26 tions—

1 “(A) \$25,000,000 for each of fiscal years
2 1991 through 2013; and

3 “(B) \$15,000,000 for each of fiscal years
4 2014 through 2018.

5 “(2) USE OF FUNDS.—Funds made available
6 under this section shall be used—

7 “(A) to meet the expenses of conducting
8 animal health and disease research, publishing
9 and disseminating the results of such research,
10 and contributing to the retirement of employees
11 subject to the Act of March 4, 1940 (7 U.S.C.
12 331);

13 “(B) for administrative planning and di-
14 rection; and

15 “(C) to purchase equipment and supplies
16 necessary for conducting the research described
17 in subparagraph (A).”.

18 **SEC. 6111. REPEAL OF APPROPRIATIONS FOR RESEARCH**

19 **ON NATIONAL OR REGIONAL PROBLEMS.**

20 (a) REPEAL.—Effective October 1, 2013, section
21 1434 of the National Agricultural Research, Extension,
22 and Teaching Policy Act of 1977 (7 U.S.C. 3196) is re-
23 pealed.

24 (b) CONFORMING AMENDMENTS.—

1 (1) MATCHING FUNDS.—Section 1438 of the
2 National Agricultural Research, Extension, and
3 Teaching Policy Act of 1977 (7 U.S.C. 3200) is
4 amended in the first sentence by striking “, exclusive
5 of the funds provided for research on specific na-
6 tional or regional animal health and disease prob-
7 lems under the provisions of section 1434 of this
8 title,”.

9 (2) AUTHORIZATION OF APPROPRIATIONS FOR
10 EXISTING AND CERTAIN NEW AGRICULTURAL RE-
11 SEARCH PROGRAMS.—Section 1463(c) of the Na-
12 tional Agricultural Research, Extension, and Teach-
13 ing Policy Act of 1977 (7 U.S.C. 3311(c)) is amend-
14 ed by striking “sections 1433 and 1434” and insert-
15 ing “section 1433”.

16 **SEC. 6112. GRANTS TO UPGRADE AGRICULTURAL AND**
17 **FOOD SCIENCES FACILITIES AT 1890 LAND-**
18 **GRANT COLLEGES, INCLUDING TUSKEGEE**
19 **UNIVERSITY.**

20 Section 1447(b) of the National Agricultural Re-
21 search, Extension, and Teaching Policy Act of 1977 (7
22 U.S.C. 3222b(b)) is amended by striking “2012” and in-
23 serting “2018”.

1 **SEC. 6113. GRANTS TO UPGRADE AGRICULTURE AND FOOD**
2 **SCIENCE FACILITIES AND EQUIPMENT AT IN-**
3 **SULAR AREA LAND-GRANT INSTITUTIONS.**

4 (a) SUPPORTING TROPICAL AND SUBTROPICAL AGRICULTURAL RESEARCH.—

6 (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:

10 “(a) PURPOSE.—It is the intent of Congress to assist the land-grant colleges and universities in the insular areas in efforts to—

13 “(1) acquire, alter, or repair facilities or relevant equipment necessary for conducting agricultural research; and

16 “(2) support tropical and subtropical agricultural research, including pest and disease research.”.

18 (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—

22 (A) by inserting “**AND SUPPORT TROPICAL AND SUBTROPICAL AGRICULTURAL RESEARCH**” after “**EQUIPMENT**”; and

25 (B) by striking “**INSTITUTIONS**” and inserting “**COLLEGES AND UNIVERSITIES**”.

1 (b) EXTENSION.—Section 1447B(d) of the National
2 Agricultural Research, Extension, and Teaching Policy
3 Act of 1977 (7 U.S.C. 3222b–2(d)) is amended by striking
4 “2012” and inserting “2018”.

5 **SEC. 6114. REPEAL OF NATIONAL RESEARCH AND TRAIN-**
6 **ING VIRTUAL CENTERS.**

7 Effective October 1, 2013, section 1448 of the Na-
8 tional Agricultural Research, Extension, and Teaching
9 Policy Act of 1977 (7 U.S.C. 3222c) is repealed.

10 **SEC. 6115. HISPANIC-SERVING INSTITUTIONS.**

11 Section 1455(c) of the National Agricultural Re-
12 search, Extension, and Teaching Policy Act of 1977 (7
13 U.S.C. 3241(c)) is amended by striking “2012” and in-
14 serting “2018”.

15 **SEC. 6116. COMPETITIVE GRANTS PROGRAM FOR HISPANIC**
16 **AGRICULTURAL WORKERS AND YOUTH.**

17 Section 1456(e)(1) of the National Agricultural Re-
18 search, Extension, and Teaching Policy Act of 1977 (7
19 U.S.C. 3243(e)(1)) is amended to read as follows:

20 “(1) IN GENERAL.—The Secretary shall estab-
21 lish a competitive grants program—

22 “(A) to fund fundamental and applied re-
23 search and extension at Hispanic-serving agri-
24 cultural colleges and universities in agriculture,

1 human nutrition, food science, bioenergy, and
2 environmental science; and

3 “(B) to award competitive grants to His-
4 panic-serving agricultural colleges and univer-
5 sities to provide for training in the food and ag-
6 ricultural sciences of Hispanic agricultural
7 workers and Hispanic youth working in the
8 food and agricultural sciences.”.

9 **SEC. 6117. COMPETITIVE GRANTS FOR INTERNATIONAL AG-**
10 **RICULTURAL SCIENCE AND EDUCATION PRO-**
11 **GRAMS.**

12 Section 1459A(c) of the National Agricultural Re-
13 search, Extension, and Teaching Policy Act of 1977 (7
14 U.S.C. 3292b(c)) is amended to read as follows:

15 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
16 are authorized to be appropriated to carry out this sec-
17 tion—

18 “(1) such sums as are necessary for each of fis-
19 cal years 1999 through 2013; and

20 “(2) \$5,000,000 for each of fiscal years 2014
21 through 2018.”.

22 **SEC. 6118. REPEAL OF RESEARCH EQUIPMENT GRANTS.**

23 Effective October 1, 2013, section 1462A of the Na-
24 tional Agricultural Research, Extension, and Teaching
25 Policy Act of 1977 (7 U.S.C. 3310a) is repealed.

1 **SEC. 6119. UNIVERSITY RESEARCH.**

2 Section 1463 of the National Agricultural Research,
3 Extension, and Teaching Policy Act of 1977 (7 U.S.C.
4 3311) is amended in both of subsections (a) and (b) by
5 striking “2012” and inserting “2018”.

6 **SEC. 6120. EXTENSION SERVICE.**

7 Section 1464 of the National Agricultural Research,
8 Extension, and Teaching Policy Act of 1977 (7 U.S.C.
9 3312) is amended by striking “2012” and inserting
10 “2018”.

11 **SEC. 6121. AUDITING, REPORTING, BOOKKEEPING, AND AD-**
12 **MINISTRATIVE REQUIREMENTS.**

13 Section 1469 of the National Agricultural Research,
14 Extension, and Teaching Policy Act of 1977 (7 U.S.C.
15 3315) is amended—

16 (1) in subsection (a)—

17 (A) in paragraph (2), by adding “and” at
18 the end;

19 (B) by striking paragraph (3); and

20 (C) by redesignating paragraph (4) as
21 paragraph (3);

22 (2) by redesignating subsections (b), (c), and
23 (d) as subsections (d), (e), and (f), respectively; and

24 (3) by inserting after subsection (a) the fol-
25 lowing new subsections:

26 “(b) ADMINISTRATIVE EXPENSES.—

1 “(1) IN GENERAL.—Except as provided in para-
2 graph (2) and notwithstanding any other provision
3 of law, the Secretary may retain not more than 4
4 percent of amounts made available for agricultural
5 research, extension, and teaching assistance pro-
6 grams for the administration of those programs au-
7 thorized under this Act or any other Act.

8 “(2) EXCEPTIONS.—The limitation on adminis-
9 trative expenses under paragraph (1) shall not apply
10 to peer panel expenses under subsection (d) or any
11 other provision of law related to the administration
12 of agricultural research, extension, and teaching as-
13 sistance programs that contains a limitation on ad-
14 ministrative expenses that is less than the limitation
15 under paragraph (1).

16 “(c) AGREEMENTS WITH NON-FEDERAL ENTI-
17 TIES.—

18 “(1) FORMER AGRICULTURAL RESEARCH FA-
19 CILITIES OF THE DEPARTMENT.—To the maximum
20 extent practicable, the Secretary, for purposes of
21 supporting ongoing research and information dis-
22 semination activities, including supporting research
23 and those activities through co-locating scientists
24 and other technical personnel, sharing of laboratory
25 and field equipment, and providing financial sup-

1 port, shall enter into grants, contracts, cooperative
2 agreements, or other legal instruments with former
3 Department of Agriculture agricultural research fa-
4 cilities.

5 “(2) AGREEMENTS WITH AGRICULTURAL RE-
6 SEARCH ORGANIZATIONS.—The Secretary, for pur-
7 poses of receiving from a non-Federal agricultural
8 research organization support for agricultural re-
9 search, including staffing, laboratory and field equip-
10 ment, or direct financial assistance, may enter into
11 grants, contracts, cooperative agreements, or other
12 legal instruments with a non-Federal agricultural re-
13 search organization, the operation of which is con-
14 sistent with the research mission and programs of
15 an agricultural research facility of the Department
16 of Agriculture.”.

17 **SEC. 6122. SUPPLEMENTAL AND ALTERNATIVE CROPS.**

18 (a) AUTHORIZATION OF APPROPRIATIONS AND TER-
19 MINATION.—Section 1473D of the National Agricultural
20 Research, Extension, and Teaching Policy Act of 1977 (7
21 U.S.C. 3319d) is amended—

22 (1) in subsection (a), by striking “2012” and
23 inserting “2018”; and

24 (2) by adding at the end the following new sub-
25 section:

1 “(e) There are authorized to be appropriated to carry
2 out this section—

3 “(1) such sums as are necessary for fiscal year
4 2013; and

5 “(2) \$1,000,000 for each of fiscal years 2014
6 through 2018.”.

7 (b) COMPETITIVE GRANTS.—Section 1473D(c)(1) of
8 the National Agricultural Research, Extension, and
9 Teaching Policy Act of 1977 (7 U.S.C. 3319d(c)(1)) is
10 amended by striking “use such research funding, special
11 or competitive grants, or other means, as the Secretary
12 determines,” and inserting “make competitive grants”.

13 **SEC. 6123. CAPACITY BUILDING GRANTS FOR NLGCA INSTI-**
14 **TUTIONS.**

15 Section 1473F(b) of the National Agricultural Re-
16 search, Extension, and Teaching Policy Act of 1977 (7
17 U.S.C. 3319i(b)) is amended by striking “2012” and in-
18 serting “2018”.

19 **SEC. 6124. AQUACULTURE ASSISTANCE PROGRAMS.**

20 (a) COMPETITIVE GRANTS.—Section 1475(b) of the
21 National Agricultural Research, Extension, and Teaching
22 Policy Act of 1977 (7 U.S.C. 3322(b)) is amended in the
23 matter preceding paragraph (1), by inserting “competi-
24 tive” before “grants”.

1 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
2 1477 of the National Agricultural Research, Extension,
3 and Teaching Policy Act of 1977 (7 U.S.C. 3324) is
4 amended to read as follows:

5 **“SEC. 1477. AUTHORIZATION OF APPROPRIATIONS.**

6 “(a) IN GENERAL.—There are authorized to be ap-
7 propriated to carry out this subtitle—

8 “(1) \$7,500,000 for each of fiscal years 1991
9 through 2013; and

10 “(2) \$5,000,000 for each of fiscal years 2014
11 through 2018.

12 “(b) PROHIBITION ON USE.—Funds made available
13 under this section may not be used to acquire or construct
14 a building.”.

15 **SEC. 6125. RANGELAND RESEARCH PROGRAMS.**

16 Section 1483(a) of the National Agricultural Re-
17 search, Extension, and Teaching Policy Act of 1977 (7
18 U.S.C. 3336(a)) is amended by striking “subtitle” and all
19 that follows and inserting the following: “subtitle—

20 “(1) \$10,000,000 for each of fiscal years 1991
21 through 2013; and

22 “(2) \$2,000,000 for each of fiscal years 2014
23 through 2018.”.

1 **SEC. 6126. SPECIAL AUTHORIZATION FOR BIOSECURITY**
2 **PLANNING AND RESPONSE.**

3 Section 1484(a) of the National Agricultural Re-
4 search, Extension, and Teaching Policy Act of 1977 (7
5 U.S.C. 3351(a)) is amended by striking “response such
6 sums as are necessary” and all that follows and inserting
7 the following: “response—

8 “(1) such sums as are necessary for each of fis-
9 cal years 2002 through 2013; and

10 “(2) \$10,000,000 for each of fiscal years 2014
11 through 2018.”.

12 **SEC. 6127. DISTANCE EDUCATION AND RESIDENT INSTRU-**
13 **CTION GRANTS PROGRAM FOR INSULAR AREA**
14 **INSTITUTIONS OF HIGHER EDUCATION.**

15 (a) DISTANCE EDUCATION GRANTS FOR INSULAR
16 AREAS.—

17 (1) COMPETITIVE GRANTS.—Section 1490(a) of
18 the National Agricultural Research, Extension, and
19 Teaching Policy Act of 1977 (7 U.S.C. 3362(a)) is
20 amended by striking “or noncompetitive”.

21 (2) AUTHORIZATION OF APPROPRIATIONS.—
22 Section 1490(f) of the National Agricultural Re-
23 search, Extension, and Teaching Policy Act of 1977
24 (7 U.S.C. 3362(f)) is amended by striking “section”
25 and all that follows and inserting the following: “sec-
26 tion—

1 “(1) such sums as are necessary for each of fis-
2 cal years 2002 through 2013; and

3 “(2) \$2,000,000 for each of fiscal years 2014
4 through 2018.”.

5 (b) RESIDENT INSTRUCTION GRANTS FOR INSULAR
6 AREAS.—Section 1491(c) of the National Agricultural Re-
7 search, Extension, and Teaching Policy Act of 1977 (7
8 U.S.C. 3363(c)) is amended by striking “such sums as
9 are necessary” and all that follows and inserting the fol-
10 lowing: “to carry out this section—

11 “(1) such sums as are necessary for each of fis-
12 cal years 2002 through 2013; and

13 “(2) \$2,000,000 for each of fiscal years 2014
14 through 2018.”.

15 **SEC. 6128. MATCHING FUNDS REQUIREMENT.**

16 (a) IN GENERAL.—The National Agricultural Re-
17 search, Extension, and Teaching Policy Act of 1977 (7
18 U.S.C. 3101 et seq.) is amended by adding at the end
19 the following new subtitle:

20 **“Subtitle P—General Provisions**

21 **“SEC. 1492. MATCHING FUNDS REQUIREMENT.**

22 “(a) IN GENERAL.—The recipient of a competitive
23 grant that is awarded by the Secretary under a covered
24 law shall provide funds, in-kind contributions, or a com-
25 bination of both, from sources other than funds provided

1 through such grant in an amount at least equal to the
2 amount of such grant.

3 “(b) EXCEPTION.—The matching funds requirement
4 under subsection (a) shall not apply to grants awarded—

5 “(1) to a research agency of the Department of
6 Agriculture; or

7 “(2) to an entity eligible to receive funds under
8 a capacity and infrastructure program (as defined in
9 section 251(f)(1)(C) of the Department of Agri-
10 culture Reorganization Act of 1994 (7 U.S.C.
11 6971(f)(1)(C))), including a partner of such entity.

12 “(c) COVERED LAW.—In this section, the term ‘cov-
13 ered law’ means each of the following provisions of law:

14 “(1) This title.

15 “(2) Title XVI of the Food, Agriculture, Con-
16 servation, and Trade Act of 1990 (7 U.S.C. 5801 et
17 seq.).

18 “(3) The Agricultural Research, Extension, and
19 Education Reform Act of 1998 (7 U.S.C. 7601 et
20 seq.).

21 “(4) Part III of subtitle E of title VII of the
22 Food, Conservation, and Energy Act of 2008 (7
23 U.S.C. 3202 et seq.).

24 “(5) The Competitive, Special, and Facilities
25 Research Grant Act (7 U.S.C. 450i).”.

1 (b) CONFORMING AMENDMENT.—Paragraph (9) of
2 subsection (b) of the Competitive, Special, and Facilities
3 Research Grant Act (7 U.S.C. 450i(b)) is amended—

4 (1) by striking subparagraph (B);

5 (2) in the heading, by inserting “FOR EQUIP-
6 MENT GRANTS” after “FUNDS”;

7 (3) by striking “(A) EQUIPMENT GRANTS.—”;

8 and

9 (4) by redesignating clauses (i) and (ii) as sub-
10 paragraphs (A) and (B), respectively, and moving
11 the margins of such subparagraphs two ems to the
12 left.

13 (c) APPLICATION TO AMENDMENTS.—

14 (1) NEW GRANTS.—Section 1492 of the Na-
15 tional Agricultural, Research, Extension, and Teach-
16 ing Policy Act of 1977, as added by subsection (a),
17 shall apply with respect to grants described in such
18 section awarded after October 1, 2013, unless the
19 provision of a covered law under which such grants
20 are awarded specifically exempts such grants from
21 the matching funds requirement under such section.

22 (2) EXISTING GRANTS.—A matching funds re-
23 quirement in effect on or before October 1, 2013,
24 under a covered law shall continue to apply to a

1 grant awarded under such provision of law on or be-
2 fore that date.

3 **SEC. 6129. SENSE OF CONGRESS REGARDING EXPANSION**
4 **OF THE LAND GRANT PROGRAM TO INCLUDE**
5 **ENHANCED FUNDING AND ADDITIONAL IN-**
6 **STITUTIONS.**

7 It is the sense of the Congress that—

8 (1) institutions of higher education designated
9 under the Act of August 30, 1890 (commonly
10 known, and referred to in this section, as the “Sec-
11 ond Morrill Act”; 7 U.S.C. 321 et seq.) have played
12 an integral role in the education and advancement of
13 agriculture and mechanic arts for over a century;

14 (2) in addition to those institutions, a number
15 of colleges and universities have fulfilled similar and
16 parallel missions in successfully training and grad-
17 uating generations of students who have gone on to
18 be leaders in their field;

19 (3) the colleges and universities, both with and
20 without designation under the Second Morrill Act,
21 fulfill a vital role to the future of industry, opportu-
22 nities for increased job creation, and the strength of
23 agriculture in the United States;

24 (4) Congress must ensure that the United
25 States’ higher education framework and policies

1 meet the needs of young individuals in the United
2 States, and that students from across the country
3 are able to choose from a variety of institutions and
4 programs that will equip them with the skills and
5 training necessary to achieve their individual goals;
6 and

7 (5) as Congress and the agricultural community
8 generally consider policies and approaches to im-
9 prove research, extension, and education in the agri-
10 cultural sciences, expansion of the land grant pro-
11 gram under the Second Morrill Act to include en-
12 hanced funding and additional institutions should be
13 considered.

14 **Subtitle B—Food, Agriculture, Con-**
15 **servation, and Trade Act of 1990**

16 **SEC. 6201. BEST UTILIZATION OF BIOLOGICAL APPLICA-**
17 **TIONS.**

18 Section 1624 of the Food, Agriculture, Conservation,
19 and Trade Act of 1990 (7 U.S.C. 5814) is amended in
20 the first sentence—

21 (1) by striking “\$40,000,000 for each fiscal
22 year”; and

23 (2) by inserting “\$40,000,000 for each of fiscal
24 years 2013 through 2018” after “chapter”.

1 **SEC. 6202. INTEGRATED MANAGEMENT SYSTEMS.**

2 Section 1627(d) of the Food, Agriculture, Conserva-
3 tion, and Trade Act of 1990 (7 U.S.C. 5821(d)) is amend-
4 ed to read as follows:

5 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
6 are authorized to be appropriated to carry out this section
7 through the National Institute of Food and Agriculture
8 \$20,000,000 for each of fiscal years 2013 through 2018.”.

9 **SEC. 6203. SUSTAINABLE AGRICULTURE TECHNOLOGY DE-**
10 **VELOPMENT AND TRANSFER PROGRAM.**

11 Section 1628(f) of the Food, Agriculture, Conserva-
12 tion, and Trade Act of 1990 (7 U.S.C. 5831(f)) is amend-
13 ed to read as follows:

14 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
15 are authorized to be appropriated to carry out this sec-
16 tion—

17 “(1) such sums as are necessary for fiscal year
18 2013; and

19 “(2) \$5,000,000 for each of fiscal years 2014
20 through 2018.”.

21 **SEC. 6204. NATIONAL TRAINING PROGRAM.**

22 Section 1629(i) of the Food, Agriculture, Conserva-
23 tion, and Trade Act of 1990 (7 U.S.C. 5832(i)) is amend-
24 ed to read as follows:

25 “(i) AUTHORIZATION OF APPROPRIATIONS.—There
26 are authorized to be appropriated to carry out the Na-

1 tional Training Program \$20,000,000 for each of fiscal
2 years 2013 through 2018.”.

3 **SEC. 6205. NATIONAL GENETICS RESOURCES PROGRAM.**

4 Section 1635(b) of the Food, Agriculture, Conserva-
5 tion, and Trade Act of 1990 (7 U.S.C. 5844(b)) is amend-
6 ed—

7 (1) by striking “such funds as may be nec-
8 essary”; and

9 (2) by striking “subtitle” and all that follows
10 and inserting the following: “subtitle—

11 “(1) such sums as are necessary for each of fis-
12 cal years 1991 through 2013; and

13 “(2) \$1,000,000 for each of fiscal years 2014
14 through 2018.”.

15 **SEC. 6206. REPEAL OF NATIONAL AGRICULTURAL WEATH-
16 ER INFORMATION SYSTEM.**

17 Effective October 1, 2013, subtitle D of title XVI of
18 the Food, Agriculture, Conservation, and Trade Act of
19 1990 (7 U.S.C. 5851 et seq.) is repealed.

20 **SEC. 6207. REPEAL OF RURAL ELECTRONIC COMMERCE EX-
21 TENSION PROGRAM.**

22 Effective October 1, 2013, section 1670 of the Food,
23 Agriculture, Conservation, and Trade Act of 1990 (7
24 U.S.C. 5923) is repealed.

1 **SEC. 6208. REPEAL OF AGRICULTURAL GENOME INITIA-**
2 **TIVE.**

3 Effective October 1, 2013, section 1671 of the Food,
4 Agriculture, Conservation, and Trade Act of 1990 (7
5 U.S.C. 5924) is repealed.

6 **SEC. 6209. HIGH-PRIORITY RESEARCH AND EXTENSION INI-**
7 **TIATIVES.**

8 Section 1672 of the Food, Agriculture, Conservation,
9 and Trade Act of 1990 (7 U.S.C. 5925) is amended—

10 (1) in the first sentence of subsection (a), by
11 striking “subsections (e) through (i)” and inserting
12 “subsections (e), (f), and (g)”;

13 (2) in subsection (b)(2), in the first sentence,
14 by striking “subsections (e) through (i)” and insert-
15 ing “subsections (e), (f), and (g)’”;

16 (3) by striking subsections (e), (f), and (i);

17 (4) by redesignating subsections (g), (h), and
18 (j) as subsections (e), (f), and (h), respectively;

19 (5) in subsection (f) (as redesignated by para-
20 graph (4))—

21 (A) by striking “2012” each place it ap-
22 pears in paragraphs (1)(B), (2)(B), and (3)
23 and inserting “2018”; and

24 (B) in paragraph (4)—

1 (i) in subparagraph (A), by inserting
2 “and honey bee health disorders” after
3 “collapse”; and

4 (ii) in subparagraph (B), by inserting
5 “, including best management practices”
6 after “strategies”;

7 (6) by inserting after subsection (f) (as redesignated by paragraph (4)) the following new subsection:
8
9

10 “(g) COFFEE PLANT HEALTH INITIATIVE.—

11 “(1) ESTABLISHMENT.—The Secretary shall establish a coffee plant health initiative to address the
12 critical needs of the coffee industry by—
13

14 “(A) developing and disseminating science-based tools and treatments to combat the coffee
15 berry borer (*Hypothenemus hampei*); and
16

17 “(B) establishing an area-wide integrated pest management program in areas affected by,
18 or areas at risk of, being affected by the coffee
19 berry borer.
20

21 “(2) ELIGIBLE ENTITIES.—The Secretary may carry out the coffee plant health initiative through—
22

23 “(A) Federal agencies, including the Agricultural Research Service and the National
24 Institute of Food and Agriculture;
25

- 1 “(B) National Laboratories;
2 “(C) institutions of higher education;
3 “(D) research institutions or organizations;
4 “(E) private organizations or corporations;
5 “(F) State agricultural experiment sta-
6 tions;
7 “(G) individuals; or
8 “(H) groups consisting of 2 or more enti-
9 ties or individuals described in subparagraphs
10 (A) through (G).

11 “(3) PROJECT GRANTS AND COOPERATIVE
12 AGREEMENTS.—In carrying out this subsection, the
13 Secretary shall—

14 “(A) enter into cooperative agreements
15 with eligible entities, as appropriate; and

16 “(B) award grants on a competitive basis.

17 “(4) AUTHORIZATION OF APPROPRIATIONS.—
18 There is authorized to be appropriated to carry out
19 this subsection \$2,000,000 for each of fiscal years
20 2014 through 2018.”; and

21 (7) in subsection (h) (as redesignated by para-
22 graph (4)), by striking “2012” and inserting
23 “2018”.

1 **SEC. 6210. REPEAL OF NUTRIENT MANAGEMENT RESEARCH**
2 **AND EXTENSION INITIATIVE.**

3 Effective October 1, 2013, section 1672A of the
4 Food, Agriculture, Conservation, and Trade Act of 1990
5 (7 U.S.C. 5925a) is repealed.

6 **SEC. 6211. ORGANIC AGRICULTURE RESEARCH AND EXTEN-**
7 **SION INITIATIVE.**

8 Section 1672B of the Food, Agriculture, Conserva-
9 tion, and Trade Act of 1990 (7 U.S.C. 5925b) is amend-
10 ed—

11 (1) by striking subsection (e) and inserting the
12 following new subsection:

13 “(e) FARM BUSINESS MANAGEMENT ENCOUR-
14 AGED.—Following the completion of a peer review process
15 for grant proposals received under this section, the Sec-
16 retary shall give a priority to grant proposals found in the
17 review process to be scientifically meritorious using the
18 same criteria the Secretary uses to give priority to grants
19 under section 1672D(b).”; and

20 (2) in subsection (f)—

21 (A) in paragraph (1)—

22 (i) in the heading of such paragraph,
23 by striking “2012” and inserting “2018”;

24 (ii) in subparagraph (A), by striking
25 “and” at the end;

1 (iii) in subparagraph (B), by striking
2 the period at the end and inserting “;
3 and”; and

4 (iv) by adding at the end the following
5 new subparagraph:

6 “(C) \$20,000,000 for each of fiscal years
7 2014 through 2018.”; and

8 (B) in paragraph (2)—

9 (i) in the heading of such paragraph,
10 by striking “2009 THROUGH 2012” and in-
11 serting “2014 THROUGH 2018”; and

12 (ii) by striking “2009 through 2012”
13 and inserting “2014 through 2018”.

14 **SEC. 6212. REPEAL OF AGRICULTURAL BIOENERGY FEED-**
15 **STOCK AND ENERGY EFFICIENCY RESEARCH**
16 **AND EXTENSION INITIATIVE.**

17 (a) REPEAL.—Effective October 1, 2013, section
18 1672C of the Food, Agriculture, Conservation, and Trade
19 Act of 1990 (7 U.S.C. 5925e) is repealed.

20 (b) CONFORMING AMENDMENT.—Section
21 251(f)(1)(D) of the Department of Agriculture Reorga-
22 nization Act of 1994 (7 U.S.C. 6971(f)(1)(D)) is amend-
23 ed—

24 (1) by striking clause (xi); and

1 (2) by redesignating clauses (xii) and (xiii) as
2 clauses (xi) and (xii), respectively.

3 **SEC. 6213. FARM BUSINESS MANAGEMENT.**

4 Section 1672D(d) of the Food, Agriculture, Con-
5 servation, and Trade Act of 1990 (7 U.S.C. 5925f(d)) is
6 amended by striking “such sums as are necessary to carry
7 out this section.” and inserting the following: “to carry
8 out this section—

9 “(1) such sums as are necessary for fiscal year
10 2013; and

11 “(2) \$5,000,000 for each of fiscal years 2014
12 through 2018.”.

13 **SEC. 6214. CENTERS OF EXCELLENCE.**

14 The Food, Agriculture, Conservation, and Trade Act
15 of 1990 is amended by inserting after section 1672D (7
16 U.S.C. 5925f) the following new section:

17 **“SEC. 1673. CENTERS OF EXCELLENCE.**

18 “(a) **FUNDING PRIORITIES.**—The Secretary shall
19 prioritize centers of excellence established for specific agri-
20 cultural commodities for the receipt of funding for any
21 competitive research or extension program administered
22 by the Secretary.

23 “(b) **COMPOSITION.**—A center of excellence is com-
24 posed of 1 or more of the eligible entities specified in sub-
25 section (b)(7) of the Competitive, Special, and Facilities

1 Research Grant Act (7 U.S.C. 450i(b)(7)) that provide fi-
2 nancial or in-kind support to the center of excellence.

3 “(c) CRITERIA FOR CENTERS OF EXCELLENCE.—

4 “(1) REQUIRED EFFORTS.—The criteria for
5 consideration to be recognized as a center of excel-
6 lence shall include efforts—

7 “(A) to ensure coordination and cost effec-
8 tiveness by reducing unnecessarily duplicative
9 efforts regarding research, teaching, and exten-
10 sion;

11 “(B) to leverage available resources by
12 using public/private partnerships among agri-
13 cultural industry groups, institutions of higher
14 education, and the Federal Government;

15 “(C) to implement teaching initiatives to
16 increase awareness and effectively disseminate
17 solutions to target audiences through extension
18 activities; and

19 “(D) to increase the economic returns to
20 rural communities by identifying, attracting,
21 and directing funds to high-priority agricultural
22 issues.

23 “(2) ADDITIONAL EFFORTS.—Where prac-
24 ticable, the criteria for consideration to be recog-
25 nized as a center of excellence shall include efforts

1 to improve teaching capacity and infrastructure at
2 colleges and universities (including land-grant insti-
3 tutions, schools of forestry, schools of veterinary
4 medicine, and NLGCA Institutions).”.

5 **SEC. 6215. REPEAL OF RED MEAT SAFETY RESEARCH CEN-**
6 **TER.**

7 Effective October 1, 2013, section 1676 of the Food,
8 Agriculture, Conservation, and Trade Act of 1990 (7
9 U.S.C. 5929) is repealed.

10 **SEC. 6216. ASSISTIVE TECHNOLOGY PROGRAM FOR FARM-**
11 **ERS WITH DISABILITIES.**

12 Section 1680(c)(1) of the Food, Agriculture, Con-
13 servation, and Trade Act of 1990 (7 U.S.C. 5933(c)(1))
14 is amended—

15 (1) by striking “is” and inserting “are”; and

16 (2) by striking “section” and all that follows
17 and inserting the following: “section—

18 “(A) \$6,000,000 for each of fiscal years
19 1999 through 2013; and

20 “(B) \$3,000,000 for each of fiscal years
21 2014 through 2018.”.

1 **SEC. 6217. NATIONAL RURAL INFORMATION CENTER**
2 **CLEARINGHOUSE.**

3 Section 2381(e) of the Food, Agriculture, Conserva-
4 tion, and Trade Act of 1990 (7 U.S.C. 3125b(e)) is
5 amended by striking “2012” and inserting “2018”.

6 **Subtitle C—Agricultural Research,**
7 **Extension, and Education Re-**
8 **form Act of 1998**

9 **SEC. 6301. RELEVANCE AND MERIT OF AGRICULTURAL RE-**
10 **SEARCH, EXTENSION, AND EDUCATION FUND-**
11 **ED BY THE DEPARTMENT.**

12 Section 103(a)(2) of the Agricultural Research, Ex-
13 tension, and Education Reform Act of 1998 (7 U.S.C.
14 7613(a)(2)) is amended—

15 (1) in the heading by striking “MERIT REVIEW
16 OF EXTENSION” and inserting “RELEVANCE AND
17 MERIT REVIEW OF RESEARCH, EXTENSION,”;

18 (2) in subparagraph (A)—

19 (A) by inserting “relevance and” before
20 “merit”; and

21 (B) by striking “extension or education”
22 and inserting “research, extension, or edu-
23 cation”; and

24 (3) in subparagraph (B), by inserting “on a
25 continuous basis” after “procedures”.

1 **SEC. 6302. INTEGRATED RESEARCH, EDUCATION, AND EX-**
2 **TENSION COMPETITIVE GRANTS PROGRAM.**

3 Section 406(f) of the Agricultural Research, Exten-
4 sion, and Education Reform Act of 1998 (7 U.S.C.
5 7626(f)) is amended by striking “2012” and inserting
6 “2018”.

7 **SEC. 6303. REPEAL OF COORDINATED PROGRAM OF RE-**
8 **SEARCH, EXTENSION, AND EDUCATION TO IM-**
9 **PROVE VIABILITY OF SMALL AND MEDIUM**
10 **SIZE DAIRY, LIVESTOCK, AND POULTRY OP-**
11 **ERATIONS.**

12 (a) REPEAL.—Effective October 1, 2013, section 407
13 of the Agricultural Research, Extension, and Education
14 Reform Act of 1998 (7 U.S.C. 7627) is repealed.

15 (b) CONFORMING AMENDMENT.—Section
16 251(f)(1)(D) of the Department of Agriculture Reorga-
17 nization Act of 1994 (7 U.S.C. 6971(f)(1)(D)), as amend-
18 ed by section 6212(b), is further amended—

19 (1) by striking clause (xi) (as redesignated by
20 section 6212(b)); and

21 (2) by redesignating clause (xii) (as redesign-
22 nated by section 6212(b)) as clause (xi).

23 **SEC. 6304. FUSARIUM GRAMINEARUM GRANTS.**

24 Section 408(e) of the Agricultural Research, Exten-
25 sion, and Education Reform Act of 1998 (7 U.S.C.
26 7628(e)) is amended to read as follows:

1 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to carry out this sec-
3 tion—

4 “(1) such sums as may be necessary for each
5 of fiscal years 1999 through 2013; and

6 “(2) \$7,500,000 for each of fiscal years 2014
7 through 2018.”.

8 **SEC. 6305. REPEAL OF BOVINE JOHNE’S DISEASE CONTROL**
9 **PROGRAM.**

10 Effective October 1, 2013, section 409 of the Agricul-
11 tural Research, Extension, and Education Reform Act of
12 1998 (7 U.S.C. 7629) is repealed.

13 **SEC. 6306. GRANTS FOR YOUTH ORGANIZATIONS.**

14 Section 410(d) of the Agricultural Research, Exten-
15 sion, and Education Reform Act of 1998 (7 U.S.C.
16 7630(d)) is amended by striking “section such sums as
17 are necessary” and all that follows and inserting the fol-
18 lowing: “section—

19 “(1) such sums as are necessary for each of fis-
20 cal years 2008 through 2013; and

21 “(2) \$3,000,000 for each of fiscal years 2014
22 through 2018.”.

