

to the bill S. 3240, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2423. Ms. MURKOWSKI (for herself and Mr. MANCHIN) submitted an amendment intended to be proposed by her to the bill S. 3240, to reauthorize agricultural programs through 2017, and for other purposes; which was ordered to lie on the table; as follows:

On page 6 of the amendment, between lines 18 and 19, insert the following:

SEC. 13105. HERITAGE OF RECREATIONAL FISHING, HUNTING, AND RECREATIONAL SHOOTING ON FEDERAL LAND.

(a) DEFINITIONS.—In this section:

(1) FEDERAL PUBLIC LAND.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term “Federal public land” means any land or water that is—

(i) owned by the United States; and
(ii) managed by a Federal agency (including the Department of the Interior and the Forest Service) for purposes that include the conservation of natural resources.

(B) EXCLUSIONS.—The term “Federal public land” does not include—

(i) land or water held or managed in trust for the benefit of Indians or other Native Americans;
(ii) land managed by the Director of the National Park Service or the Director of the United States Fish and Wildlife Service;
(iii) fish hatcheries; or
(iv) conservation easements on private land.

(2) HUNTING.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term “hunting” means use of a firearm, bow, or other authorized means in the lawful—

(i) pursuit, shooting, capture, collection, trapping, or killing of wildlife; or
(ii) attempt to pursue, shoot, capture, collect, trap, or kill wildlife.

(B) EXCLUSION.—The term “hunting” does not include the use of skilled volunteers to cull excess animals (as defined by other Federal law).

(3) RECREATIONAL FISHING.—The term “recreational fishing” means—

(A) an activity for sport or for pleasure that involves—

(i) the lawful catching, taking, or harvesting of fish; or
(ii) the lawful attempted catching, taking, or harvesting of fish; or

(B) any other activity for sport or pleasure that can reasonably be expected to result in the lawful catching, taking, or harvesting of fish.

(4) RECREATIONAL SHOOTING.—The term “recreational shooting” means any form of sport, training, competition, or pastime, whether formal or informal, that involves the discharge of a rifle, handgun, or shotgun, or the use of a bow and arrow.

(b) RECREATIONAL FISHING, HUNTING, AND RECREATIONAL SHOOTING.—

(1) IN GENERAL.—Subject to valid existing rights, and in cooperation with the respective State and fish and wildlife agency, a Federal public land management official shall exercise the authority of the official under existing law (including provisions regarding land use planning) to facilitate use of and access to Federal public land for recreational fishing, hunting, and recreational shooting except as limited by—

(A) any law that authorizes action or withholding action for reasons of national security, public safety, or resource conservation;

(B) any other Federal law that precludes recreational fishing, hunting, or recreational

shooting on specific Federal public land or water or units of Federal public land; and

(C) discretionary limitations on recreational fishing, hunting, and recreational shooting determined to be necessary and reasonable as supported by the best scientific evidence and advanced through a transparent public process.

(2) MANAGEMENT.—Consistent with paragraph (1), the head of each Federal public land management agency shall exercise the land management discretion of the head—

(A) in a manner that supports and facilitates recreational fishing, hunting, and recreational shooting opportunities;

(B) to the extent authorized under applicable State law; and

(C) in accordance with applicable Federal law.

(3) PLANNING.—

(A) EFFECTS OF PLANS AND ACTIVITIES.—

(i) EVALUATION OF EFFECTS ON OPPORTUNITIES TO ENGAGE IN RECREATIONAL FISHING, HUNTING, OR RECREATIONAL SHOOTING.—Federal public land planning documents (including land resources management plans, resource management plans, travel management plans, and energy development plans) shall include a specific evaluation of the effects of the plans on opportunities to engage in recreational fishing, hunting, or recreational shooting.

(ii) OTHER ACTIVITY NOT CONSIDERED.—

(I) IN GENERAL.—Federal public land management officials shall not be required to consider the existence or availability of recreational fishing, hunting, or recreational shooting opportunities on private or public land that is located adjacent to, or in the vicinity of, Federal public land for purposes of—

(aa) planning for or determining which units of Federal public land are open for recreational fishing, hunting, or recreational shooting; or

(bb) setting the levels of use for recreational fishing, hunting, or recreational shooting on Federal public land.

(II) ENHANCED OPPORTUNITIES.—Federal public land management officials may consider the opportunities described in subclause (I) if the combination of those opportunities would enhance the recreational fishing, hunting, or shooting opportunities available to the public.

(B) USE OF VOLUNTEERS.—If hunting is prohibited by law, all Federal public land planning document described in subparagraph (A)(i) of an agency shall, after appropriate coordination with State fish and wildlife agencies, allow the participation of skilled volunteers in the culling and other management of wildlife populations on Federal public land unless the head of the agency demonstrates, based on the best scientific data available or applicable Federal law, why skilled volunteers should not be used to control overpopulation of wildlife on the land that is the subject of the planning document.

(4) BUREAU OF LAND MANAGEMENT AND FOREST SERVICE LAND.—

(A) LAND OPEN.—

(i) IN GENERAL.—Land under the jurisdiction of the Bureau of Land Management or the Forest Service (including a component of the National Wilderness Preservation System, land designated as a wilderness study area or administratively classified as wilderness eligible or suitable, and primitive or semiprimitive areas, but excluding land on the outer Continental Shelf) shall be open to recreational fishing, hunting, and recreational shooting unless the managing Federal public land agency acts to close the land to such activity.

(ii) MOTORIZED ACCESS.—Nothing in this subparagraph authorizes or requires motorized access or the use of motorized vehicles

for recreational fishing, hunting, or recreational shooting purposes within land designated as a wilderness study area or administratively classified as wilderness eligible or suitable.

(B) CLOSURE OR RESTRICTION.—Land described in subparagraph (A) may be subject to closures or restrictions if determined by the head of the agency to be necessary and reasonable and supported by facts and evidence for purposes including resource conservation, public safety, energy or mineral production, energy generation or transmission infrastructure, water supply facilities, protection of other permittees, protection of private property rights or interests, national security, or compliance with other law, as determined appropriate by the Director of the Bureau of Land Management or the Chief of the Forest Service, as applicable.

(C) SHOOTING RANGES.—

(i) IN GENERAL.—Except as provided in clause (iii), the head of each Federal public land agency may use the authorities of the head, in a manner consistent with this section and other applicable law—

(I) to lease or permit use of land under the jurisdiction of the head for shooting ranges; and

(II) to designate specific land under the jurisdiction of the head for recreational shooting activities.

(ii) LIMITATION ON LIABILITY.—Any designation under clause (i)(II) shall not subject the United States to any civil action or claim for monetary damages for injury or loss of property or personal injury or death caused by any recreational shooting activity occurring at or on the designated land.

(iii) EXCEPTION.—The head of each Federal public land agency shall not lease or permit use of Federal public land for shooting ranges or designate land for recreational shooting activities within including a component of the National Wilderness Preservation System, land designated as a wilderness study area or administratively classified as wilderness eligible or suitable, and primitive or semiprimitive areas.

(5) REPORT.—Not later than October 1 of every other year, beginning with the second October 1 after the date of enactment of this Act, the head of each Federal public land agency who has authority to manage Federal public land on which recreational fishing, hunting, or recreational shooting occurs shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—

(A) any Federal public land administered by the agency head that was closed to recreational fishing, hunting, or recreational shooting at any time during the preceding year; and

(B) the reason for the closure.

(6) CLOSURES OR SIGNIFICANT RESTRICTIONS OF 1,280 OR MORE ACRES.—

(A) IN GENERAL.—Other than closures established or prescribed by land planning actions referred to in paragraph (4)(B) or emergency closures described in subparagraph (C), a permanent or temporary withdrawal, change of classification, or change of management status of Federal public land or water that effectively closes or significantly restricts 1,280 or more contiguous acres of Federal public land or water to access or use for recreational fishing or hunting or activities relating to fishing or hunting shall take effect only if, before the date of withdrawal or change, the head of the Federal public land agency that has jurisdiction over the Federal public land or water—

(i) publishes appropriate notice of the withdrawal or change, respectively;

(ii) demonstrates that coordination has occurred with a State fish and wildlife agency; and

(iii) submits to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate written notice of the withdrawal or change, respectively.

(B) AGGREGATE OR CUMULATIVE EFFECTS.—If the aggregate or cumulative effect of separate withdrawals or changes effectively closes or significant restrictions affects 1,280 or more acres of land or water, the withdrawals and changes shall be treated as a single withdrawal or change for purposes of subparagraph (A).