1 **SEC. 6307. SPECIALTY CROP RESEARCH INITIATIVE.**

2 Section 412 of the Agricultural Research, Extension,
3 and Education Reform Act of 1998 (7 U.S.C. 7632) is
4 amended—

5 (1) in subsection (b)—

6 (A) in paragraph (1), by striking “and
7 genomics” and inserting “genomics, and other
8 methods”; and

9 (B) in paragraph (3), by inserting “han-
10 dling and processing,” after “production effi-
11 ciency,”;

12 (2) by striking subsection (d) and inserting the
13 following new subsection:

14 “(d) RESEARCH PROJECTS.—In carrying out this
15 section, the Secretary shall award competitive grants on
16 the basis of—

17 “(1) an initial scientific peer review conducted
18 by a panel of subject matter experts from Federal
19 agencies, non-Federal entities, and the specialty crop
20 industry; and

21 “(2) a final funding determination made by the
22 Secretary based on a review and ranking for merit,
23 relevance, and impact conducted by a panel of spe-
24 cialty crop industry representatives for the specific
25 specialty crop.”; and

26 (3) in subsection (h)—

1 (A) in paragraph (1)—

2 (i) by striking “(1) MANDATORY
3 FUNDING FOR FISCAL YEARS 2008
4 THROUGH 2012.—Of the funds” and insert-
5 ing the following:

6 “(1) MANDATORY FUNDING.—

7 “(A) FISCAL YEARS 2008 THROUGH 2012.—
8 Of the funds”; and

9 (ii) by adding at the end the following
10 new subparagraph:

11 “(B) SUBSEQUENT FUNDING.—Of the
12 funds of the Commodity Credit Corporation, the
13 Secretary shall make available to carry out this
14 section—

15 “(i) \$50,000,000 for fiscal years 2014
16 and 2015;

17 “(ii) \$55,000,000 for fiscal years
18 2016 and 2017; and

19 “(iii) \$65,000,000 for fiscal year 2018
20 and each fiscal year thereafter.”; and

21 (B) in paragraph (2)—

22 (i) in the heading, by striking “2008
23 Through 2012” and inserting “2014
24 Through 2018”; and

1 (ii) by striking “2008 through 2012”
2 and inserting “2014 through 2018”.

3 **SEC. 6308. FOOD ANIMAL RESIDUE AVOIDANCE DATABASE**
4 **PROGRAM.**

5 Section 604(e) of the Agricultural Research, Extension,
6 and Education Reform Act of 1998 (7 U.S.C.
7 7642(e)) is amended by striking “2012” and inserting
8 “2018”.

9 **SEC. 6309. REPEAL OF NATIONAL SWINE RESEARCH CENTER.**
10 **TER.**

11 Effective October 1, 2013, section 612 of the Agricultural
12 Research, Extension, and Education Reform Act of
13 1998 (Public Law 105–185; 112 Stat. 605) is repealed.

14 **SEC. 6310. OFFICE OF PEST MANAGEMENT POLICY.**

15 Section 614(f) of the Agricultural Research, Extension,
16 and Education Reform Act of 1998 (7 U.S.C.
17 7653(f)) is amended—

18 (1) by striking “such sums as are necessary”;

19 and

20 (2) by striking “section” and all that follows
21 and inserting the following: “section—

22 “(1) such sums as are necessary for each of fiscal
23 years 1999 through 2013; and

24 “(2) \$3,000,000 for each of fiscal years 2014
25 through 2018.”.

1 **SEC. 6311. REPEAL OF STUDIES OF AGRICULTURAL RE-**
2 **SEARCH, EXTENSION, AND EDUCATION.**

3 Effective October 1, 2013, subtitle C of title VI of
4 the Agricultural Research, Extension, and Education Re-
5 form Act of 1998 (7 U.S.C. 7671 et seq.) is repealed.

6 **Subtitle D—Other Laws**

7 **SEC. 6401. CRITICAL AGRICULTURAL MATERIALS ACT.**

8 Section 16(a) of the Critical Agricultural Materials
9 Act (7 U.S.C. 178n(a)) is amended—

10 (1) by striking “such sums as are necessary”;

11 and

12 (2) by striking “Act” and all that follows and
13 inserting the following: “Act—

14 “(1) such sums as are necessary for each of fis-
15 cal years 1991 through 2013; and

16 “(2) \$2,000,000 for each of fiscal years 2014
17 through 2018.”.

18 **SEC. 6402. EQUITY IN EDUCATIONAL LAND-GRANT STATUS**
19 **ACT OF 1994.**

20 (a) DEFINITION OF 1994 INSTITUTIONS.—Section
21 532 of the Equity in Educational Land-Grant Status Act
22 of 1994 (7 U.S.C. 301 note; Public Law 103–382) is
23 amended—

24 (1) in paragraph (8), by striking “Memorial”;

25 (2) in paragraph (26), by striking “Commu-
26 nity”;

1 (3) by striking paragraphs (5), (10), and (27);
2 (4) by redesignating paragraphs (1), (2), (3),
3 (4), (6), (7), (8), (9), (14), (15), (16), (17), (18),
4 (19), (20), (21), (22), (23), (24), (25), (26), (28),
5 (29), (30), (31), (32), (33), and (34) as paragraphs
6 (2), (3), (4), (7), (8), (9), (5), (10), (15), (17), (18),
7 (19), (20), (22), (23), (24), (25), (32), (26), (27),
8 (28), (29), (30), (31), (33), (34), (35), and (14), re-
9 spectively, and transferring the paragraphs so as to
10 appear in numerical order;

11 (5) by inserting before paragraph (2) (as so re-
12 designated), the following new paragraph:

13 “(1) Aaniih Nakoda College.”;

14 (6) by inserting after paragraph (5) (as so re-
15 designated), the following new paragraph:

16 “(6) College of the Muscogee Nation.”;

17 (7) by inserting after paragraph (15) (as so re-
18 designated) the following new paragraph:

19 “(16) Keweenaw Bay Ojibwa Community Col-
20 lege.”; and

21 (8) by inserting after paragraph (20) (as so re-
22 designated) the following new paragraph:

23 “(21) Navajo Technical College.”.

24 (b) ENDOWMENT FOR 1994 INSTITUTIONS.—Section
25 533(b) of the Equity in Educational Land-Grant Status

1 Act of 1994 (7 U.S.C. 301 note; Public Law 103–382)
2 is amended in the first sentence by striking “2012” and
3 inserting “2018”.

4 (c) INSTITUTIONAL CAPACITY BUILDING GRANTS.—
5 Section 535 of the Equity in Educational Land-Grant Sta-
6 tus Act of 1994 (7 U.S.C. 301 note; Public Law 103–
7 382) is amended by striking “2012” each place it appears
8 in subsections (b)(1) and (c) and inserting “2018”.

9 (d) RESEARCH GRANTS.—

10 (1) AUTHORIZATION OF APPROPRIATIONS.—
11 Section 536(c) of the Equity in Educational Land-
12 Grant Status Act of 1994 (7 U.S.C. 301 note; Pub-
13 lic Law 103–382) is amended in the first sentence
14 by striking “2012” and inserting “2018”.

15 (2) RESEARCH GRANT REQUIREMENTS.—Sec-
16 tion 536(b) of the Equity in Educational Land-
17 Grant Status Act of 1994 (7 U.S.C. 301 note; Pub-
18 lic Law 103–382) is amended by striking “with at
19 least 1 other land-grant college or university” and
20 all that follows and inserting the following: “with—

21 “(1) the Agricultural Research Service of the
22 Department of Agriculture; or

23 “(2) at least 1—

24 “(A) other land-grant college or university
25 (exclusive of another 1994 Institution);

1 (A) in clause (vi), by striking “and” at the
2 end;

3 (B) in clause (vii), by striking the period
4 at the end and inserting “; and”; and

5 (C) by adding at the end the following new
6 clause:

7 “(viii) plant-based foods that are
8 major sources of nutrients of concern (as
9 determined by the Secretary).”;

10 (2) in subparagraph (B)—

11 (A) in clause (vii), by striking “and” at the
12 end;

13 (B) in clause (viii), by striking the period
14 at the end and inserting a semicolon; and

15 (C) by adding at the end the following new
16 clauses:

17 “(ix) the research and development of
18 surveillance methods, vaccines, vaccination
19 delivery systems, or diagnostic tests for
20 pests and diseases (especially zoonotic dis-
21 eases) in wildlife reservoirs presenting a
22 potential concern to public health or do-
23 mestic livestock and pests and diseases in
24 minor species (including deer, elk, and
25 bison); and

1 “(x) the identification of animal drug
2 needs and the generation and dissemina-
3 tion of data for safe and effective thera-
4 peutic applications of animal drugs for
5 minor species and minor uses of such
6 drugs in major species.”;

7 (3) in subparagraph (C)—

8 (A) in clause (ii), by inserting before the
9 semicolon “, including the effects of plant-based
10 foods that are major sources of nutrients of
11 concern on diet and health”;

12 (B) in clause (iii), by inserting before the
13 semicolon “, including plant-based foods that
14 are major sources of nutrients of concern”;

15 (C) in clause (iv), by inserting before the
16 semicolon “, including postharvest practices
17 conducted with respect to plant-based foods
18 that are major sources of nutrients of concern”;

19 and

20 (D) in clause (v), by inserting before the
21 period “, including improving the functionality
22 of plant-based foods that are major sources of
23 nutrients of concern”;

24 (4) in subparagraph (D)—

1 (A) by redesignating clauses (iv), (v), and
2 (vi) as clauses (v), (vi), and (vii), respectively;
3 and

4 (B) by inserting after clause (iii) the fol-
5 lowing new clause:

6 “(iv) the effectiveness of conservation
7 practices and technologies designed to ad-
8 dress nutrient losses and improve water
9 quality;”; and

10 (5) in subparagraph (F)—

11 (A) in the matter preceding clause (i), by
12 inserting “economics,” after “trade,”;

13 (B) by redesignating clauses (v) and (vi)
14 as clauses (vi) and (vii), respectively; and

15 (C) by inserting after clause (iv) the fol-
16 lowing new clause:

17 “(v) the economic costs, benefits, and
18 viability of producers adopting conserva-
19 tion practices and technologies designed to
20 improve water quality;”.

21 (c) GENERAL ADMINISTRATION.—Subsection (b)(4)
22 of the Competitive, Special, and Facilities Research Grant
23 Act (7 U.S.C. 450i(b)(4)) is amended—

24 (1) in subparagraph (D), by striking “and” at
25 the end;

1 (2) in subparagraph (E), by striking the period
2 at the end and inserting “; and”; and

3 (3) by adding at the end the following new sub-
4 paragraph:

5 “(F) establish procedures under which a
6 commodity board established under a com-
7 modity promotion law (as such term is defined
8 under section 501(a) of the Federal Agriculture
9 Improvement and Reform Act of 1996 (7
10 U.S.C. 7401(a))) or a State commodity board
11 (or other equivalent State entity) may directly
12 submit to the Secretary proposals for requests
13 for applications to specifically address par-
14 ticular issues related to the priority areas speci-
15 fied in paragraph (2).”.

16 (d) SPECIAL CONSIDERATIONS.—Subsection (b)(6) of
17 the Competitive, Special, and Facilities Research Grant
18 Act (7 U.S.C. 450i(b)(6)) is amended—

19 (1) in subparagraph (C), by striking “and” at
20 the end;

21 (2) in subparagraph (D), by striking the period
22 at the end and inserting “; and”; and

23 (3) by adding at the end the following new sub-
24 paragraph:

1 “(E) to eligible entities to carry out the
2 specific research proposals submitted under
3 procedures established under paragraph
4 (4)(F).”.

5 (e) ELIGIBLE ENTITIES.—Subsection (b)(7)(G) of
6 the Competitive, Special, and Facilities Research Grant
7 Act (7 U.S.C. 450i(b)(7)(G)) is amended by striking “or
8 corporations” and inserting “, foundations, or corpora-
9 tions”.

10 (f) INTER-REGIONAL RESEARCH PROJECT NUMBER
11 4.—Subsection (e) of the Competitive, Special, and Facili-
12 ties Research Grant Act (7 U.S.C. 450i(e)) is amended—

13 (1) in paragraph (1)(A), by striking “minor use
14 pesticides” and inserting “pesticides for minor agri-
15 cultural use and for use on specialty crops (as de-
16 fined in section 3 of the Specialty Crop Competitive-
17 ness Act of 2004 (7 U.S.C. 1621 note)),”; and

18 (2) in paragraph (4)—

19 (A) in subparagraph (A), by inserting
20 “and for use on specialty crops” after “minor
21 agricultural use”;

22 (B) in subparagraph (B), by striking
23 “and” at the end;

24 (C) by redesignating subparagraph (C) as
25 subparagraph (G); and

1 (D) by inserting after subparagraph (B)
2 the following new subparagraphs:

3 “(C) prioritize potential pest management
4 technology for minor agricultural use and for
5 use on specialty crops;

6 “(D) conduct research to develop the data
7 necessary to facilitate pesticide registrations,
8 reregistrations, and associated tolerances;

9 “(E) assist in removing trade barriers
10 caused by residues of pesticides registered for
11 minor agricultural use and for use on domesti-
12 cally grown specialty crops;

13 “(F) assist in the registration and rereg-
14 istration of pest management technologies for
15 minor agricultural use and for use on specialty
16 crops; and”.

17 (g) EMPHASIS ON SUSTAINABLE AGRICULTURE.—
18 The Competitive, Special, and Facilities Research Grant
19 Act (7 U.S.C. 450i) is amended by striking subsection (k).

20 **SEC. 6406. RENEWABLE RESOURCES EXTENSION ACT OF**
21 **1978.**

22 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
23 6 of the Renewable Resources Extension Act of 1978 (16
24 U.S.C. 1675) is amended in the first sentence by striking
25 “2012” and inserting “2018”.

1 (b) TERMINATION DATE.—Section 8 of the Renew-
2 able Resources Extension Act of 1978 (16 U.S.C. 1671
3 note; Public Law 95–306) is amended by striking “2012”
4 and inserting “2018”.

5 **SEC. 6407. NATIONAL AQUACULTURE ACT OF 1980.**

6 Section 10 of the National Aquaculture Act of 1980
7 (16 U.S.C. 2809) is amended by striking “2012” each
8 place it appears and inserting “2018”.

9 **SEC. 6408. REPEAL OF USE OF REMOTE SENSING DATA.**

10 Effective October 1, 2013, section 892 of the Federal
11 Agriculture Improvement and Reform Act of 1996 (7
12 U.S.C. 5935) is repealed.

13 **SEC. 6409. REPEAL OF REPORTS UNDER FARM SECURITY**
14 **AND RURAL INVESTMENT ACT OF 2002.**

15 (a) REPEAL OF REPORT ON PRODUCERS AND HAN-
16 DLERS FOR ORGANIC PRODUCTS.—Effective October 1,
17 2013, section 7409 of the Farm Security and Rural In-
18 vestment Act of 2002 (7 U.S.C. 5925b note; Public Law
19 107–171) is repealed.

20 (b) REPEAL OF REPORT ON GENETICALLY MODI-
21 FIED PEST-PROTECTED PLANTS.—Effective October 1,
22 2013, section 7410 of the Farm Security and Rural In-
23 vestment Act of 2002 (Public Law 107–171; 116 Stat.
24 462) is repealed.

1 (c) REPEAL OF STUDY ON NUTRIENT BANKING.—
2 Effective October 1, 2013, section 7411 of the Farm Secu-
3 rity and Rural Investment Act of 2002 (7 U.S.C. 5925a
4 note; Public Law 107–171) is repealed.

5 **SEC. 6410. BEGINNING FARMER AND RANCHER DEVELOP-**
6 **MENT PROGRAM.**

7 Section 7405 of the Farm Security and Rural Invest-
8 ment Act of 2002 (7 U.S.C. 3319f) is amended—

9 (1) in subsection (c)—

10 (A) in paragraph (1), by striking subpara-
11 graphs (A) through (R) and inserting the fol-
12 lowing new subparagraphs:

13 “(A) basic livestock, forest management,
14 and crop farming practices;

15 “(B) innovative farm, ranch, and private,
16 nonindustrial forest land transfer strategies;

17 “(C) entrepreneurship and business train-
18 ing;

19 “(D) financial and risk management train-
20 ing (including the acquisition and management
21 of agricultural credit);

22 “(E) natural resource management and
23 planning;

24 “(F) diversification and marketing strate-
25 gies;

1 “(G) curriculum development;

2 “(H) mentoring, apprenticeships, and in-
3 ternships;

4 “(I) resources and referral;

5 “(J) farm financial benchmarking;

6 “(K) assisting beginning farmers or ranch-
7 ers in acquiring land from retiring farmers and
8 ranchers;

9 “(L) agricultural rehabilitation and voca-
10 tional training for veterans; and

11 “(M) other similar subject areas of use to
12 beginning farmers or ranchers.”;

13 (B) in paragraph (7), by striking “and
14 community-based organizations” and inserting
15 “, community-based organizations, and school-
16 based agricultural educational organizations”;

17 (C) by striking paragraph (8) and insert-
18 ing the following new paragraph:

19 “(8) MILITARY VETERAN BEGINNING FARMERS
20 AND RANCHERS.—

21 “(A) IN GENERAL.—Not less than 5 per-
22 cent of the funds used to carry out this sub-
23 section for a fiscal year shall be used to support
24 programs and services that address the needs of

1 military veteran beginning farmers and ranch-
2 ers.

3 “(B) COORDINATION PERMITTED.—A re-
4 cipient of a grant under this section using the
5 grant as described in subparagraph (A) may co-
6 ordinate with a recipient of a grant under sec-
7 tion 1680 of the Food, Agriculture, Conserva-
8 tion, and Trade Act of 1990 (7 U.S.C. 5933)
9 in addressing the needs of military veteran be-
10 ginning farmers and ranchers with disabili-
11 ties.”; and

12 (D) by adding at the end the following new
13 paragraph:

14 “(11) LIMITATION ON INDIRECT COSTS.—A re-
15 cipient of a grant under this section may not use
16 more than 10 percent of the funds provided by the
17 grant for the indirect costs of carrying out the ini-
18 tiatives described in paragraph (1).”;

19 (2) in subsection (h)(1)—

20 (A) in the paragraph heading, by striking
21 “2012” and inserting “2018”;

22 (B) in subparagraph (A), by striking
23 “and” at the end;

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

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

3 “(C) \$20,000,000 for each of fiscal years
4 2014 through 2018, to remain available until
5 expended.”; and

6 (3) in subsection (h)(2)—

7 (A) in the paragraph heading, by striking
8 “2008 THROUGH 2012” and inserting “2014
9 THROUGH 2018”; and

10 (B) by striking “2008 through 2012” and
11 inserting “2014 through 2018”.

12 **SEC. 6411. INCLUSION OF AMERICAN SAMOA, FEDERATED**
13 **STATES OF MICRONESIA, AND NORTHERN**
14 **MARIANA ISLANDS AS A STATE UNDER**
15 **MCINTIRE-STENNIS COOPERATIVE FORESTRY**
16 **ACT.**

17 Section 8 of Public Law 87–788 (commonly known
18 as the McIntire-Stennis Cooperative Forestry Act; 16
19 U.S.C. 582a–7) is amended by striking “and Guam” and
20 inserting “Guam, American Samoa, the Federated States
21 of Micronesia, and the Commonwealth of the Northern
22 Mariana Islands”.

1 **Subtitle E—Food, Conservation,**
2 **and Energy Act of 2008**

3 **PART 1—AGRICULTURAL SECURITY**

4 **SEC. 6501. AGRICULTURAL BIOSECURITY COMMUNICATION**
5 **CENTER.**

6 Section 14112(c) of the Food, Conservation, and En-
7 ergy Act of 2008 (7 U.S.C. 8912(c)) is amended to read
8 as follows:

9 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
10 are authorized to be appropriated to carry out this sec-
11 tion—

12 “(1) such sums as are necessary for each of fis-
13 cal years 2008 through 2013; and

14 “(2) \$2,000,000 for each of fiscal years 2014
15 through 2018.”.

16 **SEC. 6502. ASSISTANCE TO BUILD LOCAL CAPACITY IN AG-**
17 **RICULTURAL BIOSECURITY PLANNING, PREP-**
18 **ARATION, AND RESPONSE.**

19 Section 14113 of the Food, Conservation, and En-
20 ergy Act of 2008 (7 U.S.C. 8913) is amended—

21 (1) in subsection (a)(2)—

22 (A) by striking “such sums as may be nec-
23 essary”; and

1 (B) by striking “subsection” and all that
2 follows and inserting the following: “sub-
3 section—

4 “(A) such sums as are necessary for each
5 of fiscal years 2008 through 2013; and

6 “(B) \$15,000,000 for each of fiscal years
7 2014 through 2018.”; and

8 (2) in subsection (b)(2), by striking “is author-
9 ized to be appropriated to carry out this subsection”
10 and all that follows and inserting the following: “are
11 authorized to be appropriated to carry out this sub-
12 section—

13 “(A) \$25,000,000 for each of fiscal years
14 2008 through 2013; and

15 “(B) \$15,000,000 for each of fiscal years
16 2014 through 2018.”.

17 **SEC. 6503. RESEARCH AND DEVELOPMENT OF AGRICUL-**
18 **TURAL COUNTERMEASURES.**

19 Section 14121(b) of the Food, Conservation, and En-
20 ergy Act of 2008 (7 U.S.C. 8921(b)) is amended by strik-
21 ing “is authorized to be appropriated to carry out this sec-
22 tion” and all that follows and inserting the following: “are
23 authorized to be appropriated to carry out this section—

24 “(1) \$50,000,000 for each of fiscal years 2008
25 through 2013; and

1 “(2) \$15,000,000 for each of fiscal years 2014
2 through 2018.”.

3 **SEC. 6504. AGRICULTURAL BIOSECURITY GRANT PROGRAM.**

4 Section 14122(e) of the Food, Conservation, and En-
5 ergy Act of 2008 (7 U.S.C. 8922(e)) is amended—

6 (1) by striking “sums as are necessary”; and

7 (2) by striking “section” and all that follows
8 and inserting the following: “section—

9 “(1) such sums as are necessary for each of fis-
10 cal years 2008 through 2013, to remain available
11 until expended; and

12 “(2) \$5,000,000 for each of fiscal years 2014
13 through 2018, to remain available until expended.”.

14 **PART 2—MISCELLANEOUS**

15 **SEC. 6511. ENHANCED USE LEASE AUTHORITY PILOT PRO-**
16 **GRAM.**

17 Section 308 of the Federal Crop Insurance Reform
18 and Department of Agriculture Reorganization Act of
19 1994 (7 U.S.C. 3125a) is amended—

20 (1) in subsection (b)(6)(A), by striking “5
21 years” and inserting “10 years”; and

22 (2) in subsection (d)(2), by striking “1, 3, and
23 5 years” and inserting “6, 8, and 10 years”.

1 **SEC. 6512. GRAZINGLANDS RESEARCH LABORATORY.**

2 Section 7502 of the Food, Conservation, and Energy
3 Act of 2008 (Public Law 110–246; 122 Stat. 2019) is
4 amended by striking “5-year period” and inserting “10-
5 year period”.

6 **SEC. 6513. BUDGET SUBMISSION AND FUNDING.**

7 Section 7506 of the Food, Conservation, and Energy
8 Act of 2008 (7 U.S.C. 7614e) is amended—

9 (1) by striking subsection (a) and inserting the
10 following new subsection:

11 “(a) **DEFINITIONS.**—In this section:

12 “(1) **COVERED PROGRAM.**—The term ‘covered
13 program’ means—

14 “(A) each research program carried out by
15 the Agricultural Research Service or the Eco-
16 nomic Research Service for which annual appro-
17 priations are requested in the annual budget
18 submission of the President; and

19 “(B) each competitive program carried out
20 by the National Institute of Food and Agri-
21 culture for which annual appropriations are re-
22 quested in the annual budget submission of the
23 President.

24 “(2) **REQUEST FOR AWARDS.**—The term ‘re-
25 quest for awards’ means a funding announcement
26 published by the National Institute of Food and Ag-

1 riculture that provides detailed information on fund-
2 ing opportunities at the Institute, including the pur-
3 pose, eligibility, restriction, focus areas, evaluation
4 criteria, regulatory information, and instructions on
5 how to apply for such opportunities.”; and

6 (2) by adding at the end the following new sub-
7 sections:

8 “(e) ADDITIONAL PRESIDENTIAL BUDGET SUBMIS-
9 SION REQUIREMENT.—

10 “(1) IN GENERAL.—Each year, the President
11 shall submit to Congress, together with the annual
12 budget submission of the President, the information
13 described in paragraph (2) for each funding request
14 for a covered program.

15 “(2) INFORMATION DESCRIBED.—The informa-
16 tion described in this paragraph includes—

17 “(A) baseline information, including with
18 respect to each covered program—

19 “(i) the funding level for the program
20 for the fiscal year preceding the year the
21 annual budget submission of the President
22 is submitted;

23 “(ii) the funding level requested in the
24 annual budget submission of the President,

1 including any increase or decrease in the
2 funding level; and

3 “(iii) an explanation justifying any
4 change from the funding level specified in
5 clause (i) to the level specified in clause
6 (ii);

7 “(B) with respect to each covered program
8 that is carried out by the Economic Research
9 Service or the Agricultural Research Service,
10 the location and staff years of the program;

11 “(C) the proposed funding levels to be allo-
12 cated to, and the expected publication date,
13 scope, and allocation level for, each request for
14 awards to be published under or associated
15 with—

16 “(i) each priority area specified in
17 subsection (b)(2) of the Competitive, Spe-
18 cial, and Facilities Research Grant Act (7
19 U.S.C. 450i(b)(2));

20 “(ii) each research and extension
21 project carried out under section 1621(a)
22 of the Food, Agriculture, Conservation,
23 and Trade Act of 1990 (7 U.S.C.
24 5811(a));

1 “(iii) each grant to be awarded under
2 section 1672B(a) of the Food, Agriculture,
3 Conservation, and Trade Act of 1990 (7
4 U.S.C. 5925b(a));

5 “(iv) each grant awarded under sec-
6 tion 412(d) of the Agricultural Research,
7 Extension, and Education Reform Act of
8 1998 (7 U.S.C. 7632(d)); and

9 “(v) each grant awarded under
10 7405(c)(1) of the Farm Security and
11 Rural Investment Act of 2002 (7 U.S.C.
12 3319f(e)(1)); or

13 “(D) any other information the Secretary
14 determines will increase congressional oversight
15 with respect to covered programs.

16 “(3) PROHIBITION.—Unless the President sub-
17 mits the information described in paragraph (2)(C)
18 for a fiscal year, the President may not carry out
19 any program during the fiscal year that is author-
20 ized under—

21 “(A) subsection (b) of the Competitive,
22 Special, and Facilities Research Grant Act (7
23 U.S.C. 450i(b));

1 “(B) section 1621 of the Food, Agri-
2 culture, Conservation, and Trade Act of 1990
3 (7 U.S.C. 5811);

4 “(C) section 1672B of the Food, Agri-
5 culture, Conservation, and Trade Act of 1990
6 (7 U.S.C. 5925b);

7 “(D) section 412 of the Agricultural Re-
8 search, Extension, and Education Reform Act
9 of 1998 (7 U.S.C. 7632); or

10 “(E) section 7405 of the Farm Security
11 and Rural Investment Act of 2002 (7 U.S.C.
12 3319f).

13 “(f) REPORT OF THE SECRETARY OF AGRI-
14 CULTURE.—Each year on a date that is not later than
15 the date on which the President submits the annual budg-
16 et, the Secretary shall submit to Congress a report con-
17 taining a description of the agricultural research, exten-
18 sion, and education activities carried out by the Federal
19 Government during the fiscal year that immediately pre-
20 cedes the year for which the report is submitted, includ-
21 ing—

22 “(1) a review of the extent to which those ac-
23 tivities—

24 “(A) are duplicative or overlap within the
25 Department of Agriculture; or

1 “(B) are similar to activities carried out
2 by—

3 “(i) other Federal agencies;

4 “(ii) the States (including the District
5 of Columbia, the Commonwealth of Puerto
6 Rico and other territories or possessions of
7 the United States);

8 “(iii) institutions of higher education
9 (as defined in section 101 of the Higher
10 Education Act of 1965 (20 U.S.C. 1001));

11 or

12 “(iv) the private sector; and

13 “(2) for each report submitted under this sec-
14 tion on or after January 1, 2013, a 5-year projection
15 of national priorities with respect to agricultural re-
16 search, extension, and education, taking into account
17 domestic needs.”.

18 **SEC. 6514. RESEARCH AND EDUCATION GRANTS FOR THE**
19 **STUDY OF ANTIBIOTIC-RESISTANT BACTERIA.**

20 Section 7521(c) of the Food, Conservation, and En-
21 ergy Act of 2008 (7 U.S.C. 3202(c)) is amended by strik-
22 ing “2012” and inserting “2018”.

1 **SEC. 6515. REPEAL OF FARM AND RANCH STRESS ASSIST-**
2 **ANCE NETWORK.**

3 Effective October 1, 2013, section 7522 of the Food,
4 Conservation, and Energy Act of 2008 (7 U.S.C. 5936)
5 is repealed.

6 **SEC. 6516. REPEAL OF SEED DISTRIBUTION.**

7 Effective October 1, 2013, section 7523 of the Food,
8 Conservation, and Energy Act of 2008 (7 U.S.C. 415–1)
9 is repealed.

10 **SEC. 6517. NATURAL PRODUCTS RESEARCH PROGRAM.**

11 Section 7525(e) of the Food, Conservation, and En-
12 ergy Act of 2008 (7 U.S.C. 5937(e)) is amended to read
13 as follows:

14 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
15 are authorized to be appropriated to carry out this section
16 \$7,000,000 for each of fiscal years 2014 through 2018.”.

17 **SEC. 6518. SUN GRANT PROGRAM.**

18 (a) IN GENERAL.—Section 7526 of the Food, Con-
19 servation, and Energy Act of 2008 (7 U.S.C. 8114) is
20 amended—

21 (1) in subsection (a)(4)(B), by striking “the
22 Department of Energy” and inserting “other appro-
23 priate Federal agencies (as determined by the Sec-
24 retary)”;

25 (2) in subsection (c)(1)—

1 (A) in subparagraph (B), by striking
2 “multistate” and all that follows through the
3 period and inserting “integrated, multistate re-
4 search, extension, and education programs on
5 technology development and technology imple-
6 mentation.”;

7 (B) by striking subparagraph (C); and

8 (C) by redesignating subparagraph (D) as
9 subparagraph (C);

10 (3) in subsection (d)—

11 (A) in paragraph (1)—

12 (i) by striking “in accordance with
13 paragraph (2)”;

14 (ii) by striking “gasification” and in-
15 serting “bioproducts”; and

16 (iii) by striking “the Department of
17 Energy” and inserting “other appropriate
18 Federal agencies”;

19 (B) by striking paragraph (2); and

20 (C) by redesignating paragraphs (3) and
21 (4) as paragraphs (2) and (3), respectively; and

22 (4) in subsection (g), by striking “2012” and
23 inserting “2018”.

24 (b) CONFORMING AMENDMENTS.—Section
25 7526(f)(1) of the Food, Conservation, and Energy Act of

1 2008 (7 U.S.C. 8114(f)(1)) is amended by striking “sub-
2 section (c)(1)(D)(i)” and inserting “subsection
3 (c)(1)(C)(i)”.

4 **SEC. 6519. REPEAL OF STUDY AND REPORT ON FOOD**
5 **DESERTS.**

6 Effective October 1, 2013, section 7527 of the Food,
7 Conservation, and Energy Act of 2008 (Public Law 110–
8 246; 122 Stat. 2039) is repealed.

9 **SEC. 6520. REPEAL OF AGRICULTURAL AND RURAL TRANS-**
10 **PORTATION RESEARCH AND EDUCATION.**

11 Effective October 1, 2013, section 7529 of the Food,
12 Conservation, and Energy Act of 2008 (7 U.S.C. 5938)
13 is repealed.

14 **Subtitle F—Miscellaneous**
15 **Provisions**

16 **SEC. 6601. AGREEMENTS WITH NONPROFIT ORGANIZA-**
17 **TIONS FOR NATIONAL ARBORETUM.**

18 Section 6 of the Act of March 4, 1927 (20 U.S.C.
19 196), is amended—

20 (1) in subsection (a), by striking paragraph (1)
21 and inserting the following new paragraph:

22 “(1) negotiate agreements for the National Ar-
23 boretum with nonprofit scientific or educational or-
24 ganizations, the interests of which are complemen-
25 tary to the mission of the National Arboretum, or

1 nonprofit organizations that support the purpose of
2 the National Arboretum, except that the net pro-
3 ceeds of the organizations from the agreements shall
4 be used exclusively for research and educational
5 work for the benefit of the National Arboretum and
6 the operation and maintenance of the facilities of the
7 National Arboretum, including enhancements, up-
8 grades, restoration, and conservation;” and

9 (2) by adding at the end the following new sub-
10 section:

11 “(d) RECOGNITION OF DONORS.—A non-profit orga-
12 nization that entered into an agreement under subsection
13 (a)(1) may recognize donors if that recognition is ap-
14 proved in advance by the Secretary. In considering wheth-
15 er to approve such recognition, the Secretary shall broadly
16 exercise the discretion of the Secretary to the fullest extent
17 allowed under Federal law in effect on the date of the en-
18 actment of this subsection.”.

19 **SEC. 6602. COTTON DISEASE RESEARCH REPORT.**

20 Not later than 180 days after the date of the enact-
21 ment of this Act, the Secretary shall submit to Congress
22 a report on the fungus *fusarium oxysporum* f. sp.
23 *vasinfectum* race 4 (referred to in this section as “FOV
24 Race 4”) and the impact of such fungus on cotton, includ-
25 ing—

1 (1) an overview of the threat FOV Race 4 poses
2 to the cotton industry in the United States;

3 (2) the status and progress of Federal research
4 initiatives to detect, contain, or eradicate FOV Race
5 4, including current FOV Race 4-specific research
6 projects; and

7 (3) a comprehensive strategy to combat FOV
8 Race 4 that establishes—

9 (A) detection and identification goals;

10 (B) containment goals;

11 (C) eradication goals; and

12 (D) a plan to partner with the cotton in-
13 dustry in the United States to maximize re-
14 sources, information sharing, and research re-
15 sponsiveness and effectiveness.

16 **SEC. 6603. ACCEPTANCE OF FACILITY FOR AGRICULTURAL**
17 **RESEARCH SERVICE.**

18 (a) CONSTRUCTION AUTHORIZED.—Subject to sub-
19 sections (b) and (c), the Secretary of Agriculture may au-
20 thorize a non-Federal entity to construct, at no cost and
21 without obligation to the Federal Government, a facility
22 for use by the Agricultural Research Service on land
23 owned by the Agricultural Research Service and managed
24 by the Secretary.

25 (b) ACCEPTANCE OF GIFT.—

1 (1) IN GENERAL.—Subject to paragraph (2),
2 upon the completion of the construction of the facil-
3 ity by the non-Federal entity under subsection (a),
4 the Secretary shall accept the facility as a gift in ac-
5 cordance with Public Law 95–442 (7 U.S.C. 2269).

6 (2) CERTIFICATION.—The Secretary, in con-
7 sultation with the Director of the Office of Manage-
8 ment and Budget, shall certify in advance that the
9 acceptance under paragraph (1) complies with the
10 limitations specified in paragraphs (1) and (2) of
11 subsection (c).

12 (c) LIMITATIONS.—

13 (1) VALUE.—The Secretary may not accept a
14 facility as a gift under this section if the fair market
15 value of the facility is more than \$5,000,000.

16 (2) NO FEDERAL COST.—The Secretary shall
17 not enter into any acquisitions, demonstrations, ex-
18 changes, grants, contracts, incentives, leases, pro-
19 curements, sales, or other transaction authorities or
20 arrangements that would obligate future appropria-
21 tions with respect to the facility constructed under
22 subsection (a).

23 (d) TERMINATION OF AUTHORITY.—No facility may
24 be accepted by the Secretary for use by the Agricultural

1 Research Service under this section after September 30,
2 2018.

3 **SEC. 6604. MISCELLANEOUS TECHNICAL CORRECTIONS.**

4 Sections 7408 and 7409 of the Food, Conservation,
5 and Energy Act of 2008 (Public Law 110–246; 122 Stat.
6 2013) are both amended by striking “Title III of the De-
7 partment of Agriculture Reorganization Act of 1994” and
8 inserting “Title III of the Federal Crop Insurance Reform
9 and Department of Agriculture Reorganization Act of
10 1994”.

11 **SEC. 6605. LEGITIMACY OF INDUSTRIAL HEMP RESEARCH.**

12 (a) IN GENERAL.—Notwithstanding the Controlled
13 Substances Act (21 U.S.C. 801 et seq.), the Drug-Free
14 Workplace Act of 1988 (41 U.S.C. 8101 et seq.), the Safe
15 and Drug-Free Schools and Communities Act of 1986 (20
16 U.S.C. 7101 et seq.), or any other Federal law, an institu-
17 tion of higher education (as defined in section 101 of the
18 Higher Education Act of 1965 (20 U.S.C. 1001)) may
19 grow or cultivate industrial hemp if—

20 (1) the industrial hemp is grown or cultivated
21 for purposes of agricultural research or other aca-
22 demic research; and

23 (2) the growing or cultivating of industrial
24 hemp is allowed under the laws of the State in which

1 such institution of higher education is located and
2 such research occurs.

3 (b) INDUSTRIAL HEMP DEFINED.—In this section,
4 the term “industrial hemp” means the plant *Cannabis*
5 *sativa L.* and any part of such plant, whether growing or
6 not, with a delta-9 tetrahydrocannabinol concentration of
7 not more than 0.3 percent on a dry weight basis.

8 TITLE VII—FORESTRY

9 Subtitle A—Repeal of Certain 10 Forestry Programs

11 SEC. 7001. FOREST LAND ENHANCEMENT PROGRAM.

12 (a) REPEAL.—Section 4 of the Cooperative Forestry
13 Assistance Act of 1978 (16 U.S.C. 2103) is repealed.

14 (b) CONFORMING AMENDMENT.—Section 8002 of the
15 Farm Security and Rural Investment Act of 2002 (Public
16 Law 107–171; 16 U.S.C. 2103 note) is amended by strik-
17 ing subsection (a).

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

20 SEC. 7002. WATERSHED FORESTRY ASSISTANCE PROGRAM.

21 (a) REPEAL.—Section 6 of the Cooperative Forestry
22 Assistance Act of 1978 (16 U.S.C. 2103b) is repealed.

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

1 **SEC. 7003. EXPIRED COOPERATIVE NATIONAL FOREST**
2 **PRODUCTS MARKETING PROGRAM.**

3 Section 18 of the Cooperative Forestry Assistance
4 Act of 1978 (16 U.S.C. 2112) is repealed.

5 **SEC. 7004. HISPANIC-SERVING INSTITUTION AGRICUL-**
6 **TURAL LAND NATIONAL RESOURCES LEAD-**
7 **ERSHIP PROGRAM.**

8 (a) REPEAL.—Section 8402 of the Food, Conserva-
9 tion, and Energy Act of 2008 (16 U.S.C. 1649a) is re-
10 pealed.

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

13 **SEC. 7005. TRIBAL WATERSHED FORESTRY ASSISTANCE**
14 **PROGRAM.**

15 (a) REPEAL.—Section 303 of the Healthy Forests
16 Restoration Act of 2003 (16 U.S.C. 6542) is repealed.

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

19 **SEC. 7006. SEPARATE FOREST SERVICE DECISIONMAKING**
20 **AND APPEALS PROCESS.**

21 Section 322 of the Department of the Interior and
22 Related Agencies Appropriations Act, 1993 (Public Law
23 102–381; 16 U.S.C. 1612 note) is repealed. Section 428
24 of division E of the Consolidated Appropriations Act, 2012
25 (Public Law 112–74; 125 Stat. 1046; 16 U.S.C. 6515
26 note) shall not apply to any project or activity imple-

1 menting a land and resource management plan developed
2 under section 6 of the Forest and Rangeland Renewable
3 Resources Planning Act of 1974 (16 U.S.C. 1604) that
4 is categorically excluded from documentation in an envi-
5 ronmental assessment or an environmental impact state-
6 ment under the National Environmental Policy Act of
7 1969 (42 U.S.C. 4321 et seq.).

8 **Subtitle B—Reauthorization of Co-**
9 **operative Forestry Assistance**
10 **Act of 1978 Programs**

11 **SEC. 7101. STATE-WIDE ASSESSMENT AND STRATEGIES FOR**
12 **FOREST RESOURCES.**

13 Section 2A(c) of the Cooperative Forestry Assistance
14 Act of 1978 (16 U.S.C. 2101a(c)) is amended—

15 (1) in paragraph (4), by striking “and”;

16 (2) by redesignating paragraph (5) as para-
17 graph (6); and

18 (3) by inserting after paragraph (4) the fol-
19 lowing new paragraph:

20 “(5) as feasible, appropriate military installa-
21 tions where the voluntary participation and manage-
22 ment of private or State-owned or other public
23 forestland is able to support, promote, and con-
24 tribute to the missions of such installations; and”.

1 **SEC. 7102. FOREST LEGACY PROGRAM.**

2 Subsection (m) of section 7 of the Cooperative For-
3 estry Assistance Act of 1978 (16 U.S.C. 2103c) is amend-
4 ed to read as follows:

5 “(m) AUTHORIZATION OF APPROPRIATIONS.—To
6 carry out this section, there are authorized to be appro-
7 priated—

8 “(1) such sums as are necessary for fiscal year
9 2013; and

10 “(2) \$55,000,000 for each of fiscal years 2014
11 through 2018.”.

12 **SEC. 7103. COMMUNITY FOREST AND OPEN SPACE CON-**
13 **SERVATION PROGRAM.**

14 Subsection (g) of section 7A of the Cooperative For-
15 estry Assistance Act of 1978 (16 U.S.C. 2103d) is amend-
16 ed to read as follows:

17 “(g) AUTHORIZATION OF APPROPRIATIONS.—To
18 carry out this section, there are authorized to be appro-
19 priated—

20 “(1) such sums as are necessary for fiscal year
21 2013; and

22 “(2) \$1,500,000 for each of fiscal years 2014
23 through 2018.”.

1 **Subtitle C—Reauthorization of**
2 **Other Forestry-Related Laws**

3 **SEC. 7201. RURAL REVITALIZATION TECHNOLOGIES.**

4 Section 2371(d)(2) of the Food, Agriculture, Con-
5 servation, and Trade Act of 1990 (7 U.S.C. 6601(d)(2))
6 is amended by striking “2012” and inserting “2018”.

7 **SEC. 7202. OFFICE OF INTERNATIONAL FORESTRY.**

8 Subsection (d) of section 2405 of the Global Climate
9 Change Prevention Act of 1990 (7 U.S.C. 6704) is amend-
10 ed to read as follows:

11 “(d) AUTHORIZATION OF APPROPRIATIONS.—To
12 carry out this section, there are authorized to be appro-
13 priated—

14 “(1) such sums as are necessary for each of fis-
15 cal years 1996 through 2013; and

16 “(2) \$6,000,000 for each of fiscal years 2014
17 through 2018.”.

18 **SEC. 7203. CHANGE IN FUNDING SOURCE FOR HEALTHY**
19 **FORESTS RESERVE PROGRAM.**

20 Section 508 of the Healthy Forests Restoration Act
21 of 2003 (16 U.S.C. 6578) is amended—

22 (1) in subsection (a), by striking “IN GEN-
23 ERAL” and inserting “FISCAL YEARS 2009
24 THROUGH 2013”;

1 (2) by redesignating subsection (b) as sub-
2 section (d); and

3 (3) by inserting after subsection (a) the fol-
4 lowing new subsections:

5 “(b) FISCAL YEARS 2014 THROUGH 2018.—There is
6 authorized to be appropriated to the Secretary of Agri-
7 culture to carry out this section \$9,750,000 for each of
8 fiscal years 2014 through 2018.

9 “(c) ADDITIONAL SOURCE OF FUNDS.—In addition
10 to funds appropriated pursuant to the authorization of ap-
11 propriations in subsection (b) for a fiscal year, the Sec-
12 retary may use such amount of the funds appropriated
13 for that fiscal year to carry out the Soil Conservation and
14 Domestic Allotment Act (16 U.S.C. 590a et seq.) as the
15 Secretary determines necessary to cover the cost of tech-
16 nical assistance, management, and enforcement respon-
17 sibilities for land enrolled in the healthy forests reserve
18 program pursuant to subsections (a) and (b) of section
19 504.”.

20 **SEC. 7204. STEWARDSHIP END RESULT CONTRACTING**
21 **PROJECT AUTHORITY.**

22 Section 347 of the Department of the Interior and
23 Related Agencies Appropriations Act, 1999 (as contained
24 in section 101(e) of division A of Public Law 105–277;
25 16 U.S.C. 2104 note) is amended—

1 (1) in subsection (a), by striking “2013” and
2 inserting “2018”; and

3 (2) in subsection (c), by adding at the end the
4 following new paragraphs:

5 “(6) CONTRACT FOR SALE OF PROPERTY.—At
6 the discretion of the Secretary of Agriculture, a con-
7 tract entered into by the Forest Service under this
8 section may be considered a contract for the sale of
9 property under such terms as the Secretary may
10 prescribe without regard to any other provision of
11 law.

12 “(7) FIRE LIABILITY PROVISIONS.—Not later
13 than 90 days after the date of enactment of this
14 paragraph, the Chief and the Director shall issue for
15 use in all contracts and agreements under this sec-
16 tion fire liability provisions that are in substantially
17 the same form as the fire liability provisions con-
18 tained in—

19 “(A) integrated resource timber contracts,
20 as described in the Forest Service contract
21 numbered 2400–13, part H, section H.4; and

22 “(B) timber sale contracts conducted pur-
23 suant to section 14 of the National Forest
24 Management Act of 1976 (16 U.S.C. 472a).”.

1 **Subtitle D—National Forest**
2 **Critical Area Response**

3 **SEC. 7301. DEFINITIONS.**

4 In this title:

5 (1) **CRITICAL AREA.**—The term “critical area”
6 means an area of the National Forest System des-
7 ignated by the Secretary under section 7302.

8 (2) **NATIONAL FOREST SYSTEM.**—The term
9 “National Forest System” has the meaning given
10 that term in section 11(a) of the Forest and Range-
11 land Renewable Resources Planning Act of 1974 (16
12 U.S.C. 1609(a)).

13 (3) **SECRETARY.**—The term “Secretary” means
14 the Secretary of Agriculture.

15 **SEC. 7302. DESIGNATION OF CRITICAL AREAS.**

16 (a) **DESIGNATION REQUIREMENTS.**—The Secretary
17 of Agriculture shall designate critical areas within the Na-
18 tional Forest System for the purposes of addressing—

19 (1) deteriorating forest health conditions in ex-
20 istence as of the date of the enactment of this Act
21 due to insect infestation, drought, disease, or storm
22 damage; and

23 (2) the future risk of insect infestations or dis-
24 ease outbreaks through preventative treatments.

1 (b) DESIGNATION METHOD.—In considering Na-
2 tional Forest System land for designation as a critical
3 area, the Secretary shall use—

4 (1) for purposes of subsection (a)(1), the most
5 recent annual forest health aerial surveys of mor-
6 tality and defoliation; and

7 (2) for purposes of subsection (a)(2), the Na-
8 tional Insect and Disease Risk Map.

9 (c) TIME FOR INITIAL DESIGNATIONS.—The first
10 critical areas shall be designated by the Secretary not later
11 than 60 days after the date of the enactment of this Act.

12 (d) DURATION OF DESIGNATION.—The designation
13 of a critical area shall expire not later than 10 years after
14 the date of the designation.

15 **SEC. 7303. APPLICATION OF EXPEDITED PROCEDURES AND**
16 **ACTIVITIES OF THE HEALTHY FORESTS RES-**
17 **TORATION ACT OF 2003 TO CRITICAL AREAS.**

18 (a) APPLICABILITY.—Subject to subsections (b)
19 through (e), title I of the Healthy Forests Restoration Act
20 of 2003 (16 U.S.C. 6511 et seq.) (including the environ-
21 mental analysis requirements of section 104 of that Act
22 (16 U.S.C. 6514), the special administrative review proc-
23 ess under section 105 of that Act (16 U.S.C. 6515), and
24 the judicial review process under section 106 of that Act

1 (16 U.S.C. 6516)), shall apply to all Forest Service
2 projects and activities carried out in a critical area.

3 (b) APPLICATION OF OTHER LAW.—Section 322 of
4 Public Law 102–381 (16 U.S.C. 1612 note; 106 Stat.
5 1419) shall not apply to projects conducted in accordance
6 with this section.

7 (c) REQUIRED MODIFICATIONS.—In applying title I
8 of the Healthy Forests Restoration Act of 2003 (16
9 U.S.C. 6511 et seq.) to Forest Service projects and activi-
10 ties in a critical area, the Secretary shall make the fol-
11 lowing modifications:

12 (1) The authority shall apply to the entire crit-
13 ical area, including land that is outside of a
14 wildland-urban interface area or that does not sat-
15 isfy any of the other eligibility criteria specified in
16 section 102(a) of that Act (16 U.S.C. 6512(a)).

17 (2) All projects and activities of the Forest
18 Service, including necessary connected actions (as
19 described in section 1508.25(a)(1) of title 40, Code
20 of Federal Regulations (or a successor regulation)),
21 shall be considered to be authorized hazardous fuel
22 reduction projects for purposes of applying the title.

23 (d) SMALLER PROJECTS.—

24 (1) IN GENERAL.—Except as provided in para-
25 graph (2), a project conducted in a critical area in

1 accordance with this section that comprises less than
2 10,000 acres shall be—

3 (A) considered an action categorically ex-
4 cluded from the requirements for an environ-
5 mental assessment or an environmental impact
6 statement under section 1508.4 of title 40,
7 Code of Federal Regulations (or a successor
8 regulation); and

9 (B) exempt from the special administrative
10 review process under section 105 of the Healthy
11 Forests Restoration Act of 2003 (16 U.S.C.
12 6515).

13 (2) EXCLUSION OF CERTAIN AREAS.—Para-
14 graph (1) does not apply to—

15 (A) a component of the National Wilder-
16 ness Preservation System;

17 (B) any Federal land on which, by Act of
18 Congress or Presidential proclamation, the re-
19 moval of vegetation is restricted or prohibited;

20 (C) a congressionally designated wilderness
21 study area; or

22 (D) an area in which activities under para-
23 graph (1) would be inconsistent with the appli-
24 cable land and resource management plan.

1 (e) FOREST MANAGEMENT PLANS.—All projects and
2 activities carried out in a critical area pursuant to this
3 subtitle shall be consistent with the land and resource
4 management plan established under section 6 of the For-
5 est and Rangeland Renewable Resources Planning Act of
6 1974 (16 U.S.C. 1604) for the unit of the National Forest
7 System containing the critical area.

8 **SEC. 7304. GOOD NEIGHBOR AUTHORITY.**

9 (a) DEFINITIONS.—In this section:

10 (1) ELIGIBLE STATE.—The term “eligible
11 State” means a State that contains National Forest
12 System land.

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

15 (3) STATE FORESTER.—The term “State for-
16 ester” means the head of a State agency with juris-
17 diction over State forestry programs in an eligible
18 State.

19 (b) COOPERATIVE AGREEMENTS AND CONTRACTS.—

20 (1) IN GENERAL.—The Secretary may enter
21 into a cooperative agreement or contract (including
22 a sole source contract) with a State forester to au-
23 thorize the State forester to provide the forest,
24 rangeland, and watershed restoration, management,

1 and protection services described in paragraph (2)
2 on National Forest System land in the eligible State.

3 (2) AUTHORIZED SERVICES.—The forest,
4 rangeland, and watershed restoration, management,
5 and protection services referred to in paragraph (1)
6 include the conduct of—

7 (A) activities to treat insect infected for-
8 ests;

9 (B) activities to reduce hazardous fuels;

10 (C) activities involving commercial har-
11 vesting or other mechanical vegetative treat-
12 ments; or

13 (D) any other activities to restore or im-
14 prove forest, rangeland, and watershed health,
15 including fish and wildlife habitat.

16 (3) STATE AS AGENT.—Except as provided in
17 paragraph (6), a cooperative agreement or contract
18 entered into under paragraph (1) may authorize the
19 State forester to serve as the agent for the Secretary
20 in providing the restoration, management, and pro-
21 tection services authorized under that paragraph.

22 (4) SUBCONTRACTS.—In accordance with appli-
23 cable contract procedures for the eligible State, a
24 State forester may enter into subcontracts to provide
25 the restoration, management, and protection services

1 authorized under a cooperative agreement or con-
2 tract entered into under paragraph (1).

3 (5) TIMBER SALES.—Subsections (d) and (g) of
4 section 14 of the National Forest Management Act
5 of 1976 (16 U.S.C. 472a) shall not apply to services
6 performed under a cooperative agreement or con-
7 tract entered into under paragraph (1).

8 (6) RETENTION OF NEPA RESPONSIBILITIES.—
9 Any decision required to be made under the Na-
10 tional Environmental Policy Act of 1969 (42 U.S.C.
11 4321 et seq.) with respect to any restoration, man-
12 agement, and protection services to be provided
13 under this section by a State forester on National
14 Forest System land shall not be delegated to a State
15 forester or any other officer or employee of the eligi-
16 ble State.

17 (7) APPLICABLE LAW.—The restoration, man-
18 agement, and protection services to be provided
19 under this section shall be carried out on a project-
20 to-project basis under existing authorities of the
21 Forest Service.

1 **Subtitle E—Miscellaneous**
2 **Provisions**

3 **SEC. 7401. REVISION OF STRATEGIC PLAN FOR FOREST IN-**
4 **VENTORY AND ANALYSIS.**

5 (a) REVISION REQUIRED.—Not later than 180 days
6 after the date of the enactment of this Act, the Secretary
7 of Agriculture shall revise the strategic plan for forest in-
8 ventory and analysis initially prepared pursuant to section
9 3(e) of the Forest and Rangeland Renewable Resources
10 Research Act of 1978 (16 U.S.C. 1642(e)) to address the
11 requirements imposed by subsection (b).

12 (b) ELEMENTS OF REVISED STRATEGIC PLAN.—In
13 revising the strategic plan, the Secretary of Agriculture
14 shall describe in detail the organization, procedures, and
15 funding needed to achieve each of the following:

16 (1) Complete the transition to a fully
17 annualized forest inventory program and include in-
18 ventory and analysis of interior Alaska.

19 (2) Implement an annualized inventory of trees
20 in urban settings, including the status and trends of
21 trees and forests, and assessments of their eco-
22 system services, values, health, and risk to pests and
23 diseases.

24 (3) Report information on renewable biomass
25 supplies and carbon stocks at the local, State, re-

1 regional, and national level, including by ownership
2 type.

3 (4) Engage State foresters and other users of
4 information from the forest inventory and analysis
5 in reevaluating the list of core data variables col-
6 lected on forest inventory and analysis plots with an
7 emphasis on demonstrated need.

8 (5) Improve the timeliness of the timber prod-
9 uct output program and accessibility of the
10 annualized information on that database.

11 (6) Foster greater cooperation among the forest
12 inventory and analysis program, research station
13 leaders, and State foresters and other users of infor-
14 mation from the forest inventory and analysis.

15 (7) Promote availability of and access to non-
16 Federal resources to improve information analysis
17 and information management.

18 (8) Collaborate with the Natural Resources
19 Conservation Service, National Aeronautics and
20 Space Administration, National Oceanic and Atmos-
21 pheric Administration, and United States Geological
22 Survey to integrate remote sensing, spatial analysis
23 techniques, and other new technologies in the forest
24 inventory and analysis program.

1 (9) Understand and report on changes in land
2 cover and use.

3 (10) Expand existing programs to promote sus-
4 tainable forest stewardship through increased under-
5 standing, in partnership with other Federal agencies,
6 of the over 10 million family forest owners, their de-
7 mographics, and the barriers to forest stewardship.

8 (11) Implement procedures to improve the sta-
9 tistical precision of estimates at the sub-State level.

10 (c) SUBMISSION OF REVISED STRATEGIC PLAN.—

11 The Secretary of Agriculture shall submit the revised stra-
12 tegic plan to the Committee on Agriculture of the House
13 of Representatives and the Committee on Agriculture, Nu-
14 trition, and Forestry of the Senate.

15 **SEC. 7402. FOREST SERVICE PARTICIPATION IN ACES PRO-**
16 **GRAM.**

17 The Secretary of Agriculture, acting through the
18 Chief of the Forest Service, may use funds derived from
19 conservation-related programs executed on National For-
20 est System lands to utilize the Agriculture Conservation
21 Experienced Services Program established pursuant to
22 section 1252 of the Food Security Act of 1985 (16 U.S.C.
23 3851) to provide technical services for conservation-re-
24 lated programs and authorities carried out by the Sec-
25 retary on National Forest System lands.

1 **SEC. 7403. GREEN SCIENCE AND TECHNOLOGY TRANSFER**
2 **RESEARCH UNDER FOREST AND RANGELAND**
3 **RENEWABLE RESOURCES RESEARCH ACT OF**
4 **1978.**

5 (a) **ADDITIONAL FORESTRY AND RANGELAND RE-**
6 **SEARCH AND EDUCATION HIGH PRIORITY.**—Section
7 3(d)(2) of the Forest and Rangeland Renewable Resources
8 Research Act of 1978 (16 U.S.C. 1642(d)(2)) is amended
9 by adding at the end the following new subparagraph:

10 “(F) Science and technology transfer,
11 through the Forest Products Laboratory, to
12 demonstrate the beneficial characteristics of
13 wood as a green building material, including in-
14 vestments in life cycle assessment for wood
15 products.”.

16 (b) **RESEARCH FACILITIES AND COOPERATION.**—
17 Section 4 of the Forest and Rangeland Renewable Re-
18 sources Research Act of 1978 (16 U.S.C. 1643) is amend-
19 ed by adding at the end the following new subsection:

20 “(e) The Secretary shall submit to the Committee on
21 Agriculture of the House of Representatives and the Com-
22 mittee on Agriculture, Nutrition, and Forestry of the Sen-
23 ate an annual report describing, for the period covered by
24 the report—

1 “(1) the research conducted in furtherance of
2 the research and education priority specified in sec-
3 tion 3(d)(2)(F);

4 “(2) the number of buildings the Forest Service
5 has built with wood as the primary structural mate-
6 rial; and

7 “(3) the investments made by the Forest Serv-
8 ice in green building wood promotion.”.

9 **SEC. 7404. EXTENSION OF STEWARDSHIP CONTRACTS AU-**
10 **THORITY REGARDING USE OF DESIGNATION**
11 **BY PRESCRIPTION TO ALL THINNING SALES**
12 **UNDER NATIONAL FOREST MANAGEMENT**
13 **ACT OF 1976.**

14 Subsection (g) of section 14 of the National Forest
15 Management Act of 1976 (16 U.S.C. 472a) is amended
16 to read as follows:

17 “(g) Designation, including but not limited to, mark-
18 ing when necessary, designation by description, or des-
19 ignation by prescription, and supervision of harvesting of
20 trees, portions of trees, or forest products shall be con-
21 ducted by persons employed by the Secretary of Agri-
22 culture. Such persons shall have no personal interest in
23 the purchase or harvest of such products and shall not
24 be directly or indirectly in the employment of the pur-
25 chaser thereof. Designation by prescription and designa-

1 tion by prescription shall be considered valid methods for
2 designation, and may be supervised by use of post-harvest
3 cruise, sample weight scaling, or other methods deter-
4 mined by the Secretary to be appropriate.”.

5 **SEC. 7405. REIMBURSEMENT OF FIRE FUNDS EXPENDED BY**
6 **A STATE FOR MANAGEMENT AND SUPPRES-**
7 **SION OF CERTAIN WILDFIRES.**

8 (a) DEFINITION OF STATE.—In this section, the term
9 “State” includes the Commonwealth of Puerto Rico.

10 (b) REIMBURSEMENT AUTHORITY.—If a State seeks
11 reimbursement for amounts expended for resources and
12 services provided to another State for the management
13 and suppression of a wildfire, the Secretary of Agriculture,
14 subject to subsections (c) and (d)—

15 (1) may accept the reimbursement amounts
16 from the other State; and

17 (2) shall pay those amounts to the State seek-
18 ing reimbursement.

19 (c) MUTUAL ASSISTANCE AGREEMENT.—As a condi-
20 tion of seeking and providing reimbursement under sub-
21 section (b), the State seeking reimbursement and the
22 State providing reimbursement must each have a mutual
23 assistance agreement with the Forest Service or an agency
24 of the Department of the Interior for providing and receiv-

1 ing wildfire management and suppression resources and
2 services.

3 (d) TERMS AND CONDITIONS.—The Secretary of Ag-
4 riculture may prescribe the terms and conditions deter-
5 mined to be necessary to carry out subsection (b).

6 (e) EFFECT ON PRIOR REIMBURSEMENTS.—Any ac-
7 ceptance of funds or reimbursements made by the Sec-
8 retary of Agriculture before the date of enactment of this
9 Act that otherwise would have been authorized under this
10 section shall be considered to have been made in accord-
11 ance with this section.

12 **SEC. 7406. ABILITY OF NATIONAL FOREST SYSTEM LANDS**
13 **TO MEET NEEDS OF LOCAL WOOD PRO-**
14 **DUCING FACILITIES FOR RAW MATERIALS.**

15 Not later than one year after the date of the enact-
16 ment of this Act, the Secretary of Agriculture shall submit
17 to Congress a report containing—

18 (1) an assessment of the raw material needs of
19 wood producing facilities located within the bound-
20 aries of each unit of the National Forest System or
21 located outside of the unit, but within 100 miles of
22 such boundaries;

23 (2) the volume of timber which would be avail-
24 able if the unit of the National Forest System annu-

1 ally sold its Allowable Sale Quantity in the current
2 Forest Plan;

3 (3) the volume of timber actually sold and har-
4 vested from each unit of the National Forest System
5 for the previous decade;

6 (4) a comparison of the volume actually sold
7 and harvested from the previous decade to the Al-
8 lowable Sale Quantity calculated in that decade by
9 preceding or current forest plans; and

10 (5) an assessment of the ability of each unit of
11 National Forest System to meet the needs of these
12 facilities for raw materials.

13 **SEC. 7407. REPORT ON THE NATIONAL FOREST SYSTEM**
14 **ROADS.**

15 Not later than 90 days after the date of the enact-
16 ment of this Act, the Secretary shall submit to Congress
17 a report on the following:

18 (1) The total mileage of National Forest Sys-
19 tem roads and trails not meeting forest plan stand-
20 ards and guidelines.

21 (2) The total amount, in dollars, of Capital Im-
22 provement & Maintenance deferred maintenance
23 needs for National Forest System roads, including a
24 five-year analysis in the trend in total deferred
25 maintenance costs.

1 (3) The sources of funds used for capital im-
2 provement & maintenance roads, including appro-
3 priated funds, mandatory funds, and receipts from
4 activities on National Forest System lands.

5 (4) The impact of road closures on recreational
6 activities and timber harvesting.

7 (5) The impact on land acquisitions, whether
8 through fee acquisition, donation, or easement, on
9 the maintenance backlog.

10 **SEC. 7408. FOREST SERVICE LARGE AIRTANKER AND AER-**
11 **IAL ASSET FIREFIGHTING RECAPITALIZA-**
12 **TION PILOT PROGRAM.**

13 (a) **IN GENERAL.**—Subject to the availability of ap-
14 propriations, the Secretary, acting through the Chief of
15 the Forest Service, may establish a large airtanker and
16 aerial asset lease program in accordance with this section.

17 (b) **AIRCRAFT REQUIREMENTS.**—In carrying out the
18 program described in subsection (a), the Secretary may
19 enter into a multiyear lease contract for up to five aircraft
20 that meet the criteria—

21 (1) described in the Forest Service document
22 entitled “Large Airtanker Modernization Strategy”
23 and dated February 10, 2012, for large airtankers;
24 and

1 (1) FAIR MARKET VALUE.—As consideration for
2 the land conveyed under subsection (a), the Associa-
3 tion shall pay to the Secretary cash in an amount
4 equal to the market value of the land, as determined
5 by an appraisal approved by the Secretary and con-
6 ducted in conformity with the Uniform Appraisal
7 Standards for Federal Land Acquisitions and section
8 206 of the Federal Land Policy and Management
9 Act of 1976 (43 U.S.C. 1716).

10 (2) DEPOSIT.—The consideration received by
11 the Secretary under paragraph (1) shall be deposited
12 into the general fund of the Treasury of the United
13 States for the purposes of deficit reduction.

14 (c) DESCRIPTION OF PROPERTY.—The exact acreage
15 and legal description of the land to be conveyed under sub-
16 section (a) shall be determined by a survey satisfactory
17 to the Secretary.

18 (d) COSTS.—The Association shall pay to the Sec-
19 retary at closing the reasonable costs of the survey, the
20 appraisal, and any administrative and environmental anal-
21 yses required by law.

22 (e) DEFINITIONS.—In this section:

23 (1) ASSOCIATION.—The term “Association”
24 means the Mullins and Sturgill Cemetery Associa-
25 tion of Pound, Virginia.

1 (2) MAP.—The term “map” means the map ti-
2 tled “Mullins and Sturgill Cemetery” dated March
3 1, 2013.

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

6 (f) ADDITIONAL TERMS AND CONDITIONS.— The
7 Secretary may require such additional terms and condi-
8 tions in connection with the conveyance under subsection
9 (a) as the Secretary considers appropriate to protect the
10 interests of the United States.

11 **SEC. 7410. CATEGORICAL EXCLUSION FOR FOREST**
12 **PROJECTS IN RESPONSE TO EMERGENCIES.**

13 In the case of National Forest System land damaged
14 by a natural disaster regarding which the President de-
15 clares a disaster or emergency pursuant to the Robert T.
16 Stafford Disaster Relief and Emergency Assistance Act
17 (42 U.S.C. 5121 et seq.), any forest project carried out
18 to clean up or restore the damaged National Forest Sys-
19 tem land during the two-year period beginning on the date
20 of the declaration shall be categorically excluded from the
21 requirements relating to environmental assessments or en-
22 vironmental impact statements under section 1508.4 of
23 title 40, Code of Federal Regulations.

TITLE VIII—ENERGY**SEC. 8001. DEFINITION OF RENEWABLE ENERGY SYSTEM.**

Section 9001 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8101) is amended by—

(1) striking paragraph (4) and inserting the following new paragraph:

“(4) BIOBASED PRODUCT.—

“(A) IN GENERAL.—The term ‘biobased product’ means a product determined by the Secretary to be a commercial or industrial product (other than food or feed) that is—

“(i) composed, in whole or in significant part, of biological products, including renewable domestic agricultural materials and forestry materials; or

“(ii) an intermediate ingredient or feedstock.

“(B) INCLUSION.—The term ‘biobased product’, 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.”;

1 (2) redesignating paragraphs (9), (10), (11),
2 (12), (13), and (14) as paragraphs (10), (11), (12),
3 (13), (14), and (16);

4 (3) inserting after paragraph (8), the following
5 new paragraph:

6 “(9) FOREST PRODUCT.—

7 “(A) IN GENERAL.—The term ‘forest prod-
8 uct’ means a product made from materials de-
9 rived from the practice of forestry or the man-
10 agement of growing timber.

11 “(B) INCLUSIONS.—The term ‘forest prod-
12 uct’ includes—

13 “(i) pulp, paper, paperboard, pellets,
14 lumber, and other wood products; and

15 “(ii) any recycled products derived
16 from forest materials.”; and

17 (4) inserting after paragraph (14) (as so redesi-
18 gnated), the following new paragraph:

19 “(15) RENEWABLE ENERGY SYSTEM.—

20 “(A) IN GENERAL.—Subject to subpara-
21 graph (B), the term ‘renewable energy system’
22 means a system that—

23 “(i) produces usable energy from a re-
24 newable energy source; and

1 “(ii) may include distribution compo-
2 nents necessary to move energy produced
3 by such system to the initial point of sale.

4 “(B) LIMITATION.—A system described in
5 subparagraph (A) may not include a mechanism
6 for dispensing energy at retail.”.

7 **SEC. 8002. BIOBASED MARKETS PROGRAM.**

8 Section 9002(h) of the Farm Security and Rural In-
9 vestment Act of 2002 (7 U.S.C. 8102(h)) is amended by—

10 (1) striking “(h) FUNDING.—” and all that fol-
11 lows through “to carry out this section, there” and
12 inserting “(h) FUNDING.—There”; and

13 (2) striking “2013” and inserting “2018”.

14 **SEC. 8003. BIOREFINERY ASSISTANCE.**

15 (a) PROGRAM ADJUSTMENTS.—Section 9003 of the
16 Farm Security and Rural Investment Act of 2002 (7
17 U.S.C. 8103) is amended—

18 (1) in subsection (c), by striking “to eligible en-
19 tities” and all that follows through “guarantees for
20 loans” and inserting “to eligible entities guarantees
21 for loans”;

22 (2) by striking subsection (d);

23 (3) by redesignating subsections (e), (f), (g),
24 and (h) as subsections (d), (e), (f), and (g), respec-
25 tively; and

1 (4) in subsection (d) (as so redesignated)—

2 (A) by striking “subsection (e)(2)” each
3 place it appears and inserting “subsection (e)”;
4 and

5 (B) in paragraph (2)(C), by striking “sub-
6 section (h)” and inserting “subsection (g)”.

7 (b) FUNDING.—Section 9003(g) of the Farm Secu-
8 rity and Rural Investment Act of 2002, as redesignated
9 by subsection (a)(3), is amended—

10 (1) by striking paragraph (1);

11 (2) by redesignating paragraph (2) as para-
12 graph (1);

13 (3) in paragraph (1) (as so redesignated)—

14 (A) in the heading, by striking “DISCRE-
15 TIONARY FUNDING” and inserting “FISCAL
16 YEARS 2009 THROUGH 2013”; and

17 (B) by striking “In addition to any other
18 funds made available to carry out this section,
19 there” and inserting “There”; and

20 (4) by adding at the end the following new
21 paragraph:

22 “(2) FISCAL YEARS 2014 THROUGH 2018.—
23 There are authorized to be appropriated to carry out
24 this section \$75,000,000 for each of fiscal years
25 2014 through 2018.”.

1 **SEC. 8004. REPOWERING ASSISTANCE PROGRAM.**

2 Section 9004(d) of the Farm Security and Rural In-
3 vestment Act of 2002 (7 U.S.C. 8104(d)) is amended—

4 (1) by striking paragraph (1);

5 (2) by redesignating paragraph (2) as para-
6 graph (1);

7 (3) in paragraph (1) (as so redesignated)—

8 (A) in the heading, by striking “DISCRE-
9 TIONARY FUNDING” and inserting “FISCAL
10 YEARS 2009 THROUGH 2013”; and

11 (B) by striking “In addition to any other
12 funds made available to carry out this section,
13 there” and inserting “There”; and

14 (4) by adding at the end the following new
15 paragraph:

16 “(2) FISCAL YEARS 2014 THROUGH 2018.—
17 There are authorized to be appropriated to carry out
18 this section \$10,000,000 for each of fiscal years
19 2014 through 2018.”.

20 **SEC. 8005. BIOENERGY PROGRAM FOR ADVANCED**
21 **BIOFUELS.**

22 Section 9005(g) of the Farm Security and Rural In-
23 vestment Act of 2002 (7 U.S.C. 8105(c)) is amended—

24 (1) by striking paragraph (1);

25 (2) by redesignating paragraph (2) as para-
26 graph (1);

1 (3) in paragraph (1) (as so redesignated)—

2 (A) in the heading, by striking “DISCRE-
3 TIONARY FUNDING” and inserting “FISCAL
4 YEARS 2009 THROUGH 2013”; and

5 (B) by striking “In addition to any other
6 funds made available to carry out this section,
7 there” and inserting “There”; and

8 (4) by inserting after paragraph (1) (as so re-
9 designated) the following new paragraph:

10 “(2) FISCAL YEARS 2014 THROUGH 2018.—
11 There are authorized to be appropriated to carry out
12 this section \$50,000,000 for each of fiscal years
13 2014 through 2018.”.