(C) EMERGENCY CLOSURES.—

(i) IN GENERAL.—Nothing in this section prohibits a Federal public land management agency from establishing or implementing emergency closures or restrictions of the smallest practicable area of Federal public land to provide for public safety, resource conservation, national security, or other purposes authorized by law.

(ii) TERMINATION.—An emergency closure under clause (i) shall terminate after a reasonable period of time unless the temporary closure is converted to a permanent closure consistent with this subsection.

(7) NO PRIORITY.—Nothing in this section requires a Federal agency to give preference to recreational fishing, hunting, or recreational shooting over other uses of Federal public land or over land or water management priorities established by other Federal law.

(8) CONSULTATION WITH COUNCILS.—In carrying out this section, the heads of Federal public land agencies shall consult with the appropriate advisory councils established under Executive Order 12962 (16 U.S.C. 1801 note; relating to recreational fisheries) and Executive Order 13443 (16 U.S.C. 661 note; relating to facilitation of hunting heritage and wildlife conservation).

(9) AUTHORITY OF STATES.—

(A) IN GENERAL.—Nothing in this section interferes with, diminishes, or conflicts with the authority, jurisdiction, or responsibility of any State to manage, control, or regulate fish and wildlife under State law (including regulations) on land or water within the State, including on Federal public land.

(B) FEDERAL LICENSES.—

(i) IN GENERAL.—Except as provided in clause (ii), nothing in this section authorizes the head of a Federal public land agency head to require a license, fee, or permit to fish, hunt, or trap on land or water in a State, including on Federal public land in the State.

(ii) MIGRATORY BIRD STAMPS.—This subparagraph shall not affect any migratory bird stamp requirement of the Migratory Bird Hunting and Conservation Stamp Act (16 U.S.C. 718a et seq.).

SA 2424. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 3240, to reauthorize agricultural programs through 2017, and for other purposes; which was ordered to lie on the table; as follows:

In section 3904 of the Consolidated Farm and Rural Development Act (as amended by section 6001), strike subsections (a) and (b).

SA 2425. Mr. CONRAD (for himself, Mr. BAUCUS, Mr. HOEVEN, and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill S. 3240, to reauthorize agricultural programs through 2017, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1102 and insert the following:

SEC. 1102. COUNTER-CYCLICAL PROGRAM.

(a) IN GENERAL.—Section 1104 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8714) is amended—

(1) in subsection (a), by striking “2008 through 2012 crop years for each covered commodity” and inserting “2013 through 2017 crop years for each covered commodity (other than upland cotton)”;

(2) in subsection (b), by striking “during the 12-month marketing year” each place it appears in paragraphs (1)(A)(i) and (2)(A)(i) and inserting “for the first 5 months of the marketing year”;

(3) in subsection (c), by adding at the end the following:

“(4) 2013 THROUGH 2017 CROP YEARS.—For purposes of each of the 2013 through 2017 crop years, the target prices for covered commodities shall be as follows:

“(A) Wheat, \$4.46 per bushel.

“(B) Corn, \$2.81 per bushel.

“(C) Grain sorghum, \$2.81 per bushel.

“(D) Feed barley, \$2.81 per bushel.

“(E) Malt-type barley, \$3.57 per bushel.

“(F) Oats, \$1.92 per bushel.

“(G) Long grain rice, \$11.00 per hundredweight.

“(H) Medium grain rice, \$11.00 per hundredweight.

“(I) Soybeans, \$6.30 per bushel.

“(J) Other oilseeds, \$13.18 per hundredweight.

“(K) Dry peas, \$8.82 per hundredweight.

“(L) Lentils, \$13.31 per hundredweight.

“(M) Small chickpeas, \$10.86 per hundredweight.

“(N) Large chickpeas, \$13.31 per hundredweight.”;

(4) by redesignating subsection (f) as subsection (g); and

(5) by inserting after subsection (e) the following:

“(f) PAYMENT AMOUNT.—

“(1) DEFINITIONS.—In this subsection:

“(A) PAYMENT ACRES.—The term ‘payment acres’ means—

“(i) 75 percent of the acres planted or prevented from being planted to a covered commodity on a farm; but

“(ii) not to exceed 75 percent of the total base acres for the covered commodity established for the 2012 crop year.

“(B) PAYMENT YIELD.—The term ‘payment yield’ means the yield established for counter-cyclical payments for the 2012 crop year for a farm for a covered commodity.

“(2) PAYMENT AMOUNT.—If counter-cyclical payments are required to be paid under this section for any of the 2013 through 2017 crop years of a covered commodity, the amount of the counter-cyclical payment to be paid to the producers on a farm for that crop year shall be equal to the product of the following:

“(A) The payment rate specified in subsection (d).

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

“(C) The payment yield for the covered commodity for the farm.”.

(b) PEANUTS.—Section 1304 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8754) is amended—

(1) in subsection (a), by striking “2008 through 2012” and inserting “2013 through 2017”;

(2) in subsection (b)(1)(A), by striking “during the 12-month marketing year” and inserting “for the first 5 months of the marketing year”;

(3) in subsection (c), by striking “\$495 per ton” and inserting “\$25.25 per hundredweight”;

(4) by redesignating subsection (f) as subsection (g); and

(5) by inserting after subsection (e) the following:

“(f) PAYMENT AMOUNT.—

“(1) DEFINITIONS.—In this subsection:

“(A) PAYMENT ACRES.—The term ‘payment acres’ means—

“(i) 75 percent of the acres planted or prevented from being planted to peanuts on a farm; but

“(ii) not to exceed 75 percent of the total base acres for peanuts established for the 2012 crop year.

“(B) PAYMENT YIELD.—The term ‘payment yield’ means the yield established for counter-cyclical payments for the 2012 crop year for a farm for peanuts.

“(2) PAYMENT AMOUNT.—If counter-cyclical payments are required to be paid under this section for any of the 2013 through 2017 crop years of peanuts, the amount of the counter-cyclical payment to be paid to the producers on a farm for that crop year shall be equal to the product of the following:

“(A) The payment rate specified in subsection (d).

“(B) The payment acres on the farm.

“(C) The payment yield for the farm.”.

(c) PRODUCER AGREEMENT REQUIRED AS CONDITION OF PROVISION OF PAYMENTS.—Section 1106 shall apply to counter-cyclical payments under sections 1104 and 1304 of the Food and Nutrition Act of 2008 (7 U.S.C. 8714, 8754) (as amended by this section) in the same manner as that section applies to agriculture risk coverage payments.

(d) PAYMENT LIMITATIONS.—Section 1101(b) of the Food Security Act of 1985 (as amended by section 1603(a)) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B) and indenting appropriately;

(2) by striking “The total” and inserting the following:

“(1) IN GENERAL.—The total”; and

(3) by adding at the end the following:

“(2) LIMITATION ON COUNTER-CYCLICAL PAYMENTS.—

“(A) IN GENERAL.—The total amount of counter-cyclical payments received, directly or indirectly, by a person or legal entity (except a joint venture or general partnership) for any crop year under section 1104 of the Food and Nutrition Act of 2008 (7 U.S.C. 8714) for 1 or more covered commodities (except for peanuts) may not exceed \$65,000.

“(B) PEANUTS.—The total amount of counter-cyclical payments received, directly or indirectly, by a person or legal entity (except a joint venture or general partnership) for any crop year under section 1304 of the Food and Nutrition Act of 2008 (7 U.S.C. 8754) for peanuts may not exceed \$65,000.”.

(e) PERIOD OF EFFECTIVENESS.—

(1) IN GENERAL.—Section 1109 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8719) is amended—

(A) by striking “This subtitle” and inserting the following:

“(1) IN GENERAL.—Except as provided in paragraph (2), this subtitle”; and

(B) by adding at the end the following:

“(2) COUNTER-CYCLICAL PROGRAM.—Section 1104 shall be effective beginning with the 2013 crop year of each covered commodity (other than upland cotton) through the 2017 crop year.”.

(2) ADMINISTRATION GENERALLY.—Notwithstanding any other provision of law, for the period of crop years 2013 through 2017, the Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out sections 1104 and 1304 of the Food and Nutrition Act of 2008 (7 U.S.C. 8714, 8754) in accordance with the amendments made by this section.

(f) OFFSET.—Sections 11006 and 11012, and the amendments made by those sections, shall have no force or effect.

SA 2426. Mr. COONS (for himself and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill S. 3240, to reauthorize agricultural programs through 2017, and for other purposes; which was ordered to lie on the table; as follows:

On page 970, between lines 5 and 6, insert the following:

SEC. 11019. POULTRY BUSINESS DISRUPTION INSURANCE POLICY.