14 **SEC. 8006. BIODIESEL FUEL EDUCATION PROGRAM.**

15 Section 9006(d) of the Farm Security and Rural In-
16 vestment Act of 2002 (7 U.S.C. 8106(d)) is amended—

17 (1) by striking paragraph (1);

18 (2) by redesignating paragraph (2) as para-
19 graph (1);

20 (3) in the heading of paragraph (1) (as so re-
21 designated), by striking “AUTHORIZATION OF AP-
22 PROPRIATIONS” and inserting “FISCAL YEAR 2013”;
23 and

24 (4) by adding at the end the following new
25 paragraph:

1 “(2) FISCAL YEARS 2014 THROUGH 2018.—
2 There are authorized to be appropriated to carry out
3 this section \$2,000,000 for each of fiscal years 2014
4 through 2018.”.

5 **SEC. 8007. RURAL ENERGY FOR AMERICA PROGRAM.**

6 (a) TIERED APPLICATION PROCESS.—Section
7 9007(c) of the Farm Security and Rural Investment Act
8 of 2002 (7 U.S.C. 8107(c)) is amended—

9 (1) by redesignating paragraphs (2) and (3) as
10 paragraphs (3) and (4), respectively; and

11 (2) by inserting after paragraph (1) the fol-
12 lowing new paragraph:

13 “(2) TIERED APPLICATION PROCESS.—In car-
14 rying out this subsection, the Secretary shall estab-
15 lish a three-tiered application, evaluation, and over-
16 sight process that varies based on the cost of the
17 proposed project with the process most simplified for
18 projects referred to in subparagraph (A), more com-
19 prehensive for projects referred to in subparagraph
20 (B), and most comprehensive for projects referred to
21 in subparagraph (C). The three tiers for such proc-
22 ess shall be as follows:

23 “(A) TIER 1.—Projects for which the cost
24 of the project funded under this subsection is
25 not more than \$80,000.

1 “(B) TIER 2.—Projects for which the cost
2 of the project funded under this subsection is
3 more than \$80,000 but less than \$200,000.

4 “(C) TIER 3.—Projects for which the cost
5 of the project funded under this subsection is
6 \$200,000 or more.”.

7 (b) FUNDING.—Section 9007(g) of the Farm Secu-
8 rity and Rural Investment Act of 2002 (7 U.S.C. 8107(g))
9 is amended—

10 (1) by striking paragraphs (1) and (2);

11 (2) by redesignating paragraph (3) as para-
12 graph (1);

13 (3) in paragraph (1) (as so redesignated)—

14 (A) in the heading, by striking “DISCRE-
15 TIONARY FUNDING” and inserting “FISCAL
16 YEARS 2009 THROUGH 2013”; and

17 (B) by striking “In addition to any other
18 funds made available to carry out this section,
19 there” and inserting “There”; and

20 (4) by adding at the end the following new
21 paragraph:

22 “(2) FISCAL YEARS 2014 THROUGH 2018.—
23 There are authorized to be appropriated to carry out
24 this section \$45,000,000 for each of fiscal years
25 2014 through 2018.”.

1 **SEC. 8008. BIOMASS RESEARCH AND DEVELOPMENT.**

2 Section 9008(h) of the Farm Security and Rural In-
3 vestment Act of 2002 (7 U.S.C. 8108(h)) is amended—

4 (1) by striking paragraph (1);

5 (2) by redesignating paragraph (2) as para-
6 graph (1);

7 (3) in paragraph (1) (as so redesignated)—

8 (A) in the heading, by striking “DISCRE-
9 TIONARY FUNDING” and inserting “FISCAL
10 YEARS 2009 THROUGH 2013”; and

11 (B) by striking “In addition to any other
12 funds made available to carry out this section,
13 there” and inserting “There”; and

14 (4) by adding at the end the following new
15 paragraph:

16 “(2) FISCAL YEARS 2014 THROUGH 2018.—
17 There are authorized to be appropriated to carry out
18 this section \$20,000,000 for each of fiscal years
19 2014 through 2018.”.

20 **SEC. 8009. FEEDSTOCK FLEXIBILITY PROGRAM FOR BIO-
21 ENERGY PRODUCERS.**

22 Section 9010(b) of the Farm Security and Rural In-
23 vestment Act of 2002 (7 U.S.C. 8110(b)) is amended—

24 (1) in paragraph (1)(A), by striking “2013”
25 and inserting “2018”; and

1 (2) in paragraph (2)(A), by striking “2013”
2 and inserting “2018”.

3 **SEC. 8010. BIOMASS CROP ASSISTANCE PROGRAM.**

4 Section 9011 of the Farm Security and Rural Invest-
5 ment Act of 2002 (7 U.S.C. 8111) is amended—

6 (1) in subsection (a)—

7 (A) by striking paragraph (6); and

8 (B) by redesignating paragraphs (7) and
9 (8) as paragraphs (6) and (7), respectively;

10 (2) in subsection (b)—

11 (A) by striking “Program to” and all that
12 follows through “support the establishment”
13 and inserting “Program to support the estab-
14 lishment”;

15 (B) by striking “; and” and inserting a pe-
16 riod; and

17 (C) by striking paragraph (2);

18 (3) in subsection (c)—

19 (A) in paragraph (2)(B)—

20 (i) in clause (viii), by striking “; and”
21 and inserting a semicolon;

22 (ii) by redesignating clause (ix) as
23 clause (x); and

24 (iii) by inserting after clause (viii) the
25 following new clause:

- 1 “(ix) existing project areas that have
2 received funding under this section and the
3 continuation of funding of such project
4 areas to advance the maturity of such
5 project areas; and”;
- 6 (B) in paragraph (5)(C)(ii)—
- 7 (i) by striking subclause (III); and
- 8 (ii) by redesignating subclauses (IV)
9 and (V) as subclauses (III) and (IV), re-
10 spectively;
- 11 (4) by striking subsection (d);
- 12 (5) by redesignating subsections (e) and (f) as
13 subsections (d) and (e), respectively; and
- 14 (6) in subsection (e) (as so redesignated)—
- 15 (A) by striking paragraph (1);
- 16 (B) by redesignating paragraph (2) as
17 paragraph (1);
- 18 (C) in paragraph (1) (as so redesign-
19 ated)—
- 20 (i) by striking “FISCAL YEAR 2013”
21 and all that follows through “There is au-
22 thorized” and inserting “FISCAL YEAR
23 2013.—There is authorized”; and
- 24 (ii) by redesignating subparagraph
25 (B) as paragraph (3) and moving the mar-

1 gin of such paragraph (as so redesignated)
2 two ems to the left;

3 (D) by inserting after paragraph (1), the
4 following new paragraph:

5 “(2) FISCAL YEARS 2014 THROUGH 2018.—
6 There are authorized to be appropriated to carry out
7 this section \$75,000,000 for each of fiscal years
8 2014 through 2018.”; and

9 (E) in paragraph (3) (as redesignated by
10 subparagraph (C)(ii) of this paragraph), by
11 striking “this paragraph” and inserting “this
12 subsection”.

13 **SEC. 8011. COMMUNITY WOOD ENERGY PROGRAM.**

14 Section 9013(e) of the Farm Security and Rural In-
15 vestment Act of 2002 (7 U.S.C. 8113(e)) is amended by
16 striking “carry out this section” and all that follows and
17 inserting the following: “carry out this section—

18 “(1) \$5,000,000 for each of fiscal years 2009
19 through 2013; and

20 “(2) \$2,000,000 for each of fiscal years 2014
21 through 2018.”.

22 **SEC. 8012. REPEAL OF BIOFUELS INFRASTRUCTURE STUDY.**

23 Section 9002 of the Food, Conservation, and Energy
24 Act of 2008 (Public Law 110–246; 122 Stat. 2095) is re-
25 pealed.

1 **SEC. 8013. REPEAL OF RENEWABLE FERTILIZER STUDY.**

2 Section 9003 of the Food, Conservation, and Energy
3 Act of 2008 (Public Law 110–246; 122 Stat. 2096) is re-
4 pealed.

5 **SEC. 8014. ENERGY EFFICIENCY REPORT FOR USDA FACILI-**
6 **TIES.**

7 (a) REPORT.—Not later than 180 days after the date
8 of the enactment of this Act, the Secretary of Agriculture
9 shall submit to the Committee on Agriculture of the House
10 of Representatives and the Committee on Agriculture, Nu-
11 trition, and Forestry of the Senate a report on energy use
12 and energy efficiency projects at Department of Agri-
13 culture facilities.

14 (b) CONTENTS.—The report required by subsection
15 (a) shall include the following:

16 (1) An analysis of energy use by Department of
17 Agriculture facilities.

18 (2) A list of energy audits that have been con-
19 ducted at such facilities.

20 (3) A list of energy efficiency projects that have
21 been conducted at such facilities.

22 (4) A list of energy savings projects that could
23 be achieved with enacting a consistent, timely, and
24 proper mechanical insulation maintenance program
25 and upgrading mechanical insulation at such facili-
26 ties.

1 **TITLE IX—HORTICULTURE**

2 **SEC. 9001. SPECIALTY CROPS MARKET NEWS ALLOCATION.**

3 Section 10107(b) of the Food, Conservation, and En-
4 ergy Act of 2008 (7 U.S.C. 1622b(b)) is amended by strik-
5 ing “2012” and inserting “2018”.

6 **SEC. 9002. REPEAL OF GRANT PROGRAM TO IMPROVE**
7 **MOVEMENT OF SPECIALTY CROPS.**

8 Effective October 1, 2013, section 10403 of the Food,
9 Conservation, and Energy Act of 2008 (7 U.S.C. 1622e)
10 is repealed.

11 **SEC. 9003. FARMERS MARKET AND LOCAL FOOD PRO-**
12 **MOTION PROGRAM.**

13 Section 6 of the Farmer-to-Consumer Direct Mar-
14 keting Act of 1976 (7 U.S.C. 3005) is amended—

15 (1) in the heading of such section, by inserting
16 **“AND LOCAL FOOD”** after **“FARMERS’ MAR-**
17 **KET”**;

18 (2) in subsection (a)—

19 (A) by inserting “and Local Food” after
20 “Farmers’ Market”;

21 (B) by striking “farmers’ markets and to
22 promote”; and

23 (C) by striking the period and inserting
24 “and assist in the development of local food
25 business enterprises.”;

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

3 “(b) PROGRAM PURPOSES.—The purposes of the
4 Program are to increase domestic consumption of, and
5 consumer access to, locally and regionally produced agri-
6 cultural products by assisting in the development, im-
7 provement, and expansion of—

8 “(1) domestic farmers’ markets, roadside
9 stands, community-supported agriculture programs,
10 agritourism activities, and other direct producer-to-
11 consumer market opportunities; and

12 “(2) local and regional food business enter-
13 prises that process, distribute, aggregate, and store
14 locally or regionally produced food products.”;

15 (4) in subsection (c)(1)—

16 (A) by inserting “or other agricultural
17 business entity” after “cooperative”; and

18 (B) by inserting “, including a community
19 supported agriculture network or association”
20 after “association”;

21 (5) by redesignating subsection (e) as sub-
22 section (f);

23 (6) by inserting after subsection (d) the fol-
24 lowing new subsection:

1 “(e) FUNDS REQUIREMENTS FOR ELIGIBLE ENTI-
2 TIES.—

3 “(1) MATCHING FUNDS.—An entity receiving a
4 grant under this section for a project to carry out
5 a purpose described in subsection (b)(2) shall pro-
6 vide matching funds in the form of cash or an in-
7 kind contribution in an amount equal to 25 percent
8 of the total cost of such project.

9 “(2) LIMITATION ON USE OF FUNDS.—An eligi-
10 ble entity may not use a grant or other assistance
11 provided under this section for the purchase, con-
12 struction, or rehabilitation of a building or struc-
13 ture.”; and

14 (7) in subsection (f) (as redesignated by para-
15 graph (5))—

16 (A) in paragraph (1)—

17 (i) in subparagraph (B), by striking
18 “and” at the end;

19 (ii) in subparagraph (C), by striking
20 the period at the end and inserting “;
21 and”; and

22 (iii) by adding at the end the fol-
23 lowing new subparagraph:

24 “(D) \$30,000,000 for each of fiscal years
25 2014 through 2018.”;

1 (B) by striking paragraphs (3) and (5);

2 (C) by redesignating paragraph (4) as
3 paragraph (6); and

4 (D) by inserting after paragraph (2) the
5 following new paragraphs:

6 “(3) AUTHORIZATION OF APPROPRIATIONS.—

7 There are authorized to be appropriated to carry out
8 this section \$10,000,000 for each of fiscal years
9 2014 through 2018.

10 “(4) USE OF FUNDS.—Of the funds made avail-
11 able to carry out this section for a fiscal year, 50
12 percent of such funds shall be used for the purposes
13 described in paragraph (1) of subsection (b) and 50
14 percent of such funds shall be used for the purposes
15 described in paragraph (2) of such subsection.

16 “(5) LIMITATION ON ADMINISTRATIVE EX-
17 PENSES.—Not more than 3 percent of the total
18 amount made available to carry out this section for
19 a fiscal year may be used for administrative ex-
20 penses.”.

21 **SEC. 9004. ORGANIC AGRICULTURE.**

22 (a) ORGANIC PRODUCTION AND MARKET DATA INI-
23 TIATIVES.—Section 7407(d)(2) of the Farm Security and
24 Rural Investment Act of 2002 (7 U.S.C. 5925c(d)(2)) is
25 amended—

1 (1) in the heading of such paragraph, by strik-
2 ing “2008 THROUGH 2012” and inserting “2014
3 THROUGH 2018”; and

4 (2) by striking “2008 through 2012” and in-
5 serting “2014 through 2018”.

6 (b) MODERNIZATION AND TECHNOLOGY UPGRADE
7 FOR NATIONAL ORGANIC PROGRAM.—Section 2122 of the
8 Organic Foods Production Act of 1990 (7 U.S.C. 6521)
9 is amended by adding at the end the following new sub-
10 section:

11 “(c) MODERNIZATION AND TECHNOLOGY UPGRADE
12 FOR NATIONAL ORGANIC PROGRAM.—The Secretary shall
13 modernize database and technology systems of the na-
14 tional organic program.”.

15 (c) AUTHORIZATION OF APPROPRIATIONS FOR NA-
16 TIONAL ORGANIC PROGRAM.—Effective October 1, 2013,
17 section 2123(b)(6) of the Organic Foods Production Act
18 of 1990 (7 U.S.C. 6522(b)(6)) is amended to read as fol-
19 lows:

20 “(6) \$11,000,000 for each of fiscal years 2014
21 through 2018.”.

22 (d) NATIONAL ORGANIC CERTIFICATION COST-
23 SHARE PROGRAM.—Effective October 1, 2013, section
24 10606 of the Farm Security and Rural Investment Act
25 of 2002 (7 U.S.C. 6523) is repealed.

1 (e) EXEMPTION OF CERTIFIED ORGANIC PRODUCTS
2 FROM PROMOTION ORDER ASSESSMENTS.—Subsection
3 (e) of section 501 of the Federal Agriculture Improvement
4 and Reform Act of 1996 (7 U.S.C. 7401) is amended to
5 read as follows:

6 “(e) EXEMPTION OF CERTIFIED ORGANIC PRODUCTS
7 FROM PROMOTION ORDER ASSESSMENTS.—

8 “(1) IN GENERAL.—Notwithstanding any provi-
9 sion of a commodity promotion law, a person that
10 produces, handles, markets, or imports organic prod-
11 ucts may be exempt from the payment of an assess-
12 ment under a commodity promotion law with respect
13 to any agricultural commodity that is certified as
14 ‘organic’ or ‘100 percent organic’ (as defined in part
15 205 of title 7, Code of Federal Regulations or a suc-
16 cessor regulation).

17 “(2) SPLIT OPERATIONS.—The exemption de-
18 scribed in paragraph (1) shall apply to the certified
19 ‘organic’ or ‘100 percent organic’ (as defined in part
20 205 of title 7 of the Code of Federal Regulations (or
21 a successor regulation)) products of a producer, han-
22 dler, or marketer regardless of whether the agricul-
23 tural commodity subject to the exemption is pro-
24 duced, handled, or marketed by a person that also
25 produces, handles, or markets conventional or non-

1 organic agricultural products, including conventional
2 or nonorganic agricultural products of the same ag-
3 ricultural commodity as that for which the exemp-
4 tion is claimed.

5 “(3) APPROVAL.—The Secretary shall approve
6 the exemption of a person under this subsection if
7 the person maintains a valid organic certificate
8 issued under the Organic Foods Production Act of
9 1990 (7 U.S.C. 6501 et seq.).

10 “(4) TERMINATION OF EFFECTIVENESS.—This
11 subsection shall be effective until the date on which
12 the Secretary issues an organic commodity pro-
13 motion order in accordance with subsection (f).

14 “(5) REGULATIONS.—The Secretary shall pro-
15 mulgate regulations concerning eligibility and com-
16 pliance for an exemption under paragraph (1).”.

17 (f) ORGANIC COMMODITY PROMOTION ORDER.—Sec-
18 tion 501 of the Federal Agriculture Improvement and Re-
19 form Act of 1996 (7 U.S.C. 7401) is amended by adding
20 at the end the following new subsection:

21 “(f) ORGANIC COMMODITY PROMOTION ORDER.—

22 “(1) DEFINITIONS.—In this subsection:

23 “(A) CERTIFIED ORGANIC FARM.—The
24 term ‘certified organic farm’ has the meaning

1 given the term in section 2103 of the Organic
2 Foods Production Act of 1990 (7 U.S.C. 6502).

3 “(B) COVERED PERSON.—The term ‘cov-
4 ered person’ means a producer, handler, mar-
5 keter, or importer of an organic agricultural
6 commodity.

7 “(C) DUAL-COVERED AGRICULTURAL COM-
8 MODITY.—The term ‘dual-covered agricultural
9 commodity’ means an agricultural commodity
10 that—

11 “(i) is produced on a certified organic
12 farm; and

13 “(ii) is covered under both—

14 “(I) an organic commodity pro-
15 motion order issued pursuant to para-
16 graph (2); and

17 “(II) any other agricultural com-
18 modity promotion order issued under
19 section 514.

20 “(2) AUTHORIZATION.—The Secretary may
21 issue an organic commodity promotion order under
22 section 514 that includes any agricultural com-
23 modity that—

24 “(A) is produced or handled (as defined in
25 section 2103 of the Organic Foods Production

1 Act of 1990 (7 U.S.C. 6502)) and that is cer-
2 tified to be sold or labeled as ‘organic’ or ‘100
3 percent organic’ (as defined in part 205 of title
4 7, Code of Federal Regulations or a successor
5 regulation)); or

6 “(B) is imported with a valid organic cer-
7 tificate (as defined in such part).

8 “(3) ELECTION.—If the Secretary issues an or-
9 ganic commodity promotion order described in para-
10 graph (2), a covered person may elect, for applicable
11 dual-covered agricultural commodities and in the
12 sole discretion of the covered person, whether to be
13 assessed under the organic commodity promotion
14 order or another applicable agricultural commodity
15 promotion order.

16 “(4) REGULATIONS.—The Secretary shall pro-
17 mulgate regulations concerning eligibility and com-
18 pliance for an exemption under paragraph (1).”.

19 (g) DEFINITION OF AGRICULTURAL COMMODITY.—
20 Section 513(1) of the Commodity Promotion, Research,
21 and Information Act of 1996 (7 U.S.C. 7412(1)) is
22 amended—

23 (1) by redesignating subparagraphs (E) and
24 (F) as subparagraphs (F) and (G), respectively; and

1 (2) by inserting after subparagraph (D) the fol-
2 lowing new subparagraph:

3 “(E) products, as a class, that are pro-
4 duced on a certified organic farm (as defined in
5 section 2103 of the Organic Foods Production
6 Act of 1990 (7 U.S.C. 6502)) and that are cer-
7 tified to be sold or labeled as ‘organic’ or ‘100
8 percent organic’ (as defined in part 205 of title
9 7, Code of Federal Regulations or a successor
10 regulation);”.

11 **SEC. 9005. INVESTIGATIONS AND ENFORCEMENT OF THE**
12 **ORGANIC FOODS PRODUCTION ACT OF 1990.**

13 The Organic Foods Production Act of 1990 is amend-
14 ed by inserting after section 2122 (7 U.S.C. 6521) the
15 following new section:

16 **“SEC. 2122A. INVESTIGATION AND ENFORCEMENT.**

17 “(a) **EXPEDITED ADMINISTRATIVE HEARING.**—The
18 Secretary shall establish an expedited administrative hear-
19 ing procedure under which the Secretary may suspend or
20 revoke the organic certification of a producer or handler
21 or the accreditation of a certifying agent in accordance
22 with subsection (d). Such a hearing may be conducted in
23 addition to a hearing conducted pursuant to section 2120.

24 “(b) **INVESTIGATION.**—

1 “(1) IN GENERAL.—The Secretary may take
2 such investigative actions as the Secretary considers
3 to be necessary to carry out this title—

4 “(A) to verify the accuracy of any informa-
5 tion reported or made available under this title;
6 and

7 “(B) to determine, with regard to actions,
8 practices, or information required under this
9 title, whether a person covered by this title has
10 committed a violation of this title.

11 “(2) INVESTIGATIVE POWERS.—The Secretary
12 may administer oaths and affirmations, subpoena
13 witnesses, compel attendance of witnesses, take evi-
14 dence, and require the production of any records re-
15 quired to be maintained under section 2112(d) or
16 2116(e) that are relevant to the investigation.

17 “(c) UNLAWFUL ACT.—It shall be unlawful and a
18 violation of this title for any person covered by this title—

19 “(1) to refuse to provide information required
20 by the Secretary under this title; or

21 “(2) to violate—

22 “(A) a suspension or revocation of the or-
23 ganic certification of a producer or handler; or

24 “(B) a suspension or revocation of the ac-
25 creditation of a certifying agent.

1 “(d) ENFORCEMENT.—

2 “(1) SUSPENSION.—

3 “(A) IN GENERAL.—The Secretary may,
4 after notice and opportunity for an expedited
5 administrative hearing, suspend the organic cer-
6 tification of a producer, handler or the accredi-
7 tation of a certifying agent if—

8 “(i) the Secretary, during such expe-
9 dited administrative hearing, proved that—

10 “(I) in the case of a producer or
11 handler, the producer or handler—

12 “(aa) has recklessly com-
13 mitted a violation of a term, con-
14 dition, or requirement of the or-
15 ganic plan to which the producer
16 or handler is subject; or

17 “(bb) has recklessly com-
18 mitted, or is recklessly commit-
19 ting, a violation of this title; or

20 “(II) in the case of a certifying
21 agent, the agent has recklessly com-
22 mitted, or is recklessly committing, a
23 violation of this title; or

1 “(ii) the producer, handler, or certi-
2 fying agent has waived such expedited ad-
3 ministrative hearing.

4 “(B) ISSUANCE OF SUSPENSION.—A sus-
5 pension issued under this paragraph shall be
6 issued not later than five days after the date on
7 which—

8 “(i) the expedited administrative hear-
9 ing referred to in clause (i) of subpara-
10 graph (A) concludes; or

11 “(ii) the Secretary receives notice of
12 the waiver referred to in clause (ii) of such
13 subparagraph.

14 “(C) DURATION OF SUSPENSION.—The pe-
15 riod of a suspension issued under this para-
16 graph shall be not more than 90 days, begin-
17 ning on the date on which the Secretary issues
18 the suspension.

19 “(D) CURING OF VIOLATIONS.—

20 “(i) IN GENERAL.—The Secretary
21 may not issue a suspension of a certifi-
22 cation or accreditation under this para-
23 graph if the producer, handler, or certi-
24 fying agent subject to such suspension—

1 “(I) before the date on which the
2 suspension would otherwise have been
3 issued, cures, or corrects the defi-
4 ciency giving rise to, the violation for
5 which the certification or accreditation
6 would have been suspended; or

7 “(II) within a reasonable time-
8 frame (as determined by the Sec-
9 retary), enters into a settlement with
10 the Secretary regarding a deficiency
11 referred to in subclause (I).

12 “(ii) DURING SUSPENSION.—The Sec-
13 retary shall terminate the suspension of an
14 organic certification or accreditation issued
15 under this paragraph if the producer, han-
16 dler, or certifying agent subject to such
17 suspension cures the violation for which
18 the certification or accreditation was sus-
19 pended under this paragraph before the
20 date on which the period of the suspension
21 ends.

22 “(2) REVOCATION.—

23 “(A) IN GENERAL.—The Secretary may,
24 after notice and opportunity for an expedited
25 administrative hearing under this section and

1 an expedited administrative appeal under sec-
2 tion 2121, revoke the organic certification of a
3 producer or handler, or the accreditation of a
4 certifying agent if—

5 “(i) the Secretary, during such hear-
6 ing, proved that—

7 “(I) in the case of a producer or
8 handler, the producer or handler—

9 “(aa) has knowingly com-
10 mitted an egregious violation of a
11 term, condition, or requirement
12 of the organic plan to which the
13 producer or handler is subject; or

14 “(bb) has knowingly com-
15 mitted, or is knowingly commit-
16 ting, an egregious violation of
17 this title; or

18 “(II) in the case of a certifying
19 agent, the agent has knowingly com-
20 mitted, or is knowingly committing,
21 an egregious violation of this title; or

22 “(ii) the producer, handler, or certi-
23 fying agent has waived such expedited ad-
24 ministrative hearing and such an expedited
25 administrative appeal.

1 “(B) INITIATION OF REVOCATION PRO-
2 CEEDINGS.—

3 “(i) IN GENERAL.—If the Secretary
4 finds, during an investigation or during the
5 period of a suspension under paragraph
6 (1), that a producer, handler, or certifying
7 agent has knowingly committed an egre-
8 gious violation of this title, the Secretary
9 shall initiate revocation proceedings with
10 respect to such violation not later than 30
11 days after the date on which the producer,
12 handler, or certifying agent receives notice
13 of such finding in accordance with clause
14 (ii). The Secretary may not initiate revoca-
15 tion proceedings with respect to such viola-
16 tion after the date on which that 30-day
17 period ends.

18 “(ii) NOTICE.—Not later than five
19 days after the date on which the Secretary
20 makes the finding described in clause (i),
21 the Secretary shall provide to the producer,
22 handler, or certifying agent notice of such
23 finding.

24 “(e) APPEAL.—

25 “(1) SUSPENSIONS.—

1 “(A) IN GENERAL.—The suspension of a
2 certification or accreditation under subsection
3 (d)(1) by the Secretary may be appealed to a
4 United States district court in accordance with
5 section 2121(b) not later than 30 business days
6 after the date on which the person subject to
7 such suspension receives notice of the suspen-
8 sion.

9 “(B) SUSPENSION FINAL AND CONCLU-
10 SIVE.—A suspension of a certification or ac-
11 creditation under subsection (d)(1) by the Sec-
12 retary shall be final and conclusive—

13 “(i) in the case of a suspension that
14 is appealed under subparagraph (A) within
15 the 30-day period specified in such sub-
16 paragraph, on the date on which judicial
17 review of such suspension is complete; or

18 “(ii) in the case of a suspension that
19 is not so appealed, the date on which such
20 30-day period ends.

21 “(2) REVOCATIONS.—

22 “(A) IN GENERAL.—The revocation of a
23 certification or an accreditation under sub-
24 section (d)(2) by the Secretary may be appealed
25 to a United States district court in accordance

1 with section 2121(b) not later than 30 business
2 days after the date on which the person subject
3 to such revocation receives notice of the revoca-
4 tion.

5 “(B) REVOCATION FINAL AND CONCLU-
6 SIVE.—A revocation of a certification or an ac-
7 creditation under subsection (d)(2) by the Sec-
8 retary shall be final and conclusive—

9 “(i) in the case of a revocation that is
10 appealed under subparagraph (A) within
11 the 30-day period specified in such sub-
12 paragraph, on the date on which judicial
13 review of such revocation is complete; or

14 “(ii) in the case of a revocation that
15 is not so appealed, the date on which such
16 30-day period ends.

17 “(3) STANDARDS FOR REVIEW OF SUSPENSIONS
18 AND REVOCATIONS.—A suspension or revocation of a
19 certification or an accreditation under subsection (d)
20 shall be reviewed in accordance with the standards
21 of review specified in section 706(2) of title 5,
22 United States Code.

23 “(f) NONCOMPLIANCE.—

24 “(1) IN GENERAL.—If a person covered by this
25 title fails to obey a revocation of a certification or

1 an accreditation under subsection (d)(2) after such
2 revocation has become final and conclusive or after
3 the appropriate United States district court has en-
4 tered a final judgment in favor of the Secretary, the
5 United States may apply to the appropriate United
6 States district court for enforcement of such revoca-
7 tion.

8 “(2) ENFORCEMENT.—If the court determines
9 that the revocation was lawfully made and duly
10 served and that the person violated the revocation,
11 the court shall enforce the revocation.

12 “(3) CIVIL PENALTY.—If the court finds that
13 the person violated the revocation of a certification
14 or an accreditation under subsection (d)(2), the per-
15 son shall be subject to one or more of the penalties
16 provided in subsections (a) and (b) of section 2120.

17 “(g) VIOLATION OF THIS TITLE DEFINED.—In this
18 section, the term ‘violation of this title’ means a violation
19 specified in section 2120.”.

20 **SEC. 9006. FOOD SAFETY EDUCATION INITIATIVES.**

21 Section 10105 of the Food, Conservation, and En-
22 ergy Act of 2008 (7 U.S.C. 7655) is amended—

23 (1) in subsection (a)—

1 (A) in the matter preceding paragraph (1),
2 by inserting “, including farm workers” after
3 “industry”;

4 (B) in paragraph (1), by striking “and” at
5 the end;

6 (C) in paragraph (2), by striking the pe-
7 riod at the end and inserting “; and”; and

8 (D) by adding at the end the following new
9 paragraph:

10 “(3) practices that prevent bacterial contamina-
11 tion of food, how to identify sources of food contami-
12 nation, and other means of decreasing food contami-
13 nation.”; and

14 (2) in subsection (e), by striking “2012” and
15 inserting “2018”.

16 **SEC. 9007. SPECIALTY CROP BLOCK GRANTS.**

17 Section 101 of the Specialty Crops Competitiveness
18 Act of 2004 (7 U.S.C. 1621 note; Public Law 108–465)
19 is amended—

20 (1) in subsection (a)—

21 (A) by striking “subsection (j)” and insert-
22 ing “subsection (l)”; and

23 (B) by striking “2012” and inserting
24 “2018”;

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

3 “(b) GRANTS BASED ON VALUE AND ACREAGE.—
4 Subject to subsection (c), for each State whose application
5 for a grant for a fiscal year that is accepted by the Sec-
6 retary under subsection (f), the amount of the grant for
7 such fiscal year to the State under this section shall bear
8 the same ratio to the total amount made available under
9 subsection (l)(1) for such fiscal year as—

10 “(1) the average of the most recent available
11 value of specialty crop production in the State and
12 the acreage of specialty crop production in the State,
13 as demonstrated in the most recent Census of Agri-
14 culture data; bears to

15 “(2) the average of the most recent available
16 value of specialty crop production in all States and
17 the acreage of specialty crop production in all
18 States, as demonstrated in the most recent Census
19 of Agriculture data.”;

20 (3) in subsection (d)—

21 (A) in paragraph (2), by striking “and” at
22 the end;

23 (B) in paragraph (3), by striking the pe-
24 riod at the end and inserting “; and”; and

1 (C) by adding at the end the following new
2 paragraph:

3 “(4) an assurance that any grant funds re-
4 ceived under this section that are used for equip-
5 ment or capital-related research costs determined to
6 enhance the competitiveness of specialty crops—

7 “(A) shall be supplemented by the expendi-
8 ture of State funds in an amount that is not
9 less than 50 percent of such costs during the
10 fiscal year in which such costs were incurred;
11 and

12 “(B) shall be completely replaced by State
13 funds on the day after the date on which such
14 fiscal year ends.”;

15 (4) by redesignating subsection (j) as sub-
16 section (l);

17 (5) by inserting after subsection (i) the fol-
18 lowing new subsections:

19 “(j) MULTISTATE PROJECTS.—Not later than 180
20 days after the effective date of the Federal Agriculture
21 Reform and Risk Management Act of 2013, the Secretary
22 of Agriculture shall issue guidance for the purpose of mak-
23 ing grants to multistate projects under this section for
24 projects involving—

25 “(1) food safety;

1 “(2) plant pests and disease;

2 “(3) research;

3 “(4) crop-specific projects addressing common
4 issues; and

5 “(5) any other area that furthers the purposes
6 of this section, as determined by the Secretary.

7 “(k) ADMINISTRATION.—

8 “(1) DEPARTMENT.—The Secretary of Agri-
9 culture may not use more than 3 percent of the
10 funds made available to carry out this section for a
11 fiscal year for administrative expenses.

12 “(2) STATES.—A State receiving a grant under
13 this section may not use more than 8 percent of the
14 funds received under the grant for a fiscal year for
15 administrative expenses.”; and

16 (6) in subsection (l) (as redesignated by para-
17 graph (4))—

18 (A) by redesignating paragraphs (1), (2),
19 and (3) as subparagraphs (A), (B), and (C), re-
20 spectively, and moving the margins of such sub-
21 paragraphs two ems to the right;

22 (B) by striking “Of the funds” and insert-
23 ing the following:

24 “(1) IN GENERAL.—Of the funds”;

25 (C) in paragraph (1) (as so designated)—

1 (i) in subparagraph (B) (as redesignig-
2 nated by subparagraph (A)), by striking
3 “and” at the end;

4 (ii) in subparagraph (C) (as redesignig-
5 nated by subparagraph (A)), by striking
6 the period at the end and inserting a semi-
7 colon; and

8 (iii) by adding at the end the fol-
9 lowing new subparagraphs:

10 “(D) \$72,500,000 for fiscal years 2014
11 through 2017; and

12 “(E) \$85,000,000 for fiscal year 2018.”;
13 and

14 (D) by adding at the end the following new
15 paragraph:

16 “(2) MULTISTATE PROJECTS.—Of the funds
17 made available under paragraph (1), the Secretary
18 may use to carry out subsection (j), to remain avail-
19 able until expended—

20 “(A) \$1,000,000 for fiscal year 2014;

21 “(B) \$2,000,000 for fiscal year 2015;

22 “(C) \$3,000,000 for fiscal year 2016;

23 “(D) \$4,000,000 for fiscal year 2017; and

24 “(E) \$5,000,000 for fiscal year 2018.”.

1 **SEC. 9008. DEPARTMENT OF AGRICULTURE CONSULTATION**
2 **REGARDING ENFORCEMENT OF CERTAIN**
3 **LABOR LAW PROVISIONS.**

4 Not later than 60 days after the date of enactment
5 of this Act, the Secretary of Agriculture shall consult with
6 the Secretary of Labor regarding the restraining of ship-
7 ments of agricultural commodities, or the confiscation of
8 such commodities, by the Department of Labor for actual
9 or suspected labor law violations in order to consider—

10 (1) the perishable nature of such commodities;

11 (2) the impact of such restraining or confisca-

12 tion on the economic viability of farming operations;

13 and

14 (3) the competitiveness of specialty crops

15 through grants awarded to States under section 101

16 of the Specialty Crops Competitiveness Act of 2004

17 (7 U.S.C. 1621 note).

18 **SEC. 9009. REPORT ON HONEY.**

19 (a) REPORT.—Not later than 180 days after the date

20 of the enactment of this Act, the Secretary of Agriculture,

21 in consultation with persons affected by the potential es-

22 tablishment of a Federal standard for the identity of

23 honey, shall submit to the Commissioner of Food and

24 Drugs a report describing how an appropriate Federal

25 standard for the identity of honey would be in the interest

1 of consumers, the honey industry, and United States agri-
2 culture.

3 (b) CONSIDERATIONS.—In preparing the report re-
4 quired under subsection (a), the Secretary shall take into
5 consideration the March 2006, Standard of Identity citi-
6 zens petition filed with the Food and Drug Administra-
7 tion, including any current industry amendments or clari-
8 fications necessary to update such petition.