Section 522(c) of the Federal Crop Insurance Act (7 U.S.C. 1522(c)) (as amended by sections 11016, 11017, and 11018) is amended by adding at the end the following:

“(21) POULTRY BUSINESS DISRUPTION INSURANCE POLICY AND CATASTROPHIC DISEASE PROGRAM.—

“(A) DEFINITION OF POULTRY.—In this paragraph, the term ‘poultry’ has the meaning given the term in section 2(a) of the Packers and Stockyards Act, 1921 (7 U.S.C. 182(a)).

“(B) AUTHORITY.—The Corporation shall offer to enter into 1 or more contracts with qualified entities to carry out—

“(i) a study to determine the feasibility of insuring commercial poultry production against business disruptions caused by integrator bankruptcy; and

“(ii) a study to determine the feasibility of insuring poultry producers for a catastrophic event.

“(C) BUSINESS DISRUPTION STUDY.—The study described in subparagraph (B)(i) shall—

“(i) evaluate the market place for business disruption insurance that is available to poultry producers;

“(ii) assess the feasibility of a policy to allow producers to ensure against a portion of losses from loss under contract due to business disruption from integrator bankruptcy; and

“(iii) analyze the costs to the Federal government of a Federal business disruption insurance program for poultry producers.

“(D) REPORTS.—Not later than 1 year after the date of enactment of this paragraph, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of—

“(i) the study carried out under subparagraph (B)(i); and

“(ii) the study carried out under subparagraph (B)(ii).”.

SA 2427. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 3240, to reauthorize agricultural programs through 2017, and for other purposes; which was ordered to lie on the table; as follows:

On page 1009, after line 11, add the following:

SEC. 12207. ACER ACCESS AND DEVELOPMENT PROGRAM.

(a) GRANTS AUTHORIZED; AUTHORIZED ACTIVITIES.—The Secretary of Agriculture may make grants to States and tribal governments to support their efforts to promote the domestic maple syrup industry through the following activities:

(1) Promotion of research and education related to maple syrup production.

(2) Promotion of natural resource sustainability in the maple syrup industry.

(3) Market promotion for maple syrup and maple-sap products.

(4) Encouragement of owners and operators of privately held land containing species of tree in the genus *Acer*—

(A) to initiate or expand maple-sugaring activities on the land; or

(B) to voluntarily make the land available, including by lease or other means, for access by the public for maple-sugaring activities.

(b) APPLICATIONS.—In submitting an application for a grant under this section, a State or tribal government shall include—

(1) a description of the activities to be supported using the grant funds;

(2) a description of the benefits that the State or tribal government intends to achieve as a result of engaging in such activities; and

(3) an estimate of the increase in maple-sugaring activities or maple syrup production that the State or tribal government anticipates will occur as a result of engaging in such activities.

(c) RELATIONSHIP TO OTHER LAWS.—Nothing in this section preempts a State or tribal government law, including any State or tribal government liability law.

(d) DEFINITION OF MAPLE SUGARING.—In this section, the term “maple-sugaring” means the collection of sap from any species of tree in the genus *Acer* for the purpose of boiling to produce food.

(e) REGULATIONS.—The Secretary of Agriculture shall promulgate such regulations as are necessary to carry out this section.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$20,000,000 for each of fiscal years 2012 through 2015.

SA 2428. Mr. BAUCUS (for himself and Mr. CONRAD) submitted an amendment intended to be proposed by him to the bill S. 3240, to reauthorize agricultural programs through 2017, and for other purposes; which was ordered to lie on the table; as follows:

On page 24, line 7, strike “clause (iii)” and insert “clauses (iii) and (iv)”.

On page 25, between lines 15 and 16, insert the following:

(iii) MINIMUM PRICE.—

(I) IN GENERAL.—If the national marketing year average price calculated under clause (i)(II) for a covered commodity for any of the applicable crop years falls below the minimum price for the covered commodity described in subclause (III), for the first crop year in which the national marketing year average price is below the minimum price, the Secretary shall use a price that is equal to the greater of—

(aa) the difference between—

(AA) the minimum price for the covered commodity described in subclause (III); and
(BB) 5 percent of the minimum price for the covered commodity; or

(bb) the national marketing year average price calculated under clause (i)(II).

(II) SUBSEQUENT YEARS.—For each applicable crop year after the first crop year in which the national marketing year average price is below the minimum price, the Secretary shall use a price that is equal to the greater of—

(aa) the national marketing year average price calculated under clause (i)(II); or

(bb) if the minimum price was adjusted for the prior crop year under subclause (I)(aa), 95 percent of the adjusted minimum price used for that prior crop year.