9 **SEC. 9010. BULK SHIPMENTS OF APPLES TO CANADA.**

10 (a) BULK SHIPMENT OF APPLES TO CANADA.—Sec-
11 tion 4 of the Export Apple Act (7 U.S.C. 584) is amend-
12 ed—

13 (1) by striking “Apples in” and inserting “(a)
14 Apples in”; and

15 (2) by adding at the end the following new sub-
16 section:

17 “(b) Apples may be shipped to Canada in bulk bins
18 without complying with the provisions of this Act.”.

19 (b) DEFINITION OF BULK BIN.—Section 9 of the Ex-
20 port Apple Act (7 U.S.C. 589) is amended by adding at
21 the end the following new paragraph:

22 “(5) The term ‘bulk bin’ means a bin that contains
23 a quantity of apples weighing more than 100 pounds.”.

24 (c) REGULATIONS.—Not later than 60 days after the
25 date of the enactment of this Act, the Secretary of Agri-

1 culture shall issue regulations to carry out the amend-
2 ments made by this section.

3 **SEC. 9011. CONSOLIDATION OF PLANT PEST AND DISEASE**
4 **MANAGEMENT AND DISASTER PREVENTION**
5 **PROGRAMS.**

6 (a) RELOCATION OF LEGISLATIVE LANGUAGE RE-
7 LATING TO NATIONAL CLEAN PLANT NETWORK.—Section
8 420 of the Plant Protection Act (7 U.S.C. 7721) is amend-
9 ed—

10 (1) by redesignating subsection (e) as sub-
11 section (f); and

12 (2) by inserting after subsection (d) the fol-
13 lowing new subsection:

14 “(e) NATIONAL CLEAN PLANT NETWORK.—

15 “(1) IN GENERAL.—The Secretary shall estab-
16 lish a program to be known as the ‘National Clean
17 Plant Network’ (referred to in this subsection as the
18 ‘Program’).

19 “(2) REQUIREMENTS.—Under the Program, the
20 Secretary shall establish a network of clean plant
21 centers for diagnostic and pathogen elimination serv-
22 ices—

23 “(A) to produce clean propagative plant
24 material; and

1 “(B) to maintain blocks of pathogen-tested
2 plant material in sites located throughout the
3 United States.

4 “(3) AVAILABILITY OF CLEAN PLANT SOURCE
5 MATERIAL.—Clean plant source material may be
6 made available to—

7 “(A) a State for a certified plant program
8 of the State; and

9 “(B) private nurseries and producers.

10 “(4) CONSULTATION AND COLLABORATION.—In
11 carrying out the Program, the Secretary shall—

12 “(A) consult with—

13 “(i) State departments of agriculture;
14 and

15 “(ii) land-grant colleges and univer-
16 sities and NLGCA Institutions (as those
17 terms are defined in section 1404 of the
18 National Agricultural Research, Extension,
19 and Teaching Policy Act of 1977 (7 U.S.C.
20 3103)); and

21 “(B) to the extent practicable and with
22 input from the appropriate State officials and
23 industry representatives, use existing Federal or
24 State facilities to serve as clean plant centers.

1 “(5) FUNDING FOR FISCAL YEAR 2013.—There
2 is authorized to be appropriated to carry out the
3 Program \$5,000,000 for fiscal year 2013.”.

4 (b) FUNDING.—Subsection (f) of section 420 of the
5 Plant Protection Act (7 U.S.C. 7721) (as so redesignated)
6 is amended—

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

9 (2) in paragraph (4), by striking “and each fis-
10 cal year thereafter.” and inserting a semicolon; and

11 (3) by adding at the end the following new
12 paragraphs:

13 “(5) \$62,500,000 for fiscal years 2014 through
14 2017; and

15 “(6) \$75,000,000 for fiscal year 2018.”.

16 (c) REPEAL OF EXISTING PROVISION.—Section
17 10202 of the Food, Conservation, and Energy Act of 2008
18 (7 U.S.C. 7761) is repealed.

19 (d) CLARIFICATION OF USE OF FUNDS FOR TECH-
20 NICAL ASSISTANCE.—Section 420 of the Plant Protection
21 Act (7 U.S.C. 7721), as amended by subsection (a), is
22 amended by adding at the end the following new sub-
23 section:

24 “(g) RELATIONSHIP TO OTHER LAW.—The use of
25 Commodity Credit Corporation funds under this section

1 to provide technical assistance shall not be considered an
2 allotment or fund transfer from the Commodity Credit
3 Corporation for purposes of the limit on expenditures for
4 technical assistance imposed by section 11 of the Com-
5 modity Credit Corporation Charter Act (15 U.S.C.
6 714i).”.

7 (e) USE OF FUNDS FOR CLEAN PLANT NETWORK.—
8 Section 420 of the Plant Protection Act (7 U.S.C. 7721),
9 as amended by subsections (a) and (d), is amended by
10 adding at the end the following new subsection:

11 “(h) USE OF FUNDS FOR CLEAN PLANT NET-
12 WORK.—Of the funds made available under subsection (f)
13 to carry out this section for a fiscal year, not less than
14 \$5,000,000 shall be available to carry out the national
15 clean plant network under subsection (e).”.

16 **SEC. 9012. MODIFICATION, CANCELLATION, OR SUSPEN-**
17 **SION ON BASIS OF A BIOLOGICAL OPINION.**

18 (a) IN GENERAL.—Except in the case of a voluntary
19 request from a pesticide registrant to amend a registration
20 under section 3 of the Federal Insecticide, Fungicide, and
21 Rodenticide Act (7 U.S.C. 136a), a registration of a pes-
22 ticide may be modified, canceled, or suspended on the
23 basis of the implementation of a Biological Opinion issued
24 by the National Marine Fisheries Service or the United
25 States Fish and Wildlife Service prior to the date of com-

1 pletion of the study referred to in subsection (b), or Janu-
2 ary 1, 2015, whichever is earlier, only if—

3 (1) the modification, cancellation, or suspension
4 is undertaken pursuant to section 6 of such Act (7
5 U.S.C. 136d); and

6 (2) the Biological Opinion complies with the
7 recommendations contained in the study referred to
8 in subsection (b).

9 (b) NATIONAL ACADEMY OF SCIENCES STUDY.—The
10 study commissioned by the Administrator of the Environ-
11 mental Protection Agency on March 10, 2011, shall in-
12 clude, at a minimum, each of the following:

13 (1) A formal, independent, and external peer
14 review, consistent with Office of Management and
15 Budget policies, of each Biological Opinion described
16 in subsection (a).

17 (2) Assessment of economic impacts of meas-
18 ures or alternatives recommended in each such Bio-
19 logical Opinion.

20 (3) An examination of the specific scientific and
21 procedural questions and issues pertaining to eco-
22 nomic feasibility contained in the June 23, 2011, let-
23 ter sent to the Administrator (and other Federal of-
24 ficials) by the Chairmen of the Committee on Agri-
25 culture, the Committee on Natural Resources, and

1 the Subcommittee on Interior, Environment, and
2 Related Agencies of the Committee on Appropria-
3 tions, of the House of Representatives.

4 **SEC. 9013. USE AND DISCHARGES OF AUTHORIZED PES-**
5 **TICIDES.**

6 (a) **SHORT TITLE.**—This section may be cited as the
7 “Reducing Regulatory Burdens Act of 2013”.

8 (b) **USE OF AUTHORIZED PESTICIDES.**—Section 3(f)
9 of the Federal Insecticide, Fungicide, and Rodenticide Act
10 (7 U.S.C. 136a(f)) is amended by adding at the end the
11 following:

12 “(5) **USE OF AUTHORIZED PESTICIDES.**—Ex-
13 cept as provided in section 402(s) of the Federal
14 Water Pollution Control Act, the Administrator or a
15 State may not require a permit under such Act for
16 a discharge from a point source into navigable
17 waters of a pesticide authorized for sale, distribu-
18 tion, or use under this Act, or the residue of such
19 a pesticide, resulting from the application of such
20 pesticide.”.

21 (c) **DISCHARGES OF PESTICIDES.**—Section 402 of
22 the Federal Water Pollution Control Act (33 U.S.C. 1342)
23 is amended by adding at the end the following:

24 “(s) **DISCHARGES OF PESTICIDES.**—

1 “(1) NO PERMIT REQUIREMENT.—Except as
2 provided in paragraph (2), a permit shall not be re-
3 quired by the Administrator or a State under this
4 Act for a discharge from a point source into navi-
5 gable waters of a pesticide authorized for sale, dis-
6 tribution, or use under the Federal Insecticide, Fun-
7 gicide, and Rodenticide Act, or the residue of such
8 a pesticide, resulting from the application of such
9 pesticide.

10 “(2) EXCEPTIONS.—Paragraph (1) shall not
11 apply to the following discharges of a pesticide or
12 pesticide residue:

13 “(A) A discharge resulting from the appli-
14 cation of a pesticide in violation of a provision
15 of the Federal Insecticide, Fungicide, and
16 Rodenticide Act that is relevant to protecting
17 water quality, if—

18 “(i) the discharge would not have oc-
19 curred but for the violation; or

20 “(ii) the amount of pesticide or pes-
21 ticide residue in the discharge is greater
22 than would have occurred without the vio-
23 lation.

24 “(B) Stormwater discharges subject to reg-
25 ulation under subsection (p).

1 “(C) The following discharges subject to
2 regulation under this section:

3 “(i) Manufacturing or industrial efflu-
4 ent.

5 “(ii) Treatment works effluent.

6 “(iii) Discharges incidental to the nor-
7 mal operation of a vessel, including a dis-
8 charge resulting from ballasting operations
9 or vessel biofouling prevention.”.

10 **SEC. 9014. SEED NOT PESTICIDE OR DEVICE FOR PUR-**
11 **POSES OF IMPORTATION.**

12 Section 17(c) of the Federal Insecticide, Fungicide,
13 and Rodenticide Act (7 U.S.C. 136o(c)) is amended by
14 adding at the end the following new sentences: “Solely for
15 purposes of notifications of arrival upon importation, for
16 purposes of this subsection, seed, including treated seed,
17 shall not be considered a pesticide or device. Nothing in
18 this subsection shall be construed as precluding or limiting
19 the authority of the Secretary of Agriculture, with respect
20 to the importation or movement of plants, plant products,
21 or seeds, under the Plant Protection Act (7 U.S.C. 7701
22 et seq.) or the Federal Seed Act (7 U.S.C. 1551 et seq.).”.

1 **SEC. 9015. STAY OF REGULATIONS RELATED TO CHRIST-**
2 **MAS TREE PROMOTION, RESEARCH, AND IN-**
3 **FORMATION ORDER.**

4 Not later than 60 days after the date of the enact-
5 ment of this Act, the Secretary of Agriculture shall lift
6 the administrative stay that was imposed by the rule enti-
7 tled “Christmas Tree Promotion, Research, and Informa-
8 tion Order; Stay of Regulations” and published by the De-
9 partment of Agriculture on November 17, 2011 (76 Fed.
10 Reg. 71241), on the regulations in subpart A of part 214
11 of title 7, Code of Federal Regulations, establishing an
12 industry-funded promotion, research, and information pro-
13 gram for fresh cut Christmas trees.

14 **SEC. 9016. STUDY ON PROPOSED ORDER PERTAINING TO**
15 **SULFURYL FLUORIDE.**

16 Not later than two years after the date of enactment
17 of this Act, the Administrator of the Environmental Pro-
18 tection Agency, in conjunction with the Secretary of Agri-
19 culture, shall submit to the Committee on Agriculture of
20 the House of Representatives a report on the potential
21 economic and public health effects that would result from
22 finalization of the proposed order published in the Janu-
23 ary 19, 2011, Federal Register (76 Fed. Reg. 3422) per-
24 taining to the pesticide sulfuranyl fluoride, including the an-
25 ticipated impacts of such finalization on the production

1 of an adequate, wholesome, and economical food supply
2 and on farmers and related agricultural sectors.

3 **SEC. 9017. STUDY ON LOCAL AND REGIONAL FOOD PRO-**
4 **DUCTION AND PROGRAM EVALUATION.**

5 (a) IN GENERAL.—The Secretary of Agriculture
6 shall—

7 (1) collect data on the production and mar-
8 keting of locally or regionally produced agricultural
9 food products;

10 (2) facilitate interagency collaboration and data
11 sharing on programs related to local and regional
12 food systems; and

13 (3) monitor the effectiveness of programs de-
14 signed to expand or facilitate local food systems.

15 (b) REQUIREMENTS.—In carrying out this section,
16 the Secretary shall—

17 (1) collect and distribute comprehensive report-
18 ing of prices of locally or regionally produced agri-
19 cultural food products;

20 (2) conduct surveys and analysis and publish
21 reports relating to the production, handling, dis-
22 tribution, and retail sales of, and trend studies (in-
23 cluding consumer purchasing patterns) on, locally or
24 regionally produced agricultural food products;

1 (3) evaluate the effectiveness of existing pro-
2 grams in growing local and regional food systems,
3 including—

4 (A) the impact of local food systems on job
5 creation and economic development;

6 (B) the level of participation in the Farm-
7 ers' Market and Local Food Promotion Pro-
8 gram established under section 6 of the Farm-
9 er-to-Consumer Direct Marketing Act of 1976
10 (7 U.S.C. 3005), including the percentage of
11 projects funded in comparison to applicants and
12 the types of eligible entities receiving funds;

13 (C) the ability for participants to leverage
14 private capital and a synopsis of the places
15 from which non-Federal funds are derived; and

16 (D) any additional resources required to
17 aid in the development or expansion of local
18 and regional food systems;

19 (4) expand the Agricultural Resource Manage-
20 ment Survey to include questions on locally or re-
21 gionally produced agricultural food products; and

22 (5) seek to establish or expand private-public
23 partnerships to facilitate, to the maximum extent
24 practicable, the collection of data on locally or re-
25 gionally produced agricultural food products, includ-

1 ing the development of a nationally coordinated and
2 regionally balanced evaluation of the redevelopment
3 of locally or regionally produced food systems.

4 (c) REPORT.—Not later than 1 year after the date
5 of enactment of this Act, and annually thereafter until
6 September 30, 2018, the Secretary shall submit to the
7 Committee on Agriculture of the House of Representatives
8 and the Committee on Agriculture, Nutrition, and For-
9 estry of the Senate a report describing the progress that
10 has been made in implementing this section and identi-
11 fying any additional needs related to developing local and
12 regional food systems.

13 **SEC. 9018. ANNUAL REPORT ON INVASIVE SPECIES.**

14 (a) INITIAL REPORT.—

15 (1) IN GENERAL.—Not later than 180 days
16 after the date of the enactment of this Act, the Sec-
17 retary shall submit to Congress a report on invasive
18 species.

19 (2) MATTERS INCLUDED.—The report under
20 paragraph (1) shall include the following:

21 (A) A list of each invasive species that is
22 in the United States as of the date of the re-
23 port.

24 (B) For each invasive species listed under
25 subparagraph (A)—

- 1 (i) the country from which the species
2 originated;
- 3 (ii) the means in which the species en-
4 tered the United States;
- 5 (iii) the year in which the species en-
6 tered the United States;
- 7 (iv) the rate by which the entry of the
8 species is increasing or decreasing;
- 9 (v) cost estimates, covering both the
10 date of the report and future periods, of
11 the cost of such species to the public and
12 private sectors;
- 13 (vi) if cost estimates cannot be con-
14 ducted under clause (v), a detailed expla-
15 nation of why;
- 16 (vii) environmental impact estimates,
17 covering both the date of the report and
18 future periods, of the environmental im-
19 pact of the species;
- 20 (viii) if environmental impact esti-
21 mates cannot be conducted under clause
22 (vii), a detailed explanation of why;
- 23 (ix) recommendations as to what steps
24 are needed to combat the species;

1 (x) a description of the ongoing re-
2 search occurring to combat the species;
3 and

4 (xi) a description of any legal recourse
5 available to people affected by the species.

6 (C) Any other matter the Secretary deter-
7 mines appropriate.

8 (3) PERIOD COVERED.—The report under para-
9 graph (1) shall cover the period beginning in 1980
10 and ending on the date on which the report is sub-
11 mitted.

12 (b) ANNUAL UPDATED REPORTS.—Not later than
13 October 1 of each fiscal year beginning after the date on
14 which the report under paragraph (1) of subsection (a)
15 is submitted, the Secretary shall submit annually to Con-
16 gress an updated report, including an update to each of
17 the matters described in paragraph (2) of such subsection.

18 (c) PUBLIC AVAILABILITY.—The Secretary shall
19 make each report under this section available to the pub-
20 lic.

21 **TITLE X—CROP INSURANCE**

22 **SEC. 10001. INFORMATION SHARING.**

23 (a) IN GENERAL.—Section 502(c) of the Federal
24 Crop Insurance Act (7 U.S.C. 1502(c)) is amended by
25 adding at the end the following new paragraph:

1 “(4) INFORMATION.—

2 “(A) REQUEST.—Subject to subparagraph
3 (B), the Farm Service Agency shall, in a timely
4 manner, provide to an agent or an approved in-
5 surance provider authorized by the producer
6 any information (including Farm Service Agen-
7 cy Form 578s (or any successor form) or maps
8 (or any corrections to those forms or maps)
9 that may assist the agent or approved insurance
10 provider in insuring the producer under a policy
11 or plan of insurance under this subtitle.

12 “(B) PRIVACY.—Except as provided in
13 subparagraph (C), an agent or approved insur-
14 ance provider that receives the information of a
15 producer pursuant to subparagraph (A) shall
16 treat the information in accordance with para-
17 graph (1).

18 “(C) SHARING.—Nothing in this section
19 prohibits the sharing of the information of a
20 producer pursuant to subparagraph (A) be-
21 tween the agent and the approved insurance
22 provider of the producer.”.

23 (b) DISCLOSURE OF CROP INSURANCE PREMIUM
24 SUBSIDIES MADE ON BEHALF OF MEMBERS OF CON-
25 GRESS AND CERTAIN OTHER INDIVIDUALS AND ENTI-

1 TIES.—Section 502(c)(2) of the Federal Crop Insurance
2 Act (7 U.S.C. 1502(c)(2)) is amended—

3 (1) by redesignating subparagraphs (A) and
4 (B) as subparagraphs (D) and (E) respectively; and

5 (2) by inserting before subparagraph (C) (as so
6 redesignated) the following:

7 “(A) DISCLOSURE IN THE PUBLIC INTER-
8 EST.—Notwithstanding paragraph (1) or any
9 other provision of law, except as provided in
10 subparagraph (B), the Secretary shall on an
11 annual basis make available to the public—

12 “(i)(I) the name of each individual or
13 entity specified in subparagraph (C) who
14 obtained a federally subsidized crop insur-
15 ance, livestock, or forage policy or plan of
16 insurance during the previous fiscal year;

17 “(II) the amount of premium subsidy
18 received by that individual or entity from
19 the Corporation; and

20 “(III) the amount of any Federal por-
21 tion of indemnities paid in the event of a
22 loss during that fiscal year for each policy
23 associated with that individual or entity;
24 and

1 “(ii) for each private insurance pro-
2 vider, by name—

3 “(I) the underwriting gains
4 earned through participation in the
5 federally subsidized crop insurance
6 program; and

7 “(II) the amount paid under this
8 subtitle for—

9 “(aa) administrative and op-
10 erating expenses;

11 “(bb) any Federal portion of
12 indemnities and reinsurance; and

13 “(cc) any other purpose.

14 “(B) LIMITATION.—The Secretary shall
15 not disclose information pertaining to individ-
16 uals and entities covered by a catastrophic risk
17 protection plan offered under section 508(b).

18 “(C) COVERED INDIVIDUALS AND ENTI-
19 TIES.—Subparagraph (A) applies with respect
20 to the following:

21 “(i) Members of Congress and their
22 immediate families.

23 “(ii) Cabinet Secretaries and their im-
24 mediate families.

1 “(iii) Entities of which any individual
2 described in clause (i) or (ii), or combina-
3 tion of such individuals, is a majority
4 shareholder.”.

5 **SEC. 10002. PUBLICATION OF INFORMATION ON VIOLA-**
6 **TIONS OF PROHIBITION ON PREMIUM AD-**
7 **JUSTMENTS.**

8 Section 508(a)(9) of the Federal Crop Insurance Act
9 (7 U.S.C. 1508(a)(9)) is amended by adding at the end
10 the following new subparagraph:

11 “(C) PUBLICATION OF VIOLATIONS.—

12 “(i) PUBLICATION REQUIRED.—Sub-
13 ject to clause (ii), the Corporation shall
14 publish in a timely manner on the website
15 of the Risk Management Agency informa-
16 tion regarding each violation of this para-
17 graph, including any sanctions imposed in
18 response to the violation, in sufficient de-
19 tail so that the information may serve as
20 effective guidance to approved insurance
21 providers, agents, and producers.

22 “(ii) PROTECTION OF PRIVACY.—In
23 providing information under clause (i) re-
24 garding violations of this paragraph, the
25 Corporation shall redact the identity of the

1 persons and entities committing the viola-
2 tions in order to protect their privacy.”.

3 **SEC. 10003. SUPPLEMENTAL COVERAGE OPTION.**

4 (a) AVAILABILITY OF SUPPLEMENTAL COVERAGE
5 OPTION.—Paragraph (3) of section 508(c) of the Federal
6 Crop Insurance Act (7 U.S.C. 1508(c)) is amended to read
7 as follows:

8 “(3) YIELD AND LOSS BASIS OPTIONS.—A pro-
9 ducer shall have the option of purchasing additional
10 coverage based on—

11 “(A)(i) an individual yield and loss basis;

12 or

13 “(ii) an area yield and loss basis;

14 “(B) an individual yield and loss basis,
15 supplemented with coverage based on an area
16 yield and loss basis to cover a part of the de-
17 ductible under the individual yield and loss pol-
18 icy, as described in paragraph (4)(C); or

19 “(C) a margin basis alone or in combina-
20 tion with the coverages available in subpara-
21 graph (A) or (B).”.

22 (b) LEVEL OF COVERAGE.—Paragraph (4) of section
23 508(c) of the Federal Crop Insurance Act (7 U.S.C.
24 1508(c)) is amended to read as follows:

25 “(4) LEVEL OF COVERAGE.—

1 “(A) DOLLAR DENOMINATION AND PER-
2 CENTAGE OF YIELD.—Except as provided in
3 subparagraph (C), the level of coverage—

4 “(i) shall be dollar denominated; and

5 “(ii) may be purchased at any level
6 not to exceed 85 percent of the individual
7 yield or 95 percent of the area yield (as de-
8 termined by the Corporation).

9 “(B) INFORMATION.—The Corporation
10 shall provide producers with information on cat-
11 astrophic risk and additional coverage in terms
12 of dollar coverage (within the allowable limits of
13 coverage provided in this paragraph).

14 “(C) SUPPLEMENTAL COVERAGE OP-
15 TION.—

16 “(i) IN GENERAL.—Notwithstanding
17 subparagraph (A), in the case of the sup-
18 plemental coverage option described in
19 paragraph (3)(B), the Corporation shall
20 offer producers the opportunity to pur-
21 chase coverage in combination with a pol-
22 icy or plan of insurance offered under this
23 subtitle that would allow indemnities to be
24 paid to a producer equal to a part of the

1 deductible under the policy or plan of in-
2 surance—

3 “(I) at a county-wide level to the
4 fullest extent practicable; or

5 “(II) in counties that lack suffi-
6 cient data, on the basis of such larger
7 geographical area as the Corporation
8 determines to provide sufficient data
9 for purposes of providing the cov-
10 erage.

11 “(ii) TRIGGER.—Coverage offered
12 under paragraph (3)(B) and clause (i)
13 shall be triggered only if the losses in the
14 area exceed 10 percent of normal levels (as
15 determined by the Corporation).

16 “(iii) COVERAGE.—Subject to the trig-
17 ger described in clause (ii), coverage of-
18 fered under paragraph (3)(B) and clause
19 (i) shall not exceed the difference be-
20 tween—

21 “(I) 90 percent; and

22 “(II) the coverage level selected
23 by the producer for the underlying
24 policy or plan of insurance.

1 “(iv) INELIGIBLE CROPS AND
2 ACRES.—Crops for which the producer has
3 elected under section 1107(c)(1) of the
4 Federal Agriculture Reform and Risk
5 Management Act of 2013 to receive rev-
6 enue loss coverage and acres that are en-
7 rolled in the stacked income protection
8 plan under section 508B shall not be eligi-
9 ble for supplemental coverage under this
10 subparagraph.

11 “(v) CALCULATION OF PREMIUM.—
12 Notwithstanding subsection (d), the pre-
13 mium for coverage offered under para-
14 graph (3)(B) and clause (i) shall—

15 “(I) be sufficient to cover antici-
16 pated losses and a reasonable reserve;
17 and

18 “(II) include an amount for oper-
19 ating and administrative expenses es-
20 tablished in accordance with sub-
21 section (k)(4)(F).”.

22 (c) PAYMENT OF PORTION OF PREMIUM BY COR-
23 PORATION.—Section 508(e)(2) of the Federal Crop Insur-
24 ance Act (7 U.S.C. 1508(e)(2)) is amended by adding at
25 the end the following new subparagraph:

1 between the average loss ratio for the crop and
2 100 percent, plus a reasonable reserve.”.

3 **SEC. 10005. REPEAL OF PERFORMANCE-BASED DISCOUNT.**

4 (a) REPEAL.—Section 508(d) of the Federal Crop In-
5 surance Act (7 U.S.C. 1508(d)) is amended—

6 (1) by striking paragraph (3); and

7 (2) by redesignating paragraph (4) as para-
8 graph (3).

9 (b) CONFORMING AMENDMENT.—Section
10 508(a)(9)(B) of the Federal Crop Insurance Act (7 U.S.C.
11 1508(a)(9)(B)) is amended—

12 (1) by inserting “or” at the end of clause (i);

13 (2) by striking clause (ii); and

14 (3) by redesignating clause (iii) as clause (ii).

15 **SEC. 10006. PERMANENT ENTERPRISE UNIT SUBSIDY.**

16 Subparagraph (A) of section 508(e)(5) of the Federal
17 Crop Insurance Act (7 U.S.C. 1508(e)(5)) is amended to
18 read as follows:

19 “(A) IN GENERAL.—The Corporation may
20 pay a portion of the premiums for plans or poli-
21 cies of insurance for which the insurable unit is
22 defined on a whole farm or enterprise unit basis
23 that is higher than would otherwise be paid in
24 accordance with paragraph (2).”.

1 **SEC. 10007. ENTERPRISE UNITS FOR IRRIGATED AND NON-**
2 **IRRIGATED CROPS.**

3 Section 508(e)(5) of the Federal Crop Insurance Act
4 (7 U.S.C. 1508(e)(5)) is amended by adding at the end
5 the following new subparagraph:

6 “(D) NONIRRIGATED CROPS.—Beginning
7 with the 2014 crop year, the Corporation shall
8 make available separate enterprise units for ir-
9 rigated and nonirrigated acreage of crops in
10 counties.”.

11 **SEC. 10008. DATA COLLECTION.**

12 Section 508(g)(2) of the Federal Crop Insurance Act
13 (7 U.S.C. 1508(g)(2)) is amended by adding at the end
14 the following new subparagraph:

15 “(E) SOURCES OF YIELD DATA.—To deter-
16 mine yields under this paragraph, the Corpora-
17 tion—

18 “(i) shall use county data collected by
19 the Risk Management Agency or the Na-
20 tional Agricultural Statistics Service, or
21 both; or

22 “(ii) if sufficient county data is not
23 available, may use other data considered
24 appropriate by the Secretary.”.

1 **SEC. 10009. ADJUSTMENT IN ACTUAL PRODUCTION HIS-**
2 **TORY TO ESTABLISH INSURABLE YIELDS.**

3 Section 508(g)(4)(B) of the Federal Crop Insurance
4 Act (7 U.S.C. 1508(g)(4)(B)) is amended by striking
5 “60” each place it appears and inserting “70”.

6 **SEC. 10010. SUBMISSION AND REVIEW OF POLICIES.**

7 (a) **IN GENERAL.**—Section 508(h) of the Federal
8 Crop Insurance Act (7 U.S.C. 1508(h)) is amended—

9 (1) in paragraph (1)—

10 (A) by redesignating subparagraphs (A)
11 and (B) as clauses (i) and (ii), respectively, and
12 indenting appropriately;

13 (B) by striking “(1) **IN GENERAL.**—In ad-
14 dition” and inserting the following:

15 “(1) **AUTHORITY TO SUBMIT.**—

16 “(A) **IN GENERAL.**—In addition”; and

17 (C) by adding at the end the following new
18 subparagraph:

19 “(B) **REVIEW AND SUBMISSION BY COR-**
20 **PORATION.**—The Corporation shall review any
21 policy developed under section 522(c) or any
22 pilot program developed under section 523 and
23 submit the policy or program to the Board
24 under this subsection if the Corporation, at the
25 sole discretion of the Corporation, finds that
26 the policy or program—

1 “(i) will likely result in a viable and
2 marketable policy consistent with this sub-
3 section;

4 “(ii) would provide crop insurance
5 coverage in a significantly improved form;
6 and

7 “(iii) adequately protects the interests
8 of producers.”; and

9 (2) in paragraph (3)—

10 (A) by striking “A policy” and inserting
11 the following:

12 “(A) IN GENERAL.—A policy”; and

13 (B) by adding at the end the following new
14 subparagraph:

15 “(B) SPECIFIED REVIEW AND APPROVAL
16 PRIORITIES.—In reviewing policies and other
17 materials submitted to the Board under this
18 subsection for approval, the Board—

19 “(i) shall make the development and
20 approval of a revenue policy for peanut
21 producers a priority so that a revenue pol-
22 icy is available to peanut producers in time
23 for the 2014 crop year;

24 “(ii) shall make the development and
25 approval of a margin coverage policy for

1 rice producers a priority so that a margin
2 coverage policy is available to rice pro-
3 ducers in time for the 2014 crop year; and
4 “(iii) may approve a submission that
5 is made pursuant to this subsection that
6 would, beginning with the 2014 crop year,
7 allow producers that purchase policies in
8 accordance with subsection (e)(5)(A) to
9 separate enterprise units by risk rating for
10 acreage of crops in counties.”.

11 (b) ADVANCE PAYMENTS.—Section 522(b)(2)(E) of
12 the Federal Crop Insurance Act (7 U.S.C. 1522(b)(2)(E))
13 is amended by striking “50 percent” and inserting “75
14 percent”.

15 **SEC. 10011. EQUITABLE RELIEF FOR SPECIALTY CROP**
16 **POLICIES.**

17 Section 508(k)(8)(E) of the Federal Crop Insurance
18 Act of 1938 (7 U.S.C. 1508(k)(8)(E)) is amended by add-
19 ing at the end the following new clause:

20 “(iii) EQUITABLE RELIEF FOR SPE-
21 CIALTY CROP POLICIES.—

22 “(I) IN GENERAL.—For each of
23 the 2011 through 2015 reinsurance
24 years, in addition to the total amount
25 of funding for reimbursement of ad-

1 ministrative and operating costs that
2 is otherwise required to be made avail-
3 able in each such reinsurance year
4 pursuant to an agreement entered
5 into by the Corporation, the Corpora-
6 tion shall use \$41,000,000 to provide
7 additional reimbursement with respect
8 to eligible insurance contracts for any
9 agricultural commodity that is not eli-
10 gible for a benefit under subtitles A,
11 B or C of title I of the Federal Agri-
12 culture Reform and Risk Management
13 Act of 2013.

14 “(II) TREATMENT.—Additional
15 reimbursements made under this
16 clause shall be included as part of the
17 base level of administrative and oper-
18 ating expense reimbursement to which
19 any limit on compensation to persons
20 involved in the direct sale and service
21 of any eligible crop insurance contract
22 required under an agreement entered
23 into by the Corporation is applied.

24 “(III) RULE OF CONSTRUC-
25 TION.—Nothing in this clause shall be

1 construed as statutory assent to the
2 limit described in subclause (II).”.

3 **SEC. 10012. BUDGET LIMITATIONS ON RENEGOTIATION OF**
4 **THE STANDARD REINSURANCE AGREEMENT.**

5 Section 508(k)(8) of the Federal Crop Insurance Act
6 of 1938 (7 U.S.C. 1508(k)(8)) is amended by adding at
7 the end the following new subparagraph:

8 “(F) BUDGET.—

9 “(i) IN GENERAL.—The Board shall
10 ensure that any Standard Reinsurance
11 Agreement negotiated under subparagraph
12 (A)(ii), as compared to the previous Stand-
13 ard Reinsurance Agreement—

14 “(I) to the maximum extent prac-
15 ticable, shall be budget neutral; and

16 “(II) in no event, may signifi-
17 cantly depart from budget neutrality.

18 “(ii) USE OF SAVINGS.—To the extent
19 that any budget savings is realized in the
20 renegotiation of a Standard Reinsurance
21 Agreement under subparagraph (A)(ii),
22 and the savings are determined not to be
23 a significant departure from budget neu-
24 trality under clause (i), the savings shall
25 be used to increase the obligations of the

1 Corporation under subsections (e)(2) or
2 (k)(4) or section 523.”.

3 **SEC. 10013. CROP PRODUCTION ON NATIVE SOIL.**

4 (a) FEDERAL CROP INSURANCE.—Section 508(o) of
5 the Federal Crop Insurance Act (7 U.S.C. 1508(o)) is
6 amended—

7 (1) in paragraph (1)(B), by inserting “, or the
8 producer cannot substantiate that the ground has
9 ever been tilled,” after “tilled”;

10 (2) in paragraph (2)—

11 (A) in the paragraph heading, by striking
12 “INELIGIBILITY FOR” and inserting “REDUC-
13 TION IN”; and

14 (B) in subparagraph (A), by striking “for
15 benefits under—” and all that follows through
16 the period at the end and inserting “for—

17 “(i) a portion of crop insurance pre-
18 mium subsidies under this subtitle in ac-
19 cordance with paragraph (3);

20 “(ii) benefits under section 196 of the
21 Federal Agriculture Improvement and Re-
22 form Act of 1996 (7 U.S.C. 7333); and

23 “(iii) payments described in sub-
24 section (b) or (c) of section 1001 of the

1 Food Security Act of 1985 (7 U.S.C.
2 1308).”; and

3 (3) by striking paragraph (3) and inserting the
4 following new paragraphs:

5 “(3) ADMINISTRATION.—

6 “(A) IN GENERAL.—During the first 4
7 crop years of planting on native sod acreage by
8 a producer described in paragraph (2)—

9 “(i) paragraph (2) shall apply to 65
10 percent of the transitional yield of the pro-
11 ducer; and

12 “(ii) the crop insurance premium sub-
13 sidy provided for the producer under this
14 subtitle shall be 50 percentage points less
15 than the premium subsidy that would oth-
16 erwise apply.

17 “(B) YIELD SUBSTITUTION.—During the
18 period native sod acreage is covered by this sub-
19 section, a producer may not substitute yields
20 for the native sod acreage.

21 “(4) APPLICATION.—This subsection shall only
22 apply to native sod in the Prairie Pothole National
23 Priority Area.”.

24 (b) NONINSURED CROP DISASTER ASSISTANCE.—
25 Section 196(a)(4) of the Federal Agriculture Improvement

1 and Reform Act of 1996 (7 U.S.C. 7333(a)(4)) is amend-
2 ed—

3 (1) in the paragraph heading, by striking “IN-
4 ELIGIBILITY” and inserting “BENEFIT REDUCTION”;

5 (2) in subparagraph (A)(ii), by inserting “, or
6 the producer cannot substantiate that the ground
7 has ever been tilled,” after “tilled”;

8 (3) in subparagraph (B)—

9 (A) in the subparagraph heading, by strik-
10 ing “INELIGIBILITY” and inserting “REDUC-
11 TION IN”; and

12 (B) in clause (i), by striking “for benefits
13 under—” and all that follows through the pe-
14 riod at the end and inserting “for—

15 “(I) benefits under this section;

16 “(II) a portion of crop insurance
17 premium subsidies under the Federal
18 Crop Insurance Act (7 U.S.C. 1501 et
19 seq.) in accordance with subparagraph
20 (C); and

21 “(III) payments described in sub-
22 section (b) or (c) of section 1001 of
23 the Food Security Act of 1985 (7
24 U.S.C. 1308).”; and

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

3 “(C) ADMINISTRATION.—

4 “(i) IN GENERAL.—During the first 4
5 crop years of planting on native sod acre-
6 age by a producer described in subpara-
7 graph (B)—

8 “(I) subparagraph (B) shall
9 apply to 65 percent of the transitional
10 yield of the producer; and

11 “(II) the crop insurance premium
12 subsidy provided for the producer
13 under the Federal Crop Insurance Act
14 (7 U.S.C. 1501 et seq.) shall be 50
15 percentage points less than the pre-
16 mium subsidy that would otherwise
17 apply.

18 “(ii) YIELD SUBSTITUTION.—During
19 the period native sod acreage is covered by
20 this paragraph, a producer may not sub-
21 stitute yields for the native sod acreage.

22 “(D) APPLICATION.—This paragraph shall
23 only apply to native sod in the Prairie Pothole
24 National Priority Area.”.

25 (c) CROPLAND REPORT.—

1 (1) BASELINE.—Not later than 180 days after
2 the date of enactment of this Act, the Secretary of
3 Agriculture shall submit to the Committee on Agri-
4 culture of the House of Representatives and the
5 Committee on Agriculture, Nutrition, and Forestry
6 of the Senate a report that describes the cropland
7 acreage in each applicable county and State, and the
8 change in cropland acreage from the preceding year
9 in each applicable county and State, beginning with
10 calendar year 2000 and including that information
11 for the most recent year for which that information
12 is available.

13 (2) ANNUAL UPDATES.—Not later than Janu-
14 ary 1, 2015, and each January 1 thereafter through
15 January 1, 2018, the Secretary of Agriculture shall
16 submit to the Committee on Agriculture of the
17 House of Representatives and the Committee on Ag-
18 riculture, Nutrition, and Forestry of the Senate a
19 report that describes—

20 (A) the cropland acreage in each applicable
21 county and State as of the date of submission
22 of the report; and

23 (B) the change in cropland acreage from
24 the preceding year in each applicable county
25 and State.

1 **SEC. 10014. COVERAGE LEVELS BY PRACTICE.**

2 Section 508 of the Federal Crop Insurance Act of
3 1938 (7 U.S.C. 1508) is amended by adding at the end
4 the following new subsection:

5 “(p) **COVERAGE LEVELS BY PRACTICE.**—Beginning
6 with the 2015 crop year, a producer that produces an agri-
7 cultural commodity on both dry land and irrigated land
8 may elect a different coverage level for each production
9 practice.”.

10 **SEC. 10015. BEGINNING FARMER AND RANCHER PROVI-**
11 **SIONS.**

12 (a) **DEFINITION.**—Section 502(b) of the Federal
13 Crop Insurance Act (7 U.S.C. 1502(b)) is amended—

14 (1) by redesignating paragraphs (3) through
15 (9) as paragraphs (4) through (10), respectively;
16 and

17 (2) by inserting after paragraph (2) the fol-
18 lowing:

19 “(3) **BEGINNING FARMER OR RANCHER.**—The
20 term ‘beginning farmer or rancher’ means a farmer
21 or rancher who has not actively operated and man-
22 aged a farm or ranch with a bona fide insurable in-
23 terest in a crop or livestock as an owner-operator,
24 landlord, tenant, or sharecropper for more than 5
25 crop years, as determined by the Secretary.”.

1 (b) PREMIUM ADJUSTMENTS.—Section 508 of the
2 Federal Crop Insurance Act (7 U.S.C. 1508) is amend-
3 ed—

4 (1) in subsection (b)(5)(E), by inserting “and
5 beginning farmers or ranchers” after “limited re-
6 source farmers”;

7 (2) in subsection (e), by adding at the end the
8 following new paragraph:

9 “(8) PREMIUM FOR BEGINNING FARMERS OR
10 RANCHERS.—Notwithstanding any other provision of
11 this subsection regarding payment of a portion of
12 premiums, a beginning farmer or rancher shall re-
13 ceive premium assistance that is 10 percentage
14 points greater than premium assistance that would
15 otherwise be available under paragraphs (2) (except
16 for subparagraph (A) of that paragraph), (5), (6),
17 and (7) for the applicable policy, plan of insurance,
18 and coverage level selected by the beginning farmer
19 or rancher.”; and

20 (3) in subsection (g)—

21 (A) in paragraph (2)(B)—

22 (i) in clause (i), by striking “or” at
23 the end;

24 (ii) in clause (ii)(III), by striking the
25 period at the end and inserting “; or”; and

1 (iii) by adding at the end the fol-
2 lowing:

3 “(iii) if the producer is a beginning
4 farmer or rancher who was previously in-
5 volved in a farming or ranching operation,
6 including involvement in the decision-
7 making or physical involvement in the pro-
8 duction of the crop or livestock on the
9 farm, for any acreage obtained by the be-
10 ginning farmer or rancher, a yield that is
11 the higher of—

12 “(I) the actual production history
13 of the previous producer of the crop
14 or livestock on the acreage determined
15 under subparagraph (A); or

16 “(II) a yield of the producer, as
17 determined in clause (i).”; and

18 (B) in paragraph (4)(B)(ii) (as amended
19 by section 10009)—

20 (i) by inserting “(I)” after “(ii)”;

21 (ii) by striking the period at the end
22 and inserting “; or”; and

23 (iii) by adding at the end the fol-
24 lowing:

1 “(II) in the case of beginning farmers
2 or ranchers, replace each excluded yield
3 with a yield equal to 80 percent of the ap-
4 plicable transitional yield.”.

5 **SEC. 10016. STACKED INCOME PROTECTION PLAN FOR PRO-**
6 **DUCERS OF UPLAND COTTON.**

7 (a) AVAILABILITY OF STACKED INCOME PROTECTION
8 PLAN FOR PRODUCERS OF UPLAND COTTON.—The Fed-
9 eral Crop Insurance Act is amended by inserting after sec-
10 tion 508A (7 U.S.C. 1508a) the following new section:

11 **“SEC. 508B. STACKED INCOME PROTECTION PLAN FOR**
12 **PRODUCERS OF UPLAND COTTON.**

13 “(a) AVAILABILITY.—Beginning not later than the
14 2014 crop of upland cotton, the Corporation shall make
15 available to producers of upland cotton an additional pol-
16 icy (to be known as the ‘Stacked Income Protection Plan’),
17 which shall provide coverage consistent with the Group
18 Risk Income Protection Plan (and the associated Harvest
19 Revenue Option Endorsement) offered by the Corporation
20 for the 2011 crop year.

21 “(b) REQUIRED TERMS.—The Corporation may mod-
22 ify the Stacked Income Protection Plan on a program-wide
23 basis, except that the Stacked Income Protection Plan
24 shall comply with the following requirements:

1 “(1) Provide coverage for revenue loss of not
2 less than 10 percent and not more than 30 percent
3 of expected county revenue, specified in increments
4 of 5 percent. The deductible is the minimum percent
5 of revenue loss at which indemnities are triggered
6 under the plan, not to be less than 10 percent of the
7 expected county revenue.

8 “(2) Be offered to producers of upland cotton
9 in all counties with upland cotton production—

10 “(A) at a county-wide level to the fullest
11 extent practicable; or

12 “(B) in counties that lack sufficient data,
13 on the basis of such larger geographical area as
14 the Corporation determines to provide sufficient
15 data for purposes of providing the coverage.

16 “(3) Be purchased in addition to any other in-
17 dividual or area coverage in effect on the producer’s
18 acreage or as a stand-alone policy, except that if a
19 producer has an individual or area coverage for the
20 same acreage, the maximum coverage available
21 under the Stacked Income Protection Plan shall not
22 exceed the deductible for the individual or area cov-
23 erage.

24 “(4) Establish coverage based on—

1 “(A) the expected price established under
2 existing Group Risk Income Protection or area
3 wide policy offered by the Corporation for the
4 applicable county (or area) and crop year; and

5 “(B) an expected county yield that is the
6 higher of—

7 “(i) the expected county yield estab-
8 lished for the existing area-wide plans of-
9 fered by the Corporation for the applicable
10 county (or area) and crop year (or, in geo-
11 graphic areas where area-wide plans are
12 not offered, an expected yield determined
13 in a manner consistent with those of area-
14 wide plans); or

15 “(ii) the average of the applicable
16 yield data for the county (or area) for the
17 most recent 5 years, excluding the highest
18 and lowest observations, from the Risk
19 Management Agency or the National Agri-
20 cultural Statistics Service (or both) or, if
21 sufficient county data is not available, such
22 other data considered appropriate by the
23 Secretary.

24 “(5) Use a multiplier factor to establish max-
25 imum protection per acre (referred to as a ‘protec-

1 tion factor’) of not less than the higher of the level
2 established on a program wide basis or 120 percent.

3 “(6) Pay an indemnity based on the amount
4 that the expected county revenue exceeds the actual
5 county revenue, as applied to the individual coverage
6 of the producer. Indemnities under the Stacked In-
7 come Protection Plan shall not include or overlap
8 the amount of the deductible selected under para-
9 graph (1).

10 “(7) In all counties for which data are avail-
11 able, establish separate coverage levels for irrigated
12 and non-irrigated practices.

13 “(c) PREMIUM.—Notwithstanding section 508(d), the
14 premium for the Stacked Income Protection Plan shall—

15 “(1) be sufficient to cover anticipated losses
16 and a reasonable reserve; and

17 “(2) include an amount for operating and ad-
18 ministrative expenses established in accordance with
19 section 508(k)(4)(F).

20 “(d) PAYMENT OF PORTION OF PREMIUM BY COR-
21 PORATION.—Subject to section 508(e)(4), the amount of
22 premium paid by the Corporation for all qualifying cov-
23 erage levels of the Stacked Income Protection Plan shall
24 be—

1 “(1) 80 percent of the amount of the premium
2 established under subsection (c) for the coverage
3 level selected; and

4 “(2) the amount determined under subsection
5 (c)(2), subject to section 508(k)(4)(F), for the cov-
6 erage to cover administrative and operating ex-
7 penses.

8 “(e) RELATION TO OTHER COVERAGES.—The
9 Stacked Income Protection Plan is in addition to all other
10 coverages available to producers of upland cotton.”.

11 (b) CONFORMING AMENDMENT.—Section
12 508(k)(4)(F) of the Federal Crop Insurance Act (7 U.S.C.
13 1508(k)(4)(F)) is amended by inserting “or authorized
14 under subsection (c)(4)(C) or section 508B” after “of this
15 subparagraph”.

16 **SEC. 10017. PEANUT REVENUE CROP INSURANCE.**

17 The Federal Crop Insurance Act is amended by in-
18 serting after section 508B, as added by the previous sec-
19 tion, the following new section:

20 **“SEC. 508C. PEANUT REVENUE CROP INSURANCE.**

21 “(a) IN GENERAL.—Effective beginning with the
22 2014 crop year, the Risk Management Agency and the
23 Corporation shall make available to producers of peanuts
24 a revenue crop insurance program for peanuts.

1 “(b) EFFECTIVE PRICE.—Subject to subsection (c),
2 for purposes of the revenue crop insurance program and
3 the multiperil crop insurance program under this Act, the
4 effective price for peanuts shall be equal to the Rotterdam
5 price index for peanuts, as adjusted to reflect the farmer
6 stock price of peanuts in the United States.

7 “(c) ADJUSTMENTS.—

8 “(1) IN GENERAL.—The effective price for pea-
9 nuts established under subsection (b) may be ad-
10 justed by the Risk Management Agency and the
11 Corporation to correct distortions.

12 “(2) ADMINISTRATION.—If an adjustment is
13 made under paragraph (1), the Risk Management
14 Agency and the Corporation shall—

15 “(A) make the adjustment in an open and
16 transparent manner; and

17 “(B) submit to the Committee on Agri-
18 culture of the House of Representatives and the
19 Committee on Agriculture, Nutrition, and For-
20 estry of the Senate a report that describes the
21 reasons for the adjustment.”.

22 **SEC. 10018. AUTHORITY TO CORRECT ERRORS.**

23 Section 515(c) of the Federal Crop Insurance Act (7
24 U.S.C. 1515(c)) is amended—

1 (1) in the first sentence, by striking “The Sec-
2 retary” and inserting the following:

3 “(1) IN GENERAL.—The Secretary”;

4 (2) in the second sentence, by striking “Begin-
5 ning with” and inserting the following:

6 “(2) FREQUENCY.—Beginning with”; and

7 (3) by adding at the end the following new
8 paragraph:

9 “(3) CORRECTIONS.—

10 “(A) IN GENERAL.—In addition to the cor-
11 rections permitted by the Corporation as of the
12 date of enactment of the Federal Agriculture
13 Reform and Risk Management Act of 2013, the
14 Corporation shall allow an agent or an approved
15 insurance provider, subject to subparagraph
16 (B)—

17 “(i) within a reasonable amount of
18 time following the applicable sales closing
19 date, to correct unintentional errors in in-
20 formation that is provided by a producer
21 for the purpose of obtaining coverage
22 under any policy or plan of insurance made
23 available under this subtitle to ensure that
24 the eligibility information is correct;

1 “(ii) within a reasonable amount of
2 time following—

3 “(I) the acreage reporting date,
4 to correct unintentional errors in fac-
5 tual information that is provided by a
6 producer after the sales closing date
7 to reconcile the information with the
8 information reported by the producer
9 to the Farm Service Agency; or

10 “(II) the date of any subsequent
11 correction of data by the Farm Serv-
12 ice Agency made as a result of the
13 verification of information; and

14 “(iii) at any time, to correct uninten-
15 tional errors that were made by the Farm
16 Service Agency or an agent or approved in-
17 surance provider in transmitting the infor-
18 mation provided by the producer to the ap-
19 proved insurance provider or the Corpora-
20 tion.

21 “(B) LIMITATION.—In accordance with the
22 procedures of the Corporation, correction to the
23 information described in clauses (i) and (ii) of
24 subparagraph (A) may only be made if the cor-
25 rections do not allow the producer—

1 “(i) to avoid ineligibility requirements
2 for insurance;

3 “(ii) to obtain, enhance, or increase
4 an insurance guarantee or indemnity, or
5 avoid premium owed, if a cause of loss ex-
6 ists or has occurred before any correction
7 has been made; or

8 “(iii) to avoid an obligation or re-
9 quirement under any Federal or State law.

10 “(C) EXCEPTION TO LATE FILING SANC-
11 TIONS.—Any corrections made pursuant to this
12 paragraph shall not be subject to any late filing
13 sanctions authorized in the reinsurance agree-
14 ment with the Corporation.”.

15 **SEC. 10019. IMPLEMENTATION.**

16 Section 515 of the Federal Crop Insurance Act (7
17 U.S.C. 1515) is amended—

18 (1) in subsection (j), by striking paragraph (1)
19 and inserting the following new paragraph:

20 “(1) SYSTEMS MAINTENANCE AND UP-
21 GRADES.—

22 “(A) IN GENERAL.—The Secretary shall
23 maintain and upgrade the information manage-
24 ment systems of the Corporation used in the
25 administration and enforcement of this subtitle.

1 “(B) REQUIREMENT.—

2 “(i) IN GENERAL.—In maintaining
3 and upgrading the systems, the Secretary
4 shall ensure that new hardware and soft-
5 ware are compatible with the hardware and
6 software used by other agencies of the De-
7 partment to maximize data sharing and
8 promote the purposes of this section.

9 “(ii) ACREAGE REPORT STREAM-
10 LINING INITIATIVE PROJECT.—As soon as
11 practicable, the Secretary shall develop and
12 implement an acreage report streamlining
13 initiative project to allow producers to re-
14 port acreage and other information directly
15 to the Department.”; and

16 (2) in subsection (k), by striking paragraph (1)
17 and inserting the following new paragraph:

18 “(1) INFORMATION TECHNOLOGY.—

19 “(A) IN GENERAL.—For purposes of sub-
20 section (j)(1), the Corporation may use, from
21 amounts made available from the insurance
22 fund established under section 516(c), not more
23 than—

24 “(i)(I) for fiscal year 2014,
25 \$25,000,000; and

1 “(II) for each of fiscal years 2015
2 through 2018, \$10,000,000; or

3 “(ii) if the Acreage Crop Reporting
4 Streamlining Initiative (ACRSI) project is
5 substantially completed by September 30,
6 2015, not more than \$15,000,000 for each
7 of the fiscal years 2015 through 2018.

8 “(B) NOTIFICATION.—The Secretary shall
9 notify the Committee on Agriculture of the
10 House of Representatives and the Committee
11 on Agriculture, Nutrition, and Forestry of the
12 Senate of the substantial completion of the
13 Acreage Crop Reporting Streamlining Initiative
14 (ACRSI) project not later than July 1, 2015.”.

15 **SEC. 10020. RESEARCH AND DEVELOPMENT PRIORITIES.**

16 (a) **AUTHORITY TO CONDUCT RESEARCH AND DE-**
17 **VELOPMENT, PRIORITIES.**—Section 522(c) of the Federal
18 Crop Insurance Act (7 U.S.C. 1522(c)) is amended—

19 (1) in the subsection heading by striking “CON-
20 TRACTING”;

21 (2) in paragraph (1), in the matter preceding
22 subparagraph (A), by striking “may enter into con-
23 tracts to carry out research and development to”
24 and inserting “may conduct activities or enter into
25 contracts to carry out research and development to

1 maintain or improve existing policies or develop new
2 policies to”;

3 (3) in paragraph (2)—

4 (A) in subparagraph (A), by inserting
5 “conduct research and development or” after
6 “The Corporation may”; and

7 (B) in subparagraph (B), by inserting
8 “conducting research and development or” after
9 “Before”;

10 (4) in paragraph (5), by inserting “after expert
11 review in accordance with section 505(e)” after “ap-
12 proved by the Board”; and

13 (5) in paragraph (6), by striking “a pasture,
14 range, and forage program” and inserting “policies
15 that increase participation by producers of under-
16 served agricultural commodities, including sweet sor-
17 ghum, biomass sorghum, rice, peanuts, sugarcane,
18 alfalfa, pennycress, and specialty crops”.

19 (b) FUNDING.—Section 522(e) of the Federal Crop
20 Insurance Act (7 U.S.C. 1522(e)) is amended—

21 (1) in paragraph (2)—

22 (A) by striking “(A) AUTHORITY.—” and
23 inserting “(A) CONDUCTING AND CONTRACTING
24 FOR RESEARCH AND DEVELOPMENT.—”;

1 (B) in subparagraph (A), by inserting
2 “conduct research and development and” after
3 “the Corporation may use to”; and

4 (C) in subparagraph (B), by inserting
5 “conduct research and development and” after
6 “for the fiscal year to”;

7 (2) in paragraph (3), by striking “to provide ei-
8 ther reimbursement payments or contract pay-
9 ments”; and

10 (3) by striking paragraph (4).

11 **SEC. 10021. ADDITIONAL RESEARCH AND DEVELOPMENT**
12 **CONTRACTING REQUIREMENTS.**

13 Section 522(c) of the Federal Crop Insurance Act (7
14 U.S.C. 1522(c)) is amended—

15 (1) by redesignating paragraph (17) as para-
16 graph (24); and

17 (2) by inserting after paragraph (16), the fol-
18 lowing new paragraphs:

19 “(17) MARGIN COVERAGE FOR CATFISH.—

20 “(A) IN GENERAL.—The Corporation shall
21 offer to enter into a contract with a qualified
22 entity to conduct research and development re-
23 garding a policy to insure producers against re-
24 duction in the margin between the market value

1 of catfish and selected costs incurred in the
2 production of catfish.

3 “(B) ELIGIBILITY.—Eligibility for the pol-
4 icy described in subparagraph (A) shall be lim-
5 ited to freshwater species of catfish that are
6 propagated and reared in controlled or selected
7 environments.

8 “(C) IMPLEMENTATION.—The Board shall
9 review the policy described in subparagraph (B)
10 under subsection 508(h) and approve the policy
11 if the Board finds that the policy—

12 “(i) will likely result in a viable and
13 marketable policy consistent with this sub-
14 section;

15 “(ii) would provide crop insurance
16 coverage in a significantly improved form;

17 “(iii) adequately protects the interests
18 of producers; and

19 “(iv) the proposed policy meets other
20 requirements of this subtitle determined
21 appropriate by the Board.

22 “(18) BIOMASS AND SWEET SORGHUM ENERGY
23 CROP INSURANCE POLICIES.—

24 “(A) AUTHORITY.—The Corporation shall
25 offer to enter into 1 or more contracts with

1 qualified entities to carry out research and de-
2 velopment regarding—

3 “(i) a policy to insure biomass sor-
4 ghum that is grown expressly for the pur-
5 pose of producing a feedstock for renew-
6 able biofuel, renewable electricity, or
7 biobased products; and

8 “(ii) a policy to insure sweet sorghum
9 that is grown for a purpose described in
10 clause (i).

11 “(B) RESEARCH AND DEVELOPMENT.—

12 Research and development with respect to each
13 of the policies required in subparagraph (A)
14 shall evaluate the effectiveness of risk manage-
15 ment tools for the production of biomass sor-
16 ghum or sweet sorghum, including policies and
17 plans of insurance that—

18 “(i) are based on market prices and
19 yields;

20 “(ii) to the extent that insufficient
21 data exist to develop a policy based on
22 market prices and yields, evaluate the poli-
23 cies and plans of insurance based on the
24 use of weather indices, including excessive

1 or inadequate rainfall, to protect the inter-
2 est of crop producers; and

3 “(iii) provide protection for production
4 or revenue losses, or both.

5 “(19) STUDY ON SWINE CATASTROPHIC DIS-
6 EASE PROGRAM.—

7 “(A) IN GENERAL.—The Corporation shall
8 contract with a qualified person to conduct a
9 study to determine the feasibility of insuring
10 swine producers for a catastrophic event.

11 “(B) REPORT.—Not later than 1 year
12 after the date of the enactment of this para-
13 graph, the Corporation shall submit to the
14 Committee on Agriculture of the House of Rep-
15 resentatives and the Committee on Agriculture,
16 Nutrition, and Forestry of the Senate a report
17 that describes the results of the study con-
18 ducted under subparagraph (A).

19 “(20) WHOLE FARM DIVERSIFIED RISK MAN-
20 AGEMENT INSURANCE PLAN.—

21 “(A) IN GENERAL.—The Corporation shall
22 conduct activities or enter into contracts to
23 carry out research and development to develop
24 a whole farm risk management insurance plan,
25 with a liability limitation of \$1,250,000, that

1 allows a diversified crop or livestock producer
2 the option to qualify for an indemnity if actual
3 gross farm revenue is below 85 percent of the
4 average gross farm revenue or the expected
5 gross farm revenue that can reasonably be ex-
6 pected of the producer, as determined by the
7 Corporation.

8 “(B) ELIGIBLE PRODUCERS.—The Cor-
9 poration shall permit producers (including di-
10 rect-to-consumer marketers and producers serv-
11 icing local and regional and farm identity-pre-
12 served markets) who produce multiple agricul-
13 tural commodities, including specialty crops, in-
14 dustrial crops, livestock, and aquaculture prod-
15 ucts, to participate in the plan in lieu of any
16 other plan under this subtitle.

17 “(C) DIVERSIFICATION.—The Corporation
18 may provide diversification-based additional
19 coverage payment rates, premium discounts, or
20 other enhanced benefits in recognition of the
21 risk management benefits of crop and livestock
22 diversification strategies for producers that
23 grow multiple crops or that may have income
24 from the production of livestock that uses a
25 crop grown on the farm.

1 “(D) MARKET READINESS.—The Corpora-
2 tion may include coverage for the value of any
3 packing, packaging, or any other similar on-
4 farm activity the Corporation determines to be
5 the minimum required in order to remove the
6 commodity from the field.

7 “(E) REPORT.—Not later than 2 years
8 after the date of enactment of this paragraph,
9 the Corporation shall submit to the Committee
10 on Agriculture of the House of Representatives
11 and the Committee on Agriculture, Nutrition,
12 and Forestry of the Senate a report that de-
13 scribes the results and feasibility of the re-
14 search and development conducted under this
15 paragraph, including an analysis of potential
16 adverse market distortions.

17 “(21) STUDY ON POULTRY CATASTROPHIC DIS-
18 EASE PROGRAM.—

19 “(A) IN GENERAL.—The Corporation shall
20 contract with a qualified person to conduct a
21 study to determine the feasibility of insuring
22 poultry producers for a catastrophic event.

23 “(B) REPORT.—Not later than 1 year
24 after the date of the enactment of this para-
25 graph, the Corporation shall submit to the

1 Committee on Agriculture of the House of Rep-
2 presentatives and the Committee on Agriculture,
3 Nutrition, and Forestry of the Senate a report
4 that describes the results of the study con-
5 ducted under subparagraph (A).

6 “(22) POULTRY BUSINESS INTERRUPTION IN-
7 SURANCE POLICY.—

8 “(A) AUTHORITY.—The Corporation shall
9 offer to enter into a contract or cooperative
10 agreement with a university or other legal enti-
11 ty to carry out research and development re-
12 garding a policy to insure the commercial pro-
13 duction of poultry against business interrup-
14 tions caused by integrator bankruptcy.

15 “(B) RESEARCH AND DEVELOPMENT.—As
16 part of the research and development conducted
17 pursuant to a contract or cooperative agreement
18 entered into under subparagraph (A), the entity
19 shall—

20 “(i) evaluate the market place for
21 business interruption insurance that is
22 available to poultry growers;

23 “(ii) determine what statutory author-
24 ity would be necessary to implement a

1 business interruption insurance through
2 the Corporation;

3 “(iii) assess the feasibility of a policy
4 or plan of insurance offered under this
5 subtitle to insure against losses due to the
6 bankruptcy of an business integrator; and

7 “(iv) analyze the costs to the Federal
8 Government of a Federal business inter-
9 ruption insurance program for poultry
10 growers.

11 “(C) DEFINITIONS.—In this paragraph,
12 the terms ‘poultry’ and ‘poultry grower’ have
13 the meanings given those terms in section 2(a)
14 of the Packers and Stockyards Act, 1921 (7
15 U.S.C. 182(a)).

16 “(D) DEADLINE FOR CONTRACT OR COOP-
17 ERATIVE AGREEMENT.—Not later than six
18 months after the date of the enactment of this
19 paragraph, the Corporation shall enter into the
20 contract or cooperative agreement required by
21 subparagraph (A).

22 “(E) DEADLINE FOR COMPLETION OF RE-
23 SEARCH AND DEVELOPMENT.—Not later than
24 one year after the date of the enactment of this
25 paragraph, the Corporation shall submit to the

1 Committee on Agriculture of the House of Rep-
2 resentatives and the Committee on Agriculture,
3 Nutrition, and Forestry of the Senate a report
4 that describes the results of the research and
5 development conducted pursuant to the contract
6 or cooperative agreement entered into under
7 subparagraph (A).

8 “(23) STUDY OF FOOD SAFETY INSURANCE.—

9 “(A) IN GENERAL.—The Corporation shall
10 offer to enter into a contract with 1 or more
11 qualified entities to conduct a study to deter-
12 mine whether offering policies that provide cov-
13 erage for specialty crops from food safety and
14 contamination issues would benefit agricultural
15 producers.

16 “(B) SUBJECT.—The study described in
17 subparagraph (A) shall evaluate policies and
18 plans of insurance coverage that provide protec-
19 tion for production or revenue impacted by food
20 safety concerns including, at a minimum, gov-
21 ernment, retail, or national consumer group an-
22 nouncements of a health advisory, removal, or
23 recall related to a contamination concern.

24 “(C) REPORT.—Not later than 1 year
25 after the date of enactment of this paragraph,

1 the Corporation shall submit to the Committee
2 on Agriculture of the House of Representatives
3 and the Committee on Agriculture, Nutrition,
4 and Forestry of the Senate a report that de-
5 scribes the results of the study conducted under
6 subparagraph (A).”.

7 **SEC. 10022. PROGRAM COMPLIANCE PARTNERSHIPS.**

8 Paragraph (1) of section 522(d) of the Federal Crop
9 Insurance Act (7 U.S.C. 1522(d)) is amended to read as
10 follows:

11 “(1) PURPOSE.—The purpose of this subsection
12 is to authorize the Corporation to enter into partner-
13 ships with public and private entities for the purpose
14 of either—

15 “(A) increasing the availability of loss miti-
16 gation, financial, and other risk management
17 tools for producers, with a priority given to risk
18 management tools for producers of agricultural
19 commodities covered by section 196 of the Agri-
20 cultural Market Transition Act (7 U.S.C.
21 7333), specialty crops, and underserved agricul-
22 tural commodities; or

23 “(B) improving analysis tools and tech-
24 nology regarding compliance or identifying and
25 using innovative compliance strategies.”.

1 **SEC. 10023. PILOT PROGRAMS.**

2 Section 523(a) of the Federal Crop Insurance Act (7
3 U.S.C. 1523(a)) is amended—

4 (1) in paragraph (1), by inserting “, at the sole
5 discretion of the Corporation,” after “may”; and

6 (2) by striking paragraph (5).

7 **SEC. 10024. TECHNICAL AMENDMENTS.**

8 (a) **ELIGIBILITY FOR DEPARTMENT PROGRAMS.—**

9 Section 508(b) of the Federal Crop Insurance Act (7
10 U.S.C. 1508(b)) is amended—

11 (1) by striking paragraph (7); and

12 (2) by redesignating paragraphs (8) through
13 (11) as paragraphs (7) through (10), respectively.

14 (b) **EXCLUSIONS TO ASSISTANCE FOR LOSSES DUE
15 TO DROUGHT CONDITIONS.—**

16 (1) **IN GENERAL.—**Section 531(d)(3)(A) of the
17 Federal Crop Insurance Act (7 U.S.C.
18 1531(d)(3)(A)) is amended—

19 (A) by striking “(A) **ELIGIBLE LOSSES.—**
20 ” and all that follows through “An eligible” in
21 clause (i) and inserting the following:

22 “(A) **ELIGIBLE LOSSES.—**An eligible”;

23 (B) by striking clause (ii); and

24 (C) by redesignating subclauses (I) and
25 (II) as clauses (i) and (ii), respectively, and in-
26 denting appropriately.

1 (2) CONFORMING AMENDMENT.—Section
2 901(d)(3)(A) of the Trade Act of 1974 (19 U.S.C.
3 2497(d)(3)(A)) is amended—

4 (A) by striking “(A) ELIGIBLE LOSSES.—
5 ” and all that follows through “An eligible” in
6 clause (i) and inserting the following:

7 “(A) ELIGIBLE LOSSES.—An eligible”;

8 (B) by striking clause (ii); and

9 (C) by redesignating subclauses (I) and
10 (II) as clauses (i) and (ii), respectively, and in-
11 denting appropriately.

12 **SEC. 10025. ADVANCE PUBLIC NOTICE OF CROP INSURANCE**
13 **POLICY AND PLAN CHANGES.**

14 Section 505(e) of the Federal Crop Insurance Act (7
15 U.S.C. 1505(e)) is amended—

16 (1) by redesignating paragraphs (5) and (6) as
17 paragraphs (6) and (7); respectively; and

18 (2) by inserting after paragraph (4) the fol-
19 lowing new paragraph (5):

20 “(5) ADVANCE NOTICE OF MODIFICATION BE-
21 FORE IMPLEMENTATION.—

22 “(A) IN GENERAL.—Any modification to
23 be made in the terms or conditions of any pol-
24 icy or plan of insurance offered under this sub-
25 title shall not take effect for a crop year unless

1 the Secretary publishes the modification in the
2 Federal Register and on the website of the Cor-
3 poration and provides for a subsequent period
4 of public comment—

5 “(i) with respect to fall-planted crops,
6 not later than 60 days before June 30 dur-
7 ing the preceding crop year; and

8 “(ii) with respect to spring-planted
9 crops, not later than 60 days before No-
10 vember 30 during the preceding crop year.

11 “(B) WAIVER.—The Secretary may waive
12 the application of subparagraph (A) in an emer-
13 gency situation declared by the Secretary upon
14 notice to Congress of the nature of the emer-
15 gency and the need for immediate implementa-
16 tion of the policy or plan modification referred
17 to in such subparagraph.”.

18 **TITLE XI—MISCELLANEOUS**

19 **Subtitle A—Livestock**

20 **SEC. 11101. REPEAL OF THE NATIONAL SHEEP INDUSTRY** 21 **IMPROVEMENT CENTER.**

22 Effective October 1, 2013, section 375 of the Consoli-
23 dated Farm and Rural Development Act (7 U.S.C. 2008j)
24 is repealed.

1 **SEC. 11102. REPEAL OF CERTAIN REGULATIONS UNDER**
2 **THE PACKERS AND STOCKYARDS ACT, 1921.**

3 (a) REPEAL OF CERTAIN REGULATION REQUIRE-
4 MENT.—Section 11006 of the Food, Conservation, and
5 Energy Act of 2008 (Public Law 110–246; 122 Stat.
6 2120) is repealed.

7 (b) REPEAL OF CERTAIN EXISTING REGULATION.—
8 Subsection (n) of section 201.2 of title 9, Code of Federal
9 Regulations, is repealed.

10 (c) PROHIBITION ON ENFORCEMENT OF CERTAIN
11 REGULATIONS OR ISSUANCE OF SIMILAR REGULA-
12 TIONS.—Notwithstanding any other provision of law, the
13 Secretary of Agriculture shall not—

14 (1) enforce subsection (n) of section 201.2 of
15 title 9, Code of Federal Regulations;

16 (2) finalize or implement sections 201.2(l),
17 201.2(t), 201.2(u), 201.3(e), 201.210, 201.211,
18 201.213, and 201.214 of title 9, Code of Federal
19 Regulations, as proposed to be added by the pro-
20 posed rule entitled “Implementation of Regulations
21 Required Under Title XI of the Food, Conservation
22 and Energy Act of 2008; Conduct in Violation of the
23 Act” published by the Department of Agriculture on
24 June 22, 2010 (75 Fed. Reg. 35338); or

25 (3) issue regulations or adopt a policy similar
26 to the provisions—

1 (A) referred to in paragraph (1) or (2); or

2 (B) rescinded by the Secretary pursuant to
3 section 742 of the Consolidated and Further
4 Continuing Appropriations Act, 2013 (Public
5 Law 113–6).

6 **SEC. 11103. TRICHINAE CERTIFICATION PROGRAM.**

7 (a) ALTERNATIVE CERTIFICATION PROCESS.—The
8 Secretary of Agriculture shall amend the rule made under
9 paragraph (2) of section 11010(a) of the Food, Conserva-
10 tion, and Energy Act of 2008 (7 U.S.C. 8304(a)) to imple-
11 ment the voluntary trichinae certification program estab-
12 lished under paragraph (1) of such section, to include a
13 requirement to establish an alternative trichinae certifi-
14 cation process based on surveillance or other methods con-
15 sistent with international standards for categorizing com-
16 partments as having negligible risk for trichinae.

17 (b) FINAL REGULATIONS.—Not later than one year
18 after the date on which the international standards re-
19 ferred to in subsection (a) are adopted, the Secretary shall
20 finalize the rule amended under such subsection.

21 (c) REAUTHORIZATION.—Section 10405(d)(1) of the
22 Animal Health Protection Act (7 U.S.C. 8304(d)(1)) is
23 amended in subparagraphs (A) and (B) by striking
24 “2012” each place it appears and inserting “2018”.

1 **SEC. 11104. NATIONAL AQUATIC ANIMAL HEALTH PLAN.**

2 Section 11013(d) of the Food, Conservation, and En-
3 ergy Act of 2008 (7 U.S.C. 8322(d)) is amended by strik-
4 ing “2012” and inserting “2018”.