(III) MINIMUM PRICE.—The minimum price for each covered commodity shall be as follows:

(aa) For wheat, \$4.50 per bushel.

(bb) For corn, \$2.84 per bushel.

(cc) For grain sorghum, \$2.84 per bushel.

(dd) For malt barley, \$3.60 per bushel.

(ee) For feed barley, \$2.84 per bushel.

(ff) For oats, \$1.93 per bushel.

(gg) For soybeans, \$6.48 per bushel.

(hh) For other oilseeds, \$13.69 per hundredweight.

(ii) For dry peas, \$8.99 per hundredweight.

(jj) For lentils, \$13.83 per hundredweight.

(kk) For small chickpeas, \$11.19 per hundredweight.

(ll) For large chickpeas, \$13.83 per hundredweight.

SA 2429. Mr. BAUCUS (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 3240, to reauthorize agricultural programs through 2017, and for other purposes; which was ordered to lie on the table; as follows:

On page 128, between lines 16 and 17, insert the following:

(iii) ANNUAL PAYMENT BASED ON DROUGHT CONDITIONS DETERMINED BY MEANS OTHER THAN THE U.S. DROUGHT MONITOR.—

(I) IN GENERAL.—An eligible livestock producer that owns grazing land or pastureland that is physically located in a county that has experienced on average, over the preceding calendar year, precipitation levels that are 50 percent or more below normal levels, according to sufficient documentation as determined by the Secretary, may be eligible, subject to a determination by the Secretary, to receive assistance under this paragraph in an amount equal to not more than 1 monthly payment using the monthly payment rate under subparagraph (B).

(II) NO DUPLICATE PAYMENT.—A producer may not receive a payment under both clause (ii) and this clause.

SA 2430. Mr. BROWN of Ohio (for himself, Mr. NELSON of Nebraska, Mr. HARKIN, Mr. FRANKEN, Mr. TESTER, Mr. BEGICH, and Mr. JOHNSON of South Dakota) submitted an amendment intended to be proposed by him to the bill S. 3240, to reauthorize agricultural programs through 2017, and for other purposes; which was ordered to lie on the table; as follows:

On page 574, between lines 11 and 12, insert the following:

“(C) MANDATORY FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this subsection \$10,000,000 for each of fiscal years 2013 through 2017, to remain available until expended.

On page 606, between lines 4 and 5, insert the following:

“(E) MANDATORY FUNDING FOR FISCAL YEARS 2013 THROUGH 2017.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this paragraph \$4,000,000 for each of fiscal years 2013 through 2017, to remain available until expended.

On page 782, strike line 14 and insert the following:

through promulgation of an interim rule.

“(j) FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section \$10,000,000 for each of fiscal years 2013 through 2017, to remain available until expended.”.

SEC. 6203. FUNDING OF PENDING RURAL DEVELOPMENT LOAN AND GRANT APPLICATIONS.

(a) IN GENERAL.—The Secretary shall use funds made available under subsection (b) to provide funds for applications that are pending on the date of enactment of this Act in accordance with the terms and conditions of section 6029 of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 1955).

(b) FUNDING.—Notwithstanding any other provision of law, of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section

\$100,000,000, to remain available until expended.

On page 832, line 6, strike “\$50,000,000” and insert “\$100,000,000”.

On page 957, line 18, strike “80 percent” and insert “70 percent”.

On page 989, line 9, strike “\$5,000,000” and insert “\$15,000,000”.

SA 2431. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 3240, to reauthorize agricultural programs through 2017, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. 12. CIVIL RIGHTS COMPLAINTS AGAINST THE DEPARTMENT OF AGRICULTURE.

Section 14010 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 2279-2) is amended—

(1) by striking the section enumerator and heading and all that follows through “Each year” and inserting the following:

“SEC. 14010. CIVIL RIGHTS COMPLAINTS AGAINST THE DEPARTMENT OF AGRICULTURE.