5 **SEC. 11105. COUNTRY OF ORIGIN LABELING.**

6 (a) IN GENERAL.—Not later than 180 days after the
7 date of the enactment of this Act, the Secretary of Agri-
8 culture, acting through the Office of the Chief Economist,
9 shall conduct an economic analysis of the proposed rule
10 entitled “Mandatory Country of Origin Labeling of Beef,
11 Pork, Lamb, Chicken, Goat Meat, Wild and Farm-raised
12 Fish and Shellfish, Perishable Agricultural Commodities,
13 Peanuts, Pecans, Ginseng and Macadamia Nuts” pub-
14 lished by the Department of Agriculture on March 12,
15 2013 (76 Fed. Reg. 15645).

16 (b) CONTENTS.—The economic analysis described in
17 subsection (a) shall include, with respect to the labeling
18 of beef, pork, and chicken, an analysis of the impact on
19 consumers, producers, and packers in the United States
20 of—

21 (1) the implementation of subtitle D of the Ag-
22 ricultural Marketing Act of 1946 (7 U.S.C. 1638 et
23 seq.); and

24 (2) the proposed rule referred to in subsection
25 (a).

1 **SEC. 11106. NATIONAL ANIMAL HEALTH LABORATORY NET-**
2 **WORK.**

3 Subtitle E of title X of the Farm Security and Rural
4 Investment Act of 2002 is amended by inserting after sec-
5 tion 10409 (7 U.S.C. 8308) the following new section:

6 **“SEC. 10409A. NATIONAL ANIMAL HEALTH LABORATORY**
7 **NETWORK.**

8 “(a) IN GENERAL.—The Secretary shall enter into
9 contracts, grants, cooperative agreements, or other legal
10 instruments with eligible laboratories for any of the fol-
11 lowing purposes:

12 “(1) To enhance the capability of the Secretary
13 to detect, and respond in a timely manner to, emerg-
14 ing or existing threats to animal health and to sup-
15 port the protection of public health, the environ-
16 ment, and the agricultural economy of the United
17 States.

18 “(2) To provide the capacity and capability for
19 standardized—

20 “(A) test procedures, reference materials,
21 and equipment;

22 “(B) laboratory biosafety and biosecurity
23 levels;

24 “(C) quality management system require-
25 ments;

1 “(D) interconnected electronic reporting
2 and transmission of data; and

3 “(E) evaluation for emergency prepared-
4 ness.

5 “(3) To coordinate the development, implemen-
6 tation, and enhancement of national veterinary diag-
7 nostic laboratory capabilities, with special emphasis
8 on surveillance planning and vulnerability analysis,
9 technology development and validation, training, and
10 outreach.

11 “(b) ELIGIBILITY.—An eligible laboratory under this
12 section is a diagnostic laboratory meeting specific criteria
13 developed by the Secretary, in consultation with State ani-
14 mal health officials and State and university veterinary di-
15 agnostic laboratories.

16 “(c) PRIORITY.—To the extent practicable and to the
17 extent capacity and specialized expertise may be nec-
18 essary, the Secretary shall give priority to existing Fed-
19 eral, State, and university facilities.

20 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to be appropriated to carry out this section
22 \$15,000,000 for each of fiscal years 2014 through 2018.”.

1 **SEC. 11107. REPEAL OF DUPLICATIVE CATFISH INSPECTION**
2 **PROGRAM.**

3 (a) IN GENERAL.—Effective on the date of the enact-
4 ment of the Food, Conservation, and Energy Act of 2008
5 (7 U.S.C. 8701 et seq.), section 11016 of such Act (Public
6 Law 110–246; 122 Stat. 2130) and the amendments made
7 by such section are repealed.

8 (b) APPLICATION.—The Agricultural Marketing Act
9 of 1946 (7 U.S.C. 1621 et seq.) and the Federal Meat
10 Inspection Act (21 U.S.C. 601 et seq.) shall be applied
11 and administered as if section 11016 (Public Law 110–
12 246; 122 Stat. 2130) of the Food, Conservation, and En-
13 ergy Act of 2008 (7 U.S.C. 8701 et seq.) and the amend-
14 ments made by such section had not been enacted.

15 **SEC. 11108. NATIONAL POULTRY IMPROVEMENT PROGRAM.**

16 The Secretary of Agriculture shall ensure that the
17 Department of Agriculture continues to administer the di-
18 agnostic surveillance program for H5/H7 low pathogenic
19 avian influenza with respect to commercial poultry under
20 section 146.14 of title 9, Code of Federal Regulations (or
21 a successor regulation) without amending the regulations
22 in section 147.43 of title 9, Code of Federal Regulations
23 (or a successor regulation) with respect to the governance
24 of the General Conference Committee established under
25 such section. The Secretary of Agriculture shall main-
26 tain—

1 (1) the operations of the General Conference
2 Committee—

3 (A) in the physical location at which the
4 Committee was located on the date of the en-
5 actment of this Act; and

6 (B) with the organizational structure with-
7 in the Department of Agriculture in effect as of
8 such date; and

9 (2) the funding levels for the National Poultry
10 Improvement Plan for Commercial Poultry (estab-
11 lished under part 146 of title 9, Code of Federal
12 Regulations or a successor regulation) at the fiscal
13 year 2013 funding levels for the Plan.

14 **SEC. 11109. REPORT ON BOVINE TUBERCULOSIS IN TEXAS.**

15 Not later than December 31, 2014, the Secretary of
16 Agriculture shall submit to the Committee on Agriculture
17 of the House of Representatives and the Committee on
18 Agriculture, Nutrition, and Forestry of the Senate a re-
19 port on the incidence of bovine tuberculosis in cattle in
20 Texas. The report shall cover the period beginning on Jan-
21 uary 1, 1997, and ending on December 31, 2013.

22 **SEC. 11110. ECONOMIC FRAUD IN WILD AND FARM-RAISED**
23 **SEAFOOD.**

24 (a) **IN GENERAL.**—Not later than 180 days after the
25 date of the enactment of this Act, the Secretary of Agri-

1 culture, acting through the Office of the Chief Economist,
2 shall submit to Congress a report on the economic implica-
3 tions for consumers, fishermen, and aquaculturists of
4 fraud and mislabeling in wild and farm-raised seafood.

5 (b) CONTENTS.—The report required under sub-
6 section (a) shall include, with respect to fraud and
7 mislabeling in wild and farm-raised seafood, an analysis
8 of the impact on consumers and producers in the United
9 States of—

10 (1) sales of imported seafood that is misrepre-
11 sented as domestic product;

12 (2) country of origin labeling that allows sea-
13 food harvested outside the United States to be la-
14 beled as a product of the United States;

15 (3) the lack of seafood product traceability
16 through the supply chain; and

17 (4) the inadequate use of DNA testing and
18 other technology to address seafood safety and
19 fraud, including traceability.

1 **Subtitle B—Socially Disadvantaged**
2 **Producers and Limited Re-**
3 **source Producers**

4 **SEC. 11201. OUTREACH AND ASSISTANCE FOR SOCIALLY**
5 **DISADVANTAGED FARMERS AND RANCHERS**
6 **AND VETERAN FARMERS AND RANCHERS.**

7 (a) OUTREACH AND ASSISTANCE FOR SOCIALLY DIS-
8 ADVANTAGED FARMERS AND RANCHERS AND VETERAN
9 FARMERS AND RANCHERS.—Section 2501 of the Food,
10 Agriculture, Conservation, and Trade Act of 1990 (7
11 U.S.C. 2279) is amended—

12 (1) in the section heading, by inserting “**AND**
13 **VETERAN FARMERS AND RANCHERS**” after
14 “**RANCHERS**”;

15 (2) in subsection (a)—

16 (A) in paragraph (1), by inserting “and
17 veteran farmers or ranchers” after “ranchers”;

18 (B) in paragraph (2)(B)(i), by inserting
19 “and veteran farmers or ranchers” after
20 “ranchers”; and

21 (C) in paragraph (4)—

22 (i) in subparagraph (A)—

23 (I) in the heading of such sub-
24 paragraph, by striking “2012” and in-
25 serting “2018”;

1 (II) in clause (i), by striking
2 “and” at the end;

3 (III) in clause (ii), by striking
4 the period at the end and inserting “;
5 and”; and

6 (IV) by adding at the end the fol-
7 lowing new clause:

8 “(iii) \$10,000,000 for each of fiscal
9 years 2014 through 2018.”; and

10 (ii) by adding at the end the following
11 new subparagraph:

12 “(E) AUTHORIZATION OF APPROPRIA-
13 TIONS.—There are authorized to be appro-
14 priated to carry out this section \$20,000,000
15 for each of fiscal years 2014 through 2018.”;

16 (3) in subsection (b)(2), by inserting “or vet-
17 eran farmers and ranchers” after “socially disadvan-
18 taged farmers and ranchers”;

19 (4) in subsection (c)—

20 (A) in paragraph (1)(A), by inserting “vet-
21 eran farmers or ranchers and” before “mem-
22 bers”; and

23 (B) in paragraph (2)(A), by inserting “vet-
24 eran farmers or ranchers and” before “mem-
25 bers”; and

1 (5) in subsection (e)(5)(A)—

2 (A) in clause (i), by inserting “and veteran
3 farmers or ranchers” after “ranchers”; and

4 (B) in clause (ii), by inserting “and vet-
5 eran farmers or ranchers” after “ranchers”.

6 (b) DEFINITION OF VETERAN FARMER OR RANCH-
7 ER.—Section 2501(e) of the Food, Agriculture, Conserva-
8 tion, and Trade Act of 1990 (7 U.S.C. 2279(e)) is amend-
9 ed by adding at the end the following new paragraph:

10 “(7) VETERAN FARMER OR RANCHER.—The
11 term ‘veteran farmer or rancher’ means a farmer or
12 rancher who served in the active military, naval, or
13 air service, and who was discharged or released from
14 the service under conditions other than dishonor-
15 able.”.

16 **SEC. 11202. OFFICE OF ADVOCACY AND OUTREACH.**

17 Paragraph (3) of section 226B(f) of the Department
18 of Agriculture Reorganization Act of 1994 (7 U.S.C.
19 6934(f)) is amended to read as follows:

20 “(3) AUTHORIZATION OF APPROPRIATIONS.—

21 There are authorized to be appropriated to carry out
22 this subsection—

23 “(A) such sums as are necessary for each
24 of fiscal years 2009 through 2013; and

1 “(B) \$2,000,000 for each of fiscal years
2 2014 through 2018.”.

3 **SEC. 11203. SOCIALLY DISADVANTAGED FARMERS AND**
4 **RANCHERS POLICY RESEARCH CENTER.**

5 Section 2501 of the Food, Agriculture, Conservation,
6 and Trade Act of 1990 (7 U.S.C. 2279), as amended by
7 section 11201, is amended by adding at the end the fol-
8 lowing new subsection:

9 “(i) SOCIALLY DISADVANTAGED FARMERS AND
10 RANCHERS POLICY RESEARCH CENTER.—The Secretary
11 shall award a grant to a college or university eligible to
12 receive funds under the Act of August 30, 1890 (7 U.S.C.
13 321 et seq.), including Tuskegee University, to establish
14 a policy research center to be known as the ‘Socially Dis-
15 advantaged Farmers and Ranchers Policy Research Cen-
16 ter’ for the purpose of developing policy recommendations
17 for the protection and promotion of the interests of so-
18 cially disadvantaged farmers and ranchers.”.

19 **SEC. 11204. RECEIPT FOR SERVICE OR DENIAL OF SERVICE**
20 **FROM CERTAIN DEPARTMENT OF AGRICULTURE**
21 **CULTURE AGENCIES.**

22 Section 2501A(e) of the Food, Agriculture, Conserva-
23 tion, and Trade Act of 1990 (7 U.S.C. 2279–1(e)) is
24 amended by striking “and, at the time of the request, also
25 requests a receipt”.

1 **Subtitle C—Other Miscellaneous**
2 **Provisions**

3 **SEC. 11301. GRANTS TO IMPROVE SUPPLY, STABILITY,**
4 **SAFETY, AND TRAINING OF AGRICULTURAL**
5 **LABOR FORCE.**

6 Subsection (d) of section 14204 of the Food, Con-
7 servation, and Energy Act of 2008 (7 U.S.C. 2008q-1)
8 is amended to read as follows:

9 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
10 are authorized to be appropriated to carry out this sec-
11 tion—

12 “(1) such sums as are necessary for each of fis-
13 cal years 2008 through 2013; and

14 “(2) \$10,000,000 for each of fiscal years 2014
15 through 2018.”.

16 **SEC. 11302. PROGRAM BENEFIT ELIGIBILITY STATUS FOR**
17 **PARTICIPANTS IN HIGH PLAINS WATER**
18 **STUDY.**

19 Section 2901 of the Food, Conservation, and Energy
20 Act of 2008 (Public Law 110-246; 122 Stat. 1818) is
21 amended by striking “this Act or an amendment made by
22 this Act” and inserting “this Act, an amendment made
23 by this Act, the Federal Agriculture Reform and Risk
24 Management Act of 2013, or an amendment made by the

1 Federal Agriculture Reform and Risk Management Act of
2 2013”.

3 **SEC. 11303. OFFICE OF TRIBAL RELATIONS.**

4 (a) IN GENERAL.—Title III of the Federal Crop In-
5 surance Reform and Department of Agriculture Reorga-
6 nization Act of 1994 is amended by adding after section
7 308 (7 U.S.C. 3125a note; Public Law 103–354) the fol-
8 lowing new section:

9 **“SEC. 309. OFFICE OF TRIBAL RELATIONS.**

10 “The Secretary shall establish in the Office of the
11 Secretary an Office of Tribal Relations to advise the Sec-
12 retary on policies related to Indian tribes.”.

13 (b) CONFORMING AMENDMENT.—Section 296(b) of
14 the Department of Agriculture Reorganization Act of
15 1994 (7 U.S.C. 7014(b)) is amended by inserting after
16 paragraph (8), as added by section 3207, the following
17 new paragraph:

18 “(9) the authority of the Secretary to establish
19 in the Office of the Secretary the Office of Tribal
20 Relations in accordance with section 309; and”.

21 **SEC. 11304. MILITARY VETERANS AGRICULTURAL LIAISON.**

22 (a) IN GENERAL.—Subtitle A of the Department of
23 Agriculture Reorganization Act of 1994 is amended by in-
24 serting after section 218 (7 U.S.C. 6918) the following
25 new section:

1 **“SEC. 219. MILITARY VETERANS AGRICULTURAL LIAISON.**

2 “(a) AUTHORIZATION.—The Secretary shall establish
3 in the Department the position of Military Veterans Agri-
4 cultural Liaison.

5 “(b) DUTIES.—The Military Veterans Agricultural
6 Liaison shall—

7 “(1) provide information to returning veterans
8 about, and connect returning veterans with, begin-
9 ning farmer training and agricultural vocational and
10 rehabilitation programs appropriate to the needs and
11 interests of returning veterans, including assisting
12 veterans in using Federal veterans educational bene-
13 fits for purposes relating to beginning a farming or
14 ranching career;

15 “(2) provide information to veterans concerning
16 the availability of and eligibility requirements for
17 participation in agricultural programs, with par-
18 ticular emphasis on beginning farmer and rancher
19 programs;

20 “(3) serve as a resource for assisting veteran
21 farmers and ranchers, and potential farmers and
22 ranchers, in applying for participation in agricul-
23 tural programs; and

24 “(4) advocate on behalf of veterans in inter-
25 actions with employees of the Department.”.

1 (b) CONFORMING AMENDMENT.—Section 296(b) of
2 the Department of Agriculture Reorganization Act of
3 1994 (7 U.S.C. 7014(b)) is amended by inserting after
4 paragraph (9), as added by section 11303, the following
5 new paragraph:

6 “(10) the authority of the Secretary to establish
7 in the Department the position of Military Veterans
8 Agricultural Liaison in accordance with section
9 219.”.

10 **SEC. 11305. PROHIBITION ON KEEPING GSA LEASED CARS**
11 **OVERNIGHT.**

12 Effective immediately, a Federal employee of a State
13 office of the Farm Service Agency in the field and non-
14 Federal employees of county and area committees estab-
15 lished under section 8(b)(5) of the Soil Conservation and
16 Domestic Allotment Act (16 U.S.C. 590h(b)(5)) shall keep
17 leased interagency motor pool vehicles at a location listed
18 on the General Services Administration inventory of
19 owned and leased properties or a location owned or leased
20 by the Department of Agriculture overnight unless the em-
21 ployee assigned the vehicle is on overnight, approved travel
22 status involving per diem.

1 **SEC. 11306. NONINSURED CROP ASSISTANCE PROGRAM.**

2 Section 196 of the Federal Agriculture Improvement
3 and Reform Act of 1996 (7 U.S.C. 7333), as amended
4 by section 10013(b), is further amended—

5 (1) in subsection (a)—

6 (A) by striking paragraph (1) and insert-
7 ing the following new paragraph:

8 “(1) IN GENERAL.—

9 “(A) COVERAGES.—In the case of an eligi-
10 ble crop described in paragraph (2), the Sec-
11 retary of Agriculture shall operate a noninsured
12 crop disaster assistance program to provide cov-
13 erages based on individual yields (other than
14 for value-loss crops) equivalent to—

15 “(i) catastrophic risk protection avail-
16 able under section 508(b) of the Federal
17 Crop Insurance Act (7 U.S.C. 1508(b)); or

18 “(ii) additional coverage available
19 under subsections (c) and (h) of section
20 508 of that Act (7 U.S.C. 1508) that does
21 not exceed 65 percent.

22 “(B) ADMINISTRATION.—The Secretary
23 shall carry out this section through the Farm
24 Service Agency (referred to in this section as
25 the ‘Agency’).”; and

26 (B) in paragraph (2)—

1 (i) in subparagraph (A)—

2 (I) in clause (i), by striking
3 “and” after the semicolon at the end;

4 (II) by redesignating clause (ii)
5 as clause (iii); and

6 (III) by inserting after clause (i)
7 the following new clause:

8 “(ii) for which additional coverage
9 under subsections (c) and (h) of section
10 508 of that Act (7 U.S.C. 1508) is not
11 available; and”; and

12 (ii) in subparagraph (B), by inserting
13 “sweet sorghum, biomass sorghum,” before
14 “and industrial crops”;

15 (2) in subsection (d), by striking “The Sec-
16 retary” and inserting “Subject to subsection (l), the
17 Secretary”; and

18 (3) by adding at the end the following new sub-
19 section:

20 “(1) PAYMENT EQUIVALENT TO ADDITIONAL COV-
21 ERAGE.—

22 “(1) IN GENERAL.—The Secretary shall make
23 available to a producer eligible for noninsured assist-
24 ance under this section a payment equivalent to an
25 indemnity for additional coverage under subsections

1 (c) and (h) of section 508 of the Federal Crop In-
2 surance Act (7 U.S.C. 1508) that does not exceed
3 65 percent of the established yield for the eligible
4 crop on the farm, computed by multiplying—

5 “(A) the quantity that is not greater than
6 65 percent of the established yield for the crop,
7 as determined by the Secretary, specified in in-
8 crements of 5 percent;

9 “(B) 100 percent of the average market
10 price for the crop, as determined by the Sec-
11 retary; and

12 “(C) a payment rate for the type of crop,
13 as determined by the Secretary, that reflects—

14 “(i) in the case of a crop that is pro-
15 duced with a significant and variable har-
16 vesting expense, the decreasing cost in-
17 curred in the production cycle for the crop
18 that is, as applicable—

19 “(I) harvested;

20 “(II) planted but not harvested;

21 or

22 “(III) prevented from being
23 planted because of drought, flood, or
24 other natural disaster, as determined
25 by the Secretary; or

1 “(ii) in the case of a crop that is pro-
2 duced without a significant and variable
3 harvesting expense, such rate as shall be
4 determined by the Secretary.

5 “(2) PREMIUM.—To be eligible to receive a pay-
6 ment under this subsection, a producer shall pay—

7 “(A) the service fee required by subsection
8 (k); and

9 “(B) a premium for the applicable crop
10 year that is equal to the product obtained by
11 multiplying—

12 “(i) the number of acres devoted to
13 the eligible crop;

14 “(ii) the established yield for the eligi-
15 ble crop, as determined by the Secretary
16 under subsection (e);

17 “(iii) the coverage level elected by the
18 producer;

19 “(iv) the average market price, as de-
20 termined by the Secretary; and

21 “(v) .0525.

22 “(3) LIMITED RESOURCE, BEGINNING, AND SO-
23 CIALLY DISADVANTAGED FARMERS.—The additional
24 coverage made available under this subsection shall
25 be available to limited resource, beginning, and so-

1 cially disadvantaged producers, as determined by the
2 Secretary, in exchange for a premium that is 50 per-
3 cent of the premium determined for a producer
4 under paragraph (2).

5 “(4) PREMIUM PAYMENT AND APPLICATION
6 DEADLINE.—

7 “(A) PREMIUM PAYMENT.—A producer
8 electing additional coverage under this sub-
9 section shall pay the premium amount owed for
10 the additional coverage by September 30 of the
11 crop year for which the additional coverage is
12 purchased.

13 “(B) APPLICATION DEADLINE.—The latest
14 date on which additional coverage under this
15 subsection may be elected shall be the applica-
16 tion closing date described in subsection (b)(1).

17 “(5) EFFECTIVE DATE.—Additional coverage
18 under this subsection shall be available beginning
19 with the 2015 crop.”.

20 **SEC. 11307. ENSURING HIGH STANDARDS FOR AGENCY USE**
21 **OF SCIENTIFIC INFORMATION.**

22 (a) REQUIREMENT FOR FINAL GUIDELINES.—Not
23 later than January 1, 2014, each Federal agency shall
24 have in effect guidelines for ensuring and maximizing the

1 quality, objectivity, utility, and integrity of scientific infor-
2 mation relied upon by such agency.

3 (b) CONTENT OF GUIDELINES.—The guidelines de-
4 scribed in subsection (a), with respect to a Federal agency,
5 shall ensure that—

6 (1) when scientific information is considered by
7 the agency in policy decisions—

8 (A) the information is subject to well-es-
9 tablished scientific processes, including peer re-
10 view where appropriate;

11 (B) the agency appropriately applies the
12 scientific information to the policy decision;

13 (C) except for information that is pro-
14 tected from disclosure by law or administrative
15 practice, the agency makes available to the pub-
16 lic the scientific information considered by the
17 agency;

18 (D) the agency gives greatest weight to in-
19 formation that is based on experimental, empir-
20 ical, quantifiable, and reproducible data that is
21 developed in accordance with well-established
22 scientific processes; and

23 (E) with respect to any proposed rule
24 issued by the agency, such agency follows proce-
25 dures that include, to the extent feasible and

1 permitted by law, an opportunity for public
2 comment on all relevant scientific findings;

3 (2) the agency has procedures in place to make
4 policy decisions only on the basis of the best reason-
5 ably obtainable scientific, technical, economic, and
6 other evidence and information concerning the need
7 for, consequences of, and alternatives to the deci-
8 sion; and

9 (3) the agency has in place procedures to iden-
10 tify and address instances in which the integrity of
11 scientific information considered by the agency may
12 have been compromised, including instances in which
13 such information may have been the product of a
14 scientific process that was compromised.

15 (c) APPROVAL NEEDED FOR POLICY DECISIONS TO
16 TAKE EFFECT.—No policy decision issued after January
17 1, 2014, by an agency subject to this section may take
18 effect prior to such date that the agency has in effect
19 guidelines under subsection (a) that have been approved
20 by the Director of the Office of Science and Technology
21 Policy.

22 (d) POLICY DECISIONS NOT IN COMPLIANCE.—

23 (1) IN GENERAL.—Subject to paragraph (2), a
24 policy decision of an agency that does not comply
25 with guidelines approved under subsection (c) shall

1 be deemed to be arbitrary, capricious, an abuse of
2 discretion, and otherwise not in accordance with law.

3 (2) EXCEPTION.—This subsection shall not
4 apply to policy decisions that are deemed to be nec-
5 essary because of an imminent threat to health or
6 safety or because of another emergency.

7 (e) DEFINITIONS.—For purposes of this section:

8 (1) AGENCY.—The term “agency” has the
9 meaning given such term in section 551(1) of title
10 5, United States Code.

11 (2) POLICY DECISION.—The term “policy deci-
12 sion” means, with respect to an agency, an agency
13 action as defined in section 551(13) of title 5,
14 United States Code, (other than an adjudication, as
15 defined in section 551(7) of such title), and in-
16 cludes—

17 (A) the listing, labeling, or other identifica-
18 tion of a substance, product, or activity as haz-
19 ardous or creating risk to human health, safety,
20 or the environment; and

21 (B) agency guidance.

22 (3) AGENCY GUIDANCE.—The term “agency
23 guidance” means an agency statement of general ap-
24 plicability and future effect, other than a regulatory
25 action, that sets forth a policy on a statutory, regu-

1 latory, or technical issue or on an interpretation of
2 a statutory or regulatory issue.

3 **SEC. 11308. EVALUATION REQUIRED FOR PURPOSES OF**
4 **PROHIBITION ON CLOSURE OR RELOCATION**
5 **OF COUNTY OFFICES FOR THE FARM SERV-**
6 **ICE AGENCY.**

7 (a) PROHIBITION ON CLOSURE OR RELOCATION OF
8 OFFICES WITH HIGH WORKLOAD VOLUME.—Section
9 14212 of the Food, Conservation, and Energy Act of 2008
10 (7 U.S.C. 6932a) is amended by striking subsection (a)
11 and inserting the following new subsection:

12 “(a) PROHIBITION ON CLOSURE OR RELOCATION OF
13 OFFICES WITH HIGH WORKLOAD VOLUME.—The Sec-
14 retary of Agriculture may not close or relocate a county
15 or field office of the Farm Service Agency in a State if
16 the Secretary determines, after conducting the evaluation
17 required under subsection (b)(1)(B), that the office has
18 a high workload volume compared with other county of-
19 fices in the State.”.

20 (b) WORKLOAD EVALUATION.—Section 14212(b)(1)
21 of such Act (7 U.S.C. 6932a(b)(1)) is amended—

22 (1) by redesignating subparagraphs (A) and
23 (B) as clauses (i) and (ii), respectively, and moving
24 the margins of such clauses two ems to the right;

1 (2) by striking “the Farm Service Agency, to
2 the maximum extent practicable” and inserting “the
3 Farm Service Agency—

4 “(A) to the maximum extent practicable”;

5 (3) in clause (ii) (as redesignated by paragraph
6 (1))—

7 (A) by inserting “as of the date of the en-
8 actment of this Act” after “employees”; and

9 (B) by striking the period at the end and
10 inserting “; and”; and

11 (4) by adding at the end the following new sub-
12 paragraph:

13 “(B) conduct and complete an evaluation
14 of all workload assessments for Farm Service
15 Agency county offices that were open and oper-
16 ational as of January 1, 2012, during the pe-
17 riod that begins on a date that is not later than
18 180 days after the date of the enactment of the
19 Federal Agriculture Reform and Risk Manage-
20 ment Act of 2013 and ends on the date that is
21 18 months after such date of enactment.”.

22 (c) NOTICE REQUIRED.—Section 14212(b)(2) of
23 such Act (7 U.S.C. 6932a(b)(2)) is amended—

24 (1) in the matter preceding subparagraph (A),
25 by striking “After the period referred to in sub-

1 section (a)(1), the Secretary of Agriculture may not
2 close a county or field office of the Farm Service
3 Agency unless—” and inserting “After carrying out
4 each of the activities required under paragraph (1),
5 the Secretary of Agriculture shall, before closing a
6 county or field office of the Farm Service Agency—
7 ”;

8 (2) in subparagraph (A), by striking “the Sec-
9 retary holds” and inserting “hold”; and

10 (3) in subparagraph (B), by striking “the Sec-
11 retary notifies” and inserting “notify”.

12 (d) CONFORMING AMENDMENT.—Section
13 14212(b)(1) of such Act (7 U.S.C. 6932a(b)(1)) is amend-
14 ed by striking “After the period referred to in subsection
15 (a)(1), the Secretary” and inserting “The Secretary”.

16 **SEC. 11309. ACER ACCESS AND DEVELOPMENT PROGRAM.**

17 (a) GRANTS AUTHORIZED.—The Secretary of Agri-
18 culture may make competitive grants to States, tribal gov-
19 ernments, and research institutions to support the efforts
20 of such States, tribal governments, and research institu-
21 tions to promote the domestic maple syrup industry
22 through the following activities:

23 (1) Promotion of research and education related
24 to maple syrup production.

1 (2) Promotion of natural resource sustainability
2 in the maple syrup industry.

3 (3) Market promotion for maple syrup and
4 maple-sap products.

5 (4) Encouragement of owners and operators of
6 privately held land containing species of trees in the
7 genus *Acer*—

8 (A) to initiate or expand maple-sugaring
9 activities on the land; or

10 (B) to voluntarily make the land available,
11 including by lease or other means, for access by
12 the public for maple-sugaring activities.

13 (b) APPLICATION.—In submitting an application for
14 a competitive grant under this section, a State, tribal gov-
15 ernment, or research institution shall include—

16 (1) a description of the activities to be sup-
17 ported using the grant funds;

18 (2) a description of the benefits that the State,
19 tribal government, or research institution intends to
20 achieve as a result of engaging in such activities;
21 and

22 (3) an estimate of the increase in maple-sug-
23 aring activities or maple syrup production that the
24 State, tribal government, or research institution an-

1 (1) any regulatory agenda of the Environmental
2 Protection Agency published pursuant to section 602
3 of title 5, United States Code;

4 (2) any regulatory plan or agenda published by
5 the Environmental Protection Agency or the Office
6 of Management and Budget pursuant to an Execu-
7 tive order, including Executive Order 12866; and

8 (3) any other publication issued by the Environ-
9 mental Protection Agency or the Office of Manage-
10 ment and Budget that may reasonably be foreseen
11 to contain notice of plans by the Environmental Pro-
12 tection Agency to prepare any guidance, policy,
13 memorandum, regulation, or statement of general
14 applicability and future effect that may have a sig-
15 nificant impact on a substantial number of agricul-
16 tural entities.

17 (b) INFORMATION GATHERING.—For a publication
18 item reviewed under subsection (a) that the Secretary de-
19 termines may have a significant impact on a substantial
20 number of agricultural entities, the Secretary shall—

21 (1) solicit from the Administrator of the Envi-
22 ronmental Protection Agency any information the
23 Administrator may provide to facilitate a review of
24 the publication item;

1 (2) utilize the Chief Economist of the Depart-
2 ment of Agriculture to produce an economic impact
3 statement for the publication item that contains a
4 detailed estimate of potential costs to agricultural
5 entities;

6 (3) identify individuals representative of poten-
7 tially affected agricultural entities for the purpose of
8 obtaining advice and recommendations from such in-
9 dividuals about the potential impacts of the publica-
10 tion item; and

11 (4) convene a review panel for analysis of the
12 publication item that includes the Secretary, any
13 full-time Federal employee of the Department of Ag-
14 riculture appointed to the panel by the Secretary,
15 and any employee of the Environmental Protection
16 Agency or the Office of Information and Regulatory
17 Affairs within the Office of Management and Budget
18 that accepts an invitation from the Secretary to par-
19 ticipate in the panel.

20 (c) DUTIES OF THE REVIEW PANEL.—A review panel
21 convened for a publication item under subsection (b)(4)
22 shall—

23 (1) review any information or material obtained
24 by the Secretary and prepared in connection with
25 the publication item, including any draft proposed

1 guidance, policy, memorandum, regulation, or state-
2 ment of general applicability and future effect;

3 (2) collect advice and recommendations from
4 agricultural entity representatives identified by the
5 Administrator after consultation with the Secretary;

6 (3) compile and analyze such advice and rec-
7 ommendations; and

8 (4) make recommendations to the Secretary
9 based on the information gathered by the review
10 panel or provided by agricultural entity representa-
11 tives.

12 (d) COMMENTS.—

13 (1) IN GENERAL.—Not later than 60 days after
14 the date the Secretary convenes a review panel pur-
15 suant to subsection (b)(4), the Secretary shall sub-
16 mit to the Administrator comments on the planned
17 or proposed guidance, policy, memorandum, regula-
18 tion, or statement of general applicability and future
19 effect for consideration and inclusion in any related
20 administrative record, including—

21 (A) a report by the Secretary on the con-
22 cerns of agricultural entities;

23 (B) the findings of the review panel;

24 (C) the findings of the Secretary, including
25 any adopted findings of the review panel; and

1 (D) recommendations of the Secretary.

2 (2) PUBLICATION.—The Secretary shall publish
3 the comments in the Federal Register and make the
4 comments available to the public on the public Inter-
5 net website of the Department of Agriculture.

6 (e) WAIVERS.—The Secretary may waive initiation of
7 the review panel under subsection (b)(4) as the Secretary
8 determines appropriate.

9 (f) DEFINITION OF AGRICULTURAL ENTITY.—In this
10 section, the term “agricultural entity” means any entity
11 involved in or related to agricultural enterprise, including
12 enterprises that are engaged in the business of production
13 of food and fiber, ranching and raising of livestock, aqua-
14 culture, and all other farming and agricultural related in-
15 dustries.

16 **SEC. 11311. PROHIBITION ON ATTENDING AN ANIMAL**
17 **FIGHTING VENTURE OR CAUSING A MINOR**
18 **TO ATTEND AN ANIMAL FIGHTING VENTURE.**

19 Section 26(a)(1) of the Animal Welfare Act (7 U.S.C.
20 2156(a)(1)) is amended by striking the period and insert-
21 ing “or to knowingly attend or knowingly cause a minor
22 to attend an animal fighting venture.”.

1 **SEC. 11312. PROHIBITION AGAINST INTERFERENCE BY**
2 **STATE AND LOCAL GOVERNMENTS WITH**
3 **PRODUCTION OR MANUFACTURE OF ITEMS**
4 **IN OTHER STATES.**

5 (a) **IN GENERAL.**—Consistent with Article I, section
6 8, clause 3 of the Constitution of the United States, the
7 government of a State or locality therein shall not impose
8 a standard or condition on the production or manufacture
9 of any agricultural product sold or offered for sale in inter-
10 state commerce if—

11 (1) such production or manufacture occurs in
12 another State; and

13 (2) the standard or condition is in addition to
14 the standards and conditions applicable to such pro-
15 duction or manufacture pursuant to—

16 (A) Federal law; and

17 (B) the laws of the State and locality in
18 which such production or manufacture occurs.

19 (b) **AGRICULTURAL PRODUCT DEFINED.**—In this
20 section, the term “agricultural product” has the meaning
21 given such term in section 207 of the Agricultural Mar-
22 keting Act of 1946 (7 U.S.C. 1626).

23 **SEC. 11313. INCREASED PROTECTION FOR AGRICULTURAL**
24 **INTERESTS IN THE MISSOURI RIVER BASIN.**

25 (a) **FINDINGS.**—Congress finds the following:

1 (1) Record runoff occurred in the Missouri
2 River basin during 2011 as a result of historic rain-
3 fall over portions of the upper basin coupled with
4 heavy plains and mountain snowpack.

5 (2) Runoff above Sioux City, Iowa, during the
6 5-month period of March through July totaled an es-
7 timated 48.4 million acre-feet (referred to in this
8 section as “MAF”). This runoff volume was more
9 than 20 percent greater than the design storm for
10 the Missouri River Mainstem Reservoir System (re-
11 ferred to in this section as the “System”), which was
12 based on the 1881 runoff of 40.0 MAF during the
13 same 5-month period.

14 (3) During the 2011 runoff season, nearly 61
15 million acre-feet of water entered the Missouri River
16 system, far surpassing the previous record of 49
17 MAF in runoff that was set during the flood of
18 1997.

19 (4) Given the incredible amount of water enter-
20 ing the System, the summer months were spent
21 working to evacuate as much water from the System
22 as possible, ultimately leading to record high water
23 releases from Gavins Point Dam of 160,000 cubic
24 feet per second, a rate that more than doubled the

1 previous release record of 70,000 cubic feet per sec-
2 ond set in 1997.

3 (5) For nearly four months, those extremely
4 high releases from Gavins Point were maintained,
5 resulting in severe and sustained flooding, with
6 much of western Iowa and eastern Nebraska as well
7 as portions of South Dakota, Kansas, and Missouri
8 inundated by a flooding river three to five feet deep,
9 up to 11 miles wide, and flowing at a rate of 4 to
10 11 miles per hour.

11 (6) Thousands of homes and businesses were
12 damaged or destroyed and hundreds of millions of
13 dollars in damage was done to roads and other pub-
14 lic infrastructure.

15 (7) In addition to the homes, businesses, and
16 infrastructure impacted by the flooding, hundreds of
17 thousands of acres of cropland were affected.

18 (8) The Department of Agriculture has esti-
19 mated that 400,000 to 500,000 acres of some of the
20 most productive crop land in the world was flooded
21 in 2011.

22 (9) Local Farm Services Agency representatives
23 have estimated that \$82,100,000 was lost in 2011
24 alone due to damaged or lost crops and unplanted
25 acres.

1 (10) Not only did the flooding eliminate the
2 2011 crop, but it is highly unlikely that many farm-
3 ers will be able to put that land back into production
4 at any point in the near future.

5 (11) Producers will have to contend with large
6 piles of sand, silt, and other debris that have been
7 deposited in their fields, meaning the impact of the
8 2011 flood will be felt in the agricultural commu-
9 nities up and down the Missouri River for many
10 years to come.

11 (12) Currently, the amount of storage capacity
12 in the System that is set aside for flood control is
13 based upon the vacated space required to control the
14 1881 flood, because prior to the 2011 flood, the
15 1881 flood was seen as the “high water mark”.

16 (13) Given the historic flooding that took place
17 in 2011, it is clear that year’s flooding now rep-
18 resents a new “high water mark”, surpassing the
19 flooding of even the 1881 flood.

20 (14) It is important that the flood control re-
21 lated functions of the System management be ad-
22 justed to reflect the reality of the 2011 flood as the
23 new “worst case scenario” for flooding along the
24 Missouri River.

1 (15) System management may begin to be ad-
2 justed to account for the 2011 flood through a recal-
3 culation of the amount of storage space within the
4 System that is allocated to flood control, using the
5 model not of the 1881 flood, but of the greatest
6 flood experienced—the flood of 2011.

7 (16) As a result of the flooding in 2011, many
8 States received disaster declarations from the De-
9 partment of Agriculture to help farmers and pro-
10 ducers recover from the damage done by the high
11 water.

12 (17) Though helpful, even the assistance pro-
13 vided by the Department of Agriculture will not pro-
14 vide many in the agriculture community with the re-
15 sources to put their land back into production any
16 time soon.

17 (18) Without the protection that will come from
18 a fundamental change in the System's flood control
19 storage allocations, farmers, producers, and other
20 agricultural interests who may be in a position to re-
21 start their operations will find it difficult to justify
22 doing so, given the fact that they will not be pro-
23 tected from similar flooding in the future.

24 (b) UPDATED MANAGEMENT OF THE MISSOURI
25 RIVER TO PROTECT AGRICULTURAL INTERESTS.—In

1 order to strengthen the agricultural economy, revitalize
2 the rural communities, and conserve the natural resources
3 of the Missouri River basin, the Congress directs that the
4 Secretary of Agriculture take action to promote immediate
5 increased flood protection to farmers, producers, and other
6 agricultural interests in the Missouri River basin by work-
7 ing within its jurisdiction to support efforts—

8 (1) to recalculate the amount of space within
9 the System that is allocated to flood control storage
10 using the 2011 flood as the model; and

11 (2) to increase the Missouri River’s channel ca-
12 pacity between the reservoirs and below Gavins
13 Point.

14 **SEC. 11314. INCREASED PROTECTION FOR AGRICULTURAL**
15 **INTERESTS IN THE BLACK DIRT REGION.**

16 In order to strengthen the agricultural economy, revi-
17 talize the rural communities, and conserve the natural re-
18 sources of the Black Dirt region, the Congress directs that
19 the Secretary of Agriculture take action to promote imme-
20 diate increased flood protection to farmers, producers, and
21 other agricultural interests around the Wallkill River and
22 in the Black Dirt region.

1 **SEC. 11315. PROTECTION OF HONEY BEES AND OTHER POL-**
2 **LINATORS.**

3 (a) IN GENERAL.—The Secretary, in consultation
4 with the Secretary of the Interior and the Administrator
5 of the Environmental Protection Agency, shall carry out
6 such activities as the Secretary determines to be appro-
7 priate to protect and ensure the long-term viability of pop-
8 ulations of honey bees, wild bees, and other beneficial in-
9 sects of agricultural crops, horticultural plants, wild
10 plants, and other plants, including—

11 (1) providing technical expertise relating to pro-
12 posed agency actions that may threaten pollinator
13 health or jeopardize the long-term viability of popu-
14 lations of pollinators;

15 (2) providing formal guidance on national poli-
16 cies relating to—

17 (A) permitting managed honey bees to for-
18 age on National Forest Service lands where
19 compatible with other natural resource manage-
20 ment priorities; and

21 (B) planting and maintaining managed
22 honey bee and native pollinator forage on Na-
23 tional Forest Service lands where compatible
24 with other natural resource management prior-
25 ities;

1 (3) making use of the best available peer-re-
2 viewed science regarding environmental and chemical
3 stressors on pollinator health; and

4 (4) regularly monitoring and reporting on the
5 health and population status of managed and native
6 pollinators including bees, birds, bats, and other spe-
7 cies.

8 (b) TASK FORCE ON BEE HEALTH AND COMMERCIAL
9 BEEKEEPING.—

10 (1) ESTABLISHMENT.—The Secretary shall es-
11 tablish a task force—

12 (A) to coordinate Federal efforts carried
13 out on or after the date of enactment of this
14 Act to address the serious worldwide decline in
15 bee health, especially honey bees and declining
16 native bees; and

17 (B) to assess Federal efforts to mitigate
18 pollinator losses and threats to the United
19 States commercial beekeeping industry.

20 (2) AGENCY CONSULTATION.—The task force
21 established under this subsection shall seek ongoing
22 consultation from any Federal agency carrying out
23 activities important to bee health and commercial
24 beekeeping, including officials from—

25 (A) the Department of Agriculture;

- 1 (B) the Department of the Interior;
- 2 (C) the Environmental Protection Agency;
- 3 (D) the Food and Drug Administration;
- 4 (E) the Department of Commerce; and
- 5 (F) U.S. Customs and Border Protection.

6 (3) STAKEHOLDER CONSULTATION.—The task
7 force established under this subsection shall consult
8 with beekeeper, conservation, scientist, and agricul-
9 tural stakeholders.

10 (c) REPORT TO CONGRESS.—Not later than 180 days
11 after the date of enactment of this Act, the task force es-
12 tablished under subsection (b) shall submit to Congress
13 a report that—

14 (1) summarizes Federal activities carried out
15 pursuant to subsection (f) of section of the Food,
16 Agriculture, Conservation, and Trade Act of 1990 (7
17 U.S.C. 5925) (as redesignated by section 7209) or
18 any other provision of law (including regulations) to
19 address bee decline;

20 (2) summarizes international efforts to address
21 the decline of managed honey bees and native polli-
22 nators; and

23 (3) provides recommendations to Congress re-
24 garding how to better coordinate Federal agency ef-

1 forts to address the decline of managed honey bees
2 and native pollinators.

3 (d) POLLINATOR RESEARCH LAB FEASIBILITY
4 STUDY.—

5 (1) IN GENERAL.—The Secretary, acting
6 through the Administrator of the Agricultural Re-
7 search Service, may conduct feasibility studies re-
8 garding—

9 (A) re-locating existing honey bee and na-
10 tive pollinator research from Federal labora-
11 tories to a cooperator-run facility in a location
12 most geographically appropriate for pollinator
13 research; and

14 (B) modernizing existing honey bee re-
15 search laboratories identified by the Agricul-
16 tural Research Service in the capital investment
17 strategy document dated 2012.

18 (2) CONSULTATION.—In conducting the feasi-
19 bility studies under paragraph (1), the Secretary
20 shall consult with—

21 (A) beekeeper, native bee, agricultural, re-
22 search institution, and bee conservation stake-
23 holders regarding new research laboratory
24 needs under paragraph (1)(A); and

1 (B) commercial beekeepers regarding the
2 modernizing of existing honey bee laboratories
3 under paragraph (1)(B).

4 **SEC. 11316. PRODUCE REPRESENTED AS GROWN IN THE**
5 **UNITED STATES WHEN IT IS NOT IN FACT**
6 **GROWN IN THE UNITED STATES.**

7 (a) TECHNICAL ASSISTANCE TO CBP.—The Sec-
8 retary of Agriculture shall make available to U.S. Customs
9 and Border Protection technical assistance related to the
10 identification of produce represented as grown in the
11 United States when it is not in fact grown in the United
12 States.

13 (b) REPORT TO CONGRESS.—The Secretary shall
14 submit to the Committee on Agriculture of the House of
15 Representatives and the Committee on Agriculture, Nutri-
16 tion, and Forestry of the Senate a report on produce rep-
17 resented as grown in the United States when it is not in
18 fact grown in the United States.

19 **SEC. 11317. URBAN AGRICULTURE COORDINATION.**

20 The Secretary of Agriculture shall coordinate oppor-
21 tunities for urban agriculture, by—

22 (1) compiling a list of all programs adminis-
23 tered by the Secretary or by the head of any other
24 department, agency, or instrumentality of the United

1 States to which urban farmers can apply for assist-
2 ance or participation;

3 (2) examining and implementing opportunities
4 to adjust the regulations governing the programs to
5 enable urban farmers to participate in more of the
6 programs;

7 (3) developing a process for streamlining the
8 process by which urban farmers may apply for as-
9 sistance from, or for participation in, the programs,
10 including through the use of a single, harmonized
11 application for multiple programs; and

12 (4) such other methods as the Secretary deems
13 appropriate.

14 **SEC. 11318. SENSE OF CONGRESS ON INCREASED BUSINESS**
15 **OPPORTUNITIES FOR BLACK FARMERS,**
16 **WOMEN, MINORITIES, AND SMALL BUSI-**
17 **NESSES.**

18 It is the sense of Congress that the Federal Govern-
19 ment should increase the number of contracts the Federal
20 Government awards to black farmers, businesses owned
21 and controlled by women, businesses owned and controlled
22 by minorities, and small business concerns.

23 **SEC. 11319. SENSE OF CONGRESS REGARDING AGRICULTURE**
24 **SECURITY PROGRAMS.**

25 It is the sense of Congress that—

1 (1) agricultural nutrients and other agricultural
2 chemicals are essential to ensuring the most efficient
3 production of food, fuel, and fiber;

4 (2) these products must be properly stored,
5 handled, transported, and used to ensure that they
6 are not misused or cause harm either accidentally or
7 intentionally;

8 (3) the Department of Agriculture is the Fed-
9 eral agency with the staffing and technical expertise
10 to understand the important role these products play
11 in agriculture;

12 (4) other Federal departments and agencies
13 have been given lead responsibility to develop and
14 implement security programs affecting the avail-
15 ability, storage, transportation, and use of a variety
16 of chemicals and products used in agriculture;

17 (5) it is critical that the Department of Agri-
18 culture participates fully in the development of any
19 such security programs to ensure that they do not
20 unnecessarily restrict the availability of the most ef-
21 ficient and beneficial products needed to sustain agri-
22 culture in the United States;

23 (6) the Secretary of Agriculture should review
24 staffing at the Department to ensure that the agen-
25 cy has senior employees within the Department at

1 the Senior Executive Service level or higher, who
2 have responsibility for coordinating with other Fed-
3 eral, State, and international agencies in the devel-
4 opment of regulations, guidance, and procedures for
5 the secure handling of agricultural chemicals; and

6 (7) such employees shall—

7 (A) work with manufacturers, retailers,
8 and the general farm community to review ex-
9 isting and proposed Federal, State, and inter-
10 national agricultural chemical security regula-
11 tions;

12 (B) coordinate with manufacturers, retail-
13 ers, transporters, and farmers to evaluate how
14 existing and proposed security regulations, in-
15 cluding systems to track the sale, transpor-
16 tation, delivery, and use of agricultural prod-
17 ucts, can be designed to minimize any adverse
18 impact on agricultural productivity;

19 (C) evaluate how existing and proposed se-
20 curity regulations will affect the ability of agri-
21 cultural producers to have timely access to nu-
22 trients, chemicals, and other products that are
23 affordable and best suited to the producers' op-
24 erations;

1 (D) develop recommendations on best prac-
2 tices, policies, and regulatory mechanisms relat-
3 ing to existing and proposed security programs
4 to ensure that there is minimal adverse impact
5 on agricultural productivity; and

6 (E) engage with Federal agencies with re-
7 sponsibility for establishing security programs
8 to ensure that they have the information needed
9 to develop procedures for effective security ad-
10 ministration and enforcement that minimize
11 any adverse impact on domestic or international
12 agricultural productivity.

13 **SEC. 11320. REPORT ON WATER SHARING.**

14 Not later than 120 days after the date of the enact-
15 ment of this Act and annually thereafter, the Secretary
16 of State shall submit to Congress a report on—

17 (1) efforts by Mexico to meet its treaty deliv-
18 eries of water to the Rio Grande in accordance with
19 the Treaty between the United States and Mexico
20 Respecting Utilization of waters of the Colorado and
21 Tijuana Rivers and of the Rio Grande (done at
22 Washington, February 3, 1944); and

23 (2) the benefits to the United States of the In-
24 terim International Cooperative Measures in the Col-
25 orado River Basin through 2017 and Extension of

1 Minute 318 Cooperative Measures to Address the
2 Continued Effects of the April 2010 Earthquake in
3 the Mexicali Valley, Baja, California (done at Coro-
4 nado, California, November 20, 2012; commonly re-
5 ferred to as “Minute No. 319”).

6 **SEC. 11321. SCIENTIFIC AND ECONOMIC ANALYSIS OF THE**
7 **FDA FOOD SAFETY MODERNIZATION ACT.**

8 (a) IN GENERAL.—The Secretary of Health and
9 Human Services (referred to in this section as the “Sec-
10 retary”) may not enforce any regulations promulgated
11 under the FDA Food Safety Modernization Act (Public
12 Law 111–353) until the Secretary publishes in the Fed-
13 eral Register the following:

14 (1) An analysis of the scientific information
15 used in the final rule to implement the FDA Food
16 Safety Modernization Act with a particular focus
17 on—

18 (A) agricultural businesses of a variety of
19 sizes;

20 (B) regional differences of agriculture pro-
21 duction, processing, marketing, and value added
22 production;

23 (C) agricultural businesses that are diverse
24 livestock and produce producers; and

1 (D) what, if any, negative impact on the
2 agricultural businesses would be created, or ex-
3 acerbated, by implementation of the FDA Food
4 Safety Modernization Act.

5 (2) An analysis of the economic impact of the
6 proposed final rule to implement the FDA Food
7 Safety Modernization Act with a particular focus
8 on—

9 (A) agricultural businesses of a variety of
10 sizes; and

11 (B) small and mid-sized value added food
12 processors.

13 (3) A plan to systematically evaluate the regula-
14 tions by surveying farmers and processors and devel-
15 oping an ongoing process to evaluate and address
16 business concerns.

17 (b) ANNUAL REPORT.—Not later than 1 year after
18 the date of enactment of this Act and annually thereafter,
19 the Secretary shall submit to the Committee on Agri-
20 culture, Nutrition, and Forestry of the Senate and the
21 Committee on Agriculture of the House of Representatives
22 a report on the impact of implementation of the regula-
23 tions promulgated under the FDA Food Safety Mod-
24 ernization Act.

1 **SEC. 11322. IMPROVED DEPARTMENT OF AGRICULTURE**
2 **CONSIDERATION OF ECONOMIC IMPACT OF**
3 **REGULATIONS ON SMALL BUSINESS.**

4 The Secretary of Agriculture shall complete proce-
5 dures consistent with the requirements of subsection (b)
6 of section 609 of title 5, United States Code, whenever
7 the Department of Agriculture promulgates any rule
8 which will have a significant economic impact on a sub-
9 stantial number of small entities.

10 **SEC. 11323. SILVICULTURAL ACTIVITIES.**

11 Section 402(l) of the Federal Water Pollution Control
12 Act (33 U.S.C. 1342(l)) is amended by adding at the end
13 the following:

14 “(3) SILVICULTURAL ACTIVITIES.—

15 “(A) NPDES PERMIT REQUIREMENTS FOR
16 SILVICULTURAL ACTIVITIES.—The Adminis-
17 trator shall not require a permit or otherwise
18 promulgate regulations under this section or di-
19 rectly or indirectly require any State to require
20 a permit under this section for a discharge of
21 stormwater runoff resulting from the conduct of
22 the following silviculture activities: nursery op-
23 erations, site preparation, reforestation and
24 subsequent cultural treatment, thinning, pre-
25 scribed burning, pest and fire control, har-

1 vesting operations, surface drainage, and road
2 use, construction, and maintenance.

3 “(B) PERMITS FOR DREDGED OR FILL MA-
4 TERIAL.—Nothing in this paragraph exempts a
5 silvicultural activity resulting in the discharge
6 of dredged or fill material from any permitting
7 requirement under section 404.”.

8 **SEC. 11324. APPLICABILITY OF SPILL PREVENTION, CON-**
9 **TROL, AND COUNTERMEASURE RULE.**

10 (a) IN GENERAL.—The Administrator, in imple-
11 menting the Spill Prevention, Control, and Counter-
12 measure rule with respect to any farm, shall—

13 (1) require certification of compliance with such
14 rule by—

15 (A) a professional engineer for a farm
16 with—

17 (i) an individual tank with an above-
18 ground storage capacity greater than
19 10,000 gallons;

20 (ii) an aggregate aboveground storage
21 capacity greater than or equal to 42,000
22 gallons; or

23 (iii) a history that includes a spill, as
24 determined by the Administrator; or

1 (B) the owner or operator of the farm (via
2 self-certification) for a farm with—

3 (i) an aggregate aboveground storage
4 capacity greater than 10,000 gallons but
5 less than 42,000 gallons; and

6 (ii) no history of spills, as determined
7 by the Administrator; and

8 (2) exempt from all requirements of such rule
9 any farm—

10 (A) with an aggregate aboveground storage
11 capacity of less than or equal to 10,000 gallons;
12 and

13 (B) no history of spills, as determined by
14 the Administrator.

15 (b) CALCULATION OF AGGREGATE ABOVEGROUND
16 STORAGE CAPACITY.—For the purposes of subsection (a),
17 the aggregate aboveground storage capacity of a farm ex-
18 cludes—

19 (1) all containers on separate parcels that have
20 a capacity that is less than 1,320 gallons; and

21 (2) all storage containers holding animal feed
22 ingredients approved for use in livestock feed by the
23 Food and Drug Administration.

24 (c) DEFINITIONS.—In this section, the following defi-
25 nitions apply:

1 (1) ADMINISTRATOR.—The term “Adminis-
2 trator” means the Administrator of the Environ-
3 mental Protection Agency.

4 (2) FARM.—The term “farm” has the meaning
5 given such term in section 112.2 of title 40, Code
6 of Federal Regulations.

7 (3) GALLON.—The term “gallon” refers to a
8 United States liquid gallon.

9 (4) HISTORY OF SPILLS.—The term “history of
10 spills” has the meaning used to describe the term
11 “reportable discharge history” in section 112.7(k)(1)
12 of title 40, Code of Federal Regulations (or suc-
13 cessor regulations).

14 (5) SPILL PREVENTION, CONTROL, AND COUN-
15 TERMEASURE RULE.—The term “Spill Prevention,
16 Control, and Countermeasure rule” means the regu-
17 lation promulgated by the Environmental Protection
18 Agency under part 112 of title 40, Code of Federal
19 Regulations.

20 **SEC. 11325. AGRICULTURAL PRODUCER INFORMATION DIS-**
21 **CLOSURE.**

22 (a) DEFINITIONS.—In this section:

23 (1) ADMINISTRATOR.—The term “Adminis-
24 trator” means the Administrator of the Environ-
25 mental Protection Agency.

1 (2) AGENCY.—The term “Agency” means the
2 Environmental Protection Agency.

3 (3) AGRICULTURAL OPERATION.—The term
4 “agricultural operation” includes any operation
5 where an agricultural commodity crop is raised, in-
6 cluding livestock operations.

7 (4) LIVESTOCK OPERATION.—The term “live-
8 stock operation” includes any operation involved in
9 the raising or finishing of livestock or poultry.

10 (b) DISCLOSURE OF INFORMATION.—

11 (1) PROHIBITION.—Except as provided in para-
12 graph (2), the Administrator, any officer or em-
13 ployee of the Agency, or any contractor of the Agen-
14 cy, shall not make public the information of any
15 owner, operator, or employee of an agricultural oper-
16 ation provided to the Agency by a farmer, rancher,
17 or livestock producer or a State agency that has
18 been obtained in accordance with the Federal Water
19 Pollution Control Act (33 U.S.C. 1251 et seq.) or
20 any other law, including—

21 (A) names;

22 (B) telephone numbers;

23 (C) email addresses;

24 (D) physical addresses;

1 (E) Global Positioning System coordinates;

2 or

3 (F) other identifying location information.

4 (2) EFFECT.—Nothing in paragraph (1) af-
5 fects—

6 (A) the disclosure of information described
7 in paragraph (1) if—

8 (i) the information has been trans-
9 formed into a statistical or aggregate form
10 at the county level or higher without any
11 information that identifies the agricultural
12 operation or agricultural producer; or

13 (ii) the producer consents to the dis-
14 closure; or

15 (B) the authority of any State agency to
16 collect information on livestock operations.

17 (3) CONDITION OF PERMIT OR OTHER PRO-
18 GRAMS.—The approval of any permit, practice, or
19 program administered by the Administrator shall not
20 be conditioned on the consent of the agricultural
21 producer or livestock producer under paragraph
22 (2)(A)(ii).

23 **SEC. 11326. REPORT ON NATIONAL OCEAN POLICY.**

24 (a) FINDINGS.—Congress finds the following:

1 (1) Executive Order 13547, issued on July 19,
2 2010, established the national policy for the Stew-
3 ardship of the Ocean, Our Coasts, and the Great
4 Lakes and requires—

5 (A) Federal implementation of “ecosystem-
6 based management” to achieve a “fundamental
7 shift” in how the United States manages ocean,
8 coastal, and Great Lakes resources; and

9 (B) the establishment of nine new govern-
10 mental “Regional Planning Bodies” and
11 “Coastal and Marine Spatial Plans” in every
12 region of the United States.

13 (2) Executive Order 13547 created a 54-mem-
14 ber National Ocean Council led by the White House
15 Council on Environmental Quality and Office of
16 Science and Technology Policy that includes 54 prin-
17 cipal and deputy-level representatives from Federal
18 entities, including the Department of Agriculture.

19 (3) Executive Order 13547 requires National
20 Ocean Council members, including the Department
21 of Agriculture, to take action to implement the Pol-
22 icy and participate in coastal and marine spatial
23 planning to the maximum extent possible.

24 (4) The Final Recommendations of the Inter-
25 agency Ocean Policy Task Force that were adopted

1 by Executive Order 13547 state that “effective” im-
2 plementation of the National Ocean Policy will “re-
3 quire clear and easily understood requirements and
4 regulations, where appropriate, that include enforce-
5 ment as a critical component”.

6 (5) Despite repeated Congressional requests,
7 the National Ocean Council, which is charged with
8 overseeing implementation of the policy, has still not
9 provided a complete accounting of Federal activities
10 under the policy and resources expended and allo-
11 cated in furtherance of implementation of the policy.

12 (6) The continued economic and budgetary
13 challenges of the United States underscore the ne-
14 cessity for sound, transparent, and practical Federal
15 policies.

16 (b) REPORT.—Not later than 90 days after the date
17 of the enactment of this Act, the Inspector General of the
18 Department of Agriculture shall submit to the Committee
19 on Agriculture of the House of Representatives and the
20 Committee on Agriculture, Nutrition, and Forestry of the
21 Senate a report detailing—

22 (1) all activities engaged in and resources ex-
23 pended in furtherance of Executive Order 13547
24 since July 19, 2010; and

1 (2) any budget requests for fiscal year 2014 for
2 support of implementation of Executive Order
3 13547.

4 **SEC. 11327. SUNSETTING OF PROGRAMS.**

5 (a) IN GENERAL.—Subject to subsection (b), each
6 fiscal year the Secretary of Agriculture may not carry out
7 any program—

8 (1) for which an authorization of appropriations
9 is established or extended under this Act; and

10 (2) that is funded by discretionary appropria-
11 tions (as defined in section 250(c) of the Balanced
12 Budget and Emergency Deficit Control Act of 1985
13 (2 U.S.C. 900(c)).

14 (b) EFFECTIVE DATE.—Subsection (a) shall take ef-
15 fect with respect to a program referred to in such sub-
16 section on the date on which the authorization of appro-
17 priations under this Act for such program expires.

18 (c) EXISTING OBLIGATIONS.—Subsection (a) does
19 not affect the ability of the Secretary to carry out respon-
20 sibilities with regard to loans, grants, or other obligations
21 made or in existence before an applicable effective date
22 under subsection (b).

1 **Subtitle D—Chesapeake Bay**
2 **Accountability and Recovery**

3 **SEC. 11401. SHORT TITLE.**

4 This subtitle may be cited as the “Chesapeake Bay
5 Accountability and Recovery Act of 2013”.

6 **SEC. 11402. CHESAPEAKE BAY CROSSCUT BUDGET.**

7 (a) CROSSCUT BUDGET.—The Director, in consulta-
8 tion with the Chesapeake Executive Council, the chief ex-
9 ecutive of each Chesapeake Bay State, and the Ches-
10 apeake Bay Commission, shall submit to Congress a finan-
11 cial report containing—

12 (1) an interagency crosscut budget that dis-
13 plays—

14 (A) the proposed funding for any Federal
15 restoration activity to be carried out in the suc-
16 ceeding fiscal year, including any planned inter-
17 agency or intra-agency transfer, for each of the
18 Federal agencies that carry out restoration ac-
19 tivities;

20 (B) to the extent that information is avail-
21 able, the estimated funding for any State res-
22 toration activity to be carried out in the suc-
23 ceeding fiscal year;

24 (C) all expenditures for Federal restoration
25 activities from the preceding 2 fiscal years, the

1 current fiscal year, and the succeeding fiscal
2 year; and

3 (D) all expenditures, to the extent that in-
4 formation is available, for State restoration ac-
5 tivities during the equivalent time period de-
6 scribed in subparagraph (C);

7 (2) a detailed accounting of all funds received
8 and obligated by all Federal agencies for restoration
9 activities during the current and preceding fiscal
10 years, including the identification of funds which
11 were transferred to a Chesapeake Bay State for res-
12 toration activities;

13 (3) to the extent that information is available,
14 a detailed accounting from each State of all funds
15 received and obligated from a Federal agency for
16 restoration activities during the current and pre-
17 ceding fiscal years; and

18 (4) a description of each of the proposed Fed-
19 eral and State restoration activities to be carried out
20 in the succeeding fiscal year (corresponding to those
21 activities listed in subparagraphs (A) and (B) of
22 paragraph (1)), including the—

23 (A) project description;

24 (B) current status of the project;

1 (C) Federal or State statutory or regu-
2 latory authority, programs, or responsible agen-
3 cies;

4 (D) authorization level for appropriations;

5 (E) project timeline, including benchmarks;

6 (F) references to project documents;

7 (G) descriptions of risks and uncertainties
8 of project implementation;

9 (H) adaptive management actions or
10 framework;

11 (I) coordinating entities;

12 (J) funding history;

13 (K) cost sharing; and

14 (L) alignment with existing Chesapeake
15 Bay Agreement and Chesapeake Executive
16 Council goals and priorities.

17 (b) MINIMUM FUNDING LEVELS.—The Director shall
18 only describe restoration activities in the report required
19 under subsection (a) that—

20 (1) for Federal restoration activities, have fund-
21 ing amounts greater than or equal to \$100,000; and

22 (2) for State restoration activities, have funding
23 amounts greater than or equal to \$50,000.

24 (c) DEADLINE.—The Director shall submit to Con-
25 gress the report required by subsection (a) not later than

1 30 days after the submission by the President of the Presi-
2 dent's annual budget to Congress.

3 (d) REPORT.—Copies of the financial report required
4 by subsection (a) shall be submitted to the Committees
5 on Appropriations, Natural Resources, Energy and Com-
6 merce, and Transportation and Infrastructure of the
7 House of Representatives and the Committees on Appro-
8 priations, Environment and Public Works, and Commerce,
9 Science, and Transportation of the Senate.

10 (e) EFFECTIVE DATE.—This section shall apply be-
11 ginning with the first fiscal year after the date of enact-
12 ment of this Act for which the President submits a budget
13 to Congress.

14 **SEC. 11403. RESTORATION THROUGH ADAPTIVE MANAGE-**
15 **MENT.**

16 (a) IN GENERAL.—Not later than 1 year after the
17 date of enactment of this Act, the Administrator, in con-
18 sultation with other Federal and State agencies, and with
19 the participation of stakeholders, shall develop a plan to
20 provide technical and financial assistance to Chesapeake
21 Bay States to employ adaptive management in carrying
22 out restoration activities in the Chesapeake Bay water-
23 shed.

24 (b) PLAN DEVELOPMENT.—The plan referred to in
25 subsection (a) shall include—

1 (1) specific and measurable objectives to im-
2 prove water quality, habitat, and fisheries identified
3 by Chesapeake Bay States;

4 (2) a process for stakeholder participation;

5 (3) monitoring, modeling, experimentation, and
6 other research and evaluation technical assistance
7 requested by Chesapeake Bay States;

8 (4) identification of State restoration activities
9 planned by Chesapeake Bay States to attain the
10 State's objectives under paragraph (1);

11 (5) identification of Federal restoration activi-
12 ties that could help a Chesapeake Bay State to at-
13 tain the State's objectives under paragraph (1);

14 (6) recommendations for a process for modifica-
15 tion of State and Federal restoration activities that
16 have not attained or will not attain the specific and
17 measurable objectives set forth under paragraph (1);
18 and

19 (7) recommendations for a process for inte-
20 grating and prioritizing State and Federal restora-
21 tion activities and programs to which adaptive man-
22 agement can be applied.

23 (c) IMPLEMENTATION.—In addition to carrying out
24 Federal restoration activities under existing authorities
25 and funding, the Administrator shall implement the plan

1 developed under subsection (a) by providing technical and
2 financial assistance to Chesapeake Bay States using re-
3 sources available for such purposes that are identified by
4 the Director under section 11402.

5 (d) UPDATES.—The Administrator shall update the
6 plan developed under subsection (a) every 2 years.

7 (e) REPORT TO CONGRESS.—

8 (1) IN GENERAL.—Not later than 60 days after
9 the end of a fiscal year, the Administrator shall
10 transmit to Congress an annual report on the imple-
11 mentation of the plan required under this section for
12 such fiscal year.

13 (2) CONTENTS.—The report required under
14 paragraph (1) shall contain information about the
15 application of adaptive management to restoration
16 activities and programs, including level changes im-
17 plemented through the process of adaptive manage-
18 ment.

19 (3) EFFECTIVE DATE.—Paragraph (1) shall
20 apply to the first fiscal year that begins after the
21 date of enactment of this Act.

22 (f) INCLUSION OF PLAN IN ANNUAL ACTION PLAN
23 AND ANNUAL PROGRESS REPORT.—The Administrator
24 shall ensure that the Annual Action Plan and Annual
25 Progress Report required by section 205 of Executive

1 Order 13508 includes the adaptive management plan out-
2 lined in subsection (a).

3 **SEC. 11404. INDEPENDENT EVALUATOR FOR THE CHESA-**
4 **PEAKE BAY PROGRAM.**

5 (a) IN GENERAL.—There shall be an Independent
6 Evaluator for restoration activities in the Chesapeake Bay
7 watershed, who shall review and report on restoration ac-
8 tivities and the use of adaptive management in restoration
9 activities, including on such related topics as are suggested
10 by the Chesapeake Executive Council.

11 (b) APPOINTMENT.—

12 (1) IN GENERAL.—The Independent Evaluator
13 shall be appointed by the Administrator from among
14 nominees submitted by the Chesapeake Executive
15 Council.

16 (2) NOMINATIONS.—The Chesapeake Executive
17 Council may submit to the Administrator 4 nomi-
18 nees for appointment to any vacancy in the office of
19 the Independent Evaluator.

20 (c) REPORTS.—The Independent Evaluator shall sub-
21 mit a report to the Congress every 2 years in the findings
22 and recommendations of reviews under this section.

23 (d) CHESAPEAKE EXECUTIVE COUNCIL.—In this sec-
24 tion, the term “Chesapeake Executive Council” has the
25 meaning given that term by section 307 of the National

1 Oceanic and Atmospheric Administration Authorization
2 Act of 1992 (Public Law 102–567; 15 U.S.C. 1511d).

3 **SEC. 11405. DEFINITIONS.**

4 In this subtitle, the following definitions apply:

5 (1) **ADAPTIVE MANAGEMENT.**—The term
6 “adaptive management” means a type of natural re-
7 source management in which project and program
8 decisions are made as part of an ongoing science-
9 based process. Adaptive management involves test-
10 ing, monitoring, and evaluating applied strategies
11 and incorporating new knowledge into programs and
12 restoration activities that are based on scientific
13 findings and the needs of society. Results are used
14 to modify management policy, strategies, practices,
15 programs, and restoration activities.

16 (2) **ADMINISTRATOR.**—The term “Adminis-
17 trator” means the Administrator of the Environ-
18 mental Protection Agency.

19 (3) **CHESAPEAKE BAY STATE.**—The term
20 “Chesapeake Bay State” or “State” means the
21 States of Maryland, West Virginia, Delaware, and
22 New York, the Commonwealths of Virginia and
23 Pennsylvania, and the District of Columbia.

24 (4) **CHESAPEAKE BAY WATERSHED.**—The term
25 “Chesapeake Bay watershed” means the Chesapeake

1 Bay and the geographic area, as determined by the
2 Secretary of the Interior, consisting of 36 tributary
3 basins, within the Chesapeake Bay States, through
4 which precipitation drains into the Chesapeake Bay.

5 (5) CHIEF EXECUTIVE.—The term “chief execu-
6 tive” means, in the case of a State or Common-
7 wealth, the Governor of each such State or Common-
8 wealth and, in the case of the District of Columbia,
9 the Mayor of the District of Columbia.

10 (6) DIRECTOR.—The term “Director” means
11 the Director of the Office of Management and Budg-
12 et.

13 (7) STATE RESTORATION ACTIVITIES.—The
14 term “State restoration activities” means any State
15 programs or projects carried out under State author-
16 ity that directly or indirectly protect, conserve, or re-
17 store living resources, habitat, water resources, or
18 water quality in the Chesapeake Bay watershed, in-
19 cluding programs or projects that promote respon-
20 sible land use, stewardship, and community engage-
21 ment in the Chesapeake Bay watershed. Restoration
22 activities may be categorized as follows:

23 (A) Physical restoration.

24 (B) Planning.

25 (C) Feasibility studies.

1 (D) Scientific research.

2 (E) Monitoring.

3 (F) Education.

4 (G) Infrastructure development.

5 (8) FEDERAL RESTORATION ACTIVITIES.—The
6 term “Federal restoration activities” means any
7 Federal programs or projects carried out under ex-
8 isting Federal authority that directly or indirectly
9 protect, conserve, or restore living resources, habitat,
10 water resources, or water quality in the Chesapeake
11 Bay watershed, including programs or projects that
12 provide financial and technical assistance to promote
13 responsible land use, stewardship, and community
14 engagement in the Chesapeake Bay watershed. Res-
15 toration activities may be categorized as follows:

16 (A) Physical restoration.

17 (B) Planning.

18 (C) Feasibility studies.

19 (D) Scientific research.

20 (E) Monitoring.

1 (F) Education.

2 (G) Infrastructure development.

Passed the House of Representatives July 11, 2013.

Attest:

Clerk.

113TH CONGRESS
1ST SESSION

H. R. 2642

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.