“(a) REQUIRED REPORTS AND SUBMISSIONS.—Each year”;

(2) in paragraph (1)—

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

(B) in subparagraph (D), by adding “and” at the end; and

(C) by adding at the end the following:

“(E) the number of claims that have not been resolved during the 270-day period beginning on the date of acknowledgment of receipt of the claim by the agency;”;

(3) in paragraph (2), by striking “and” at the end;

(4) in paragraph (3), by striking the period at the end and inserting “; and”; and

(5) by adding at the end the following:

“(3) submit to each Senator and Member of Congress a list that—

“(A) identifies the number of constituents in the State or district of the Senator or Member that have outstanding civil rights claims that have been pending for more than 270 days since the date of acknowledgment of receipt of a formal complaint by the Department of Agriculture; and

“(B) includes the number of claims that are outstanding for each 60-day interval beyond the 270-day period.

“(c) REQUIRED SUBMISSIONS TO CLAIMANT.—As soon as practicable after the expiration of the 270-day period beginning on the date of acknowledgment of receipt of a civil rights claim by the Department of Agriculture, if the claim remains outstanding, the Secretary shall submit to the claimant of the outstanding civil rights claim the estimated time of resolution for the claim.

“(d) TIMELINE FOR RESPONSE AND RESOLUTION.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Secretary shall accept or deny all formal civil rights complaints sent by registered mail or delivered in person for processing during the 45-day period beginning on the date of receipt of the complaint.

“(2) FAILURE TO ACCEPT COMPLAINT.—

“(A) IN GENERAL.—If the Secretary refuses to accept a complaint as a formal civil rights complaint, the complainant may appeal the intake decision during the 15-day period beginning on the date of the disputed intake through the office of the Assistant Secretary for Administration of the Department of Agriculture.

“(B) REQUIRED RESPONSE.—The Assistant Secretary for Administration shall respond not later than 45 days after the date on

which an appeal is filed under subparagraph (A) on acceptance or denial of the formal complaint process.

“(3) RESOLUTION OF CLAIMS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall resolve all civil rights claims during the 270-day period beginning on the date of acknowledgment of delivery of the complaint by registered mail or in person.

“(B) EXCEPTIONS.—

“(i) ALTERNATIVE DISPUTE RESOLUTION.—Notwithstanding subparagraph (A), in a case in which the claimant has pursued the option of alternative dispute resolution with the Secretary, the 270-day period shall not begin until—

“(I) the claimant terminates the alternative dispute resolution process in writing to the Department of Agriculture; and

“(II)(aa) the Department has acknowledged receipt of the claim; or

“(bb) the Postal Service verifies that the complaint has been delivered by registered mail.

“(ii) PENDING CRIMINAL INVESTIGATION.—Notwithstanding subparagraph (A), in a case in which a criminal investigation is pending with respect to the claims, the 270-day period shall not begin until the pending criminal investigation has been concluded.

“(C) FAILURE TO RESOLVE.—

“(i) IN GENERAL.—If a civil rights claim is not resolved during the 270-day period, the Secretary shall provide to the claimant, in accordance with subsections (a)(3) and (b)—

“(I) an explanation of the reason for delay;

“(II) an explanation of the remaining process that is required for the resolution of the claim;

“(III) a description of any items necessary for review; and

“(IV) an estimated time for resolution of the claim.

“(ii) PROTECTION OF CONFIDENTIAL INFORMATION.—An explanation of the reason for delay under clause (i) shall not include confidential information relating to the claim that would interfere with potential or ongoing court proceedings.

“(4) APPEAL OF FINDING OF DISCRIMINATION.—

“(A) IN GENERAL.—For any civil rights claim in which discrimination is found under this section, the claimant may file an appeal of the finding with the Assistant Secretary for Administration.

“(B) ACTION BY ASSISTANT SECRETARY FOR ADMINISTRATION.—Not later than 180 days after the date on which an appeal is filed under subparagraph (A), the Assistant Secretary for Administration shall respond to the appeal by issuing an acceptance or denial of the finding.

“(e) PERIODIC AUDITS CONDUCTED BY INSPECTOR GENERAL OF THE DEPARTMENT OF AGRICULTURE.—Not later than 2 years after the date of enactment of this subsection and not less frequently than every 3 years thereafter, the Inspector General of the Department of Agriculture shall conduct an audit of each activity taken by the Secretary under this section for the period covered by the audit to determine compliance with this section.”.

SA 2432. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 3240, to reauthorize agricultural programs through 2017, and for other purposes; which was ordered to lie on the table; as follows:

In section 10003(7), strike subparagraph (A).

SA 2433. Mr. TOOMEY (for himself, Mrs. SHAHEEN, and Mr. LUGAR) submitted an amendment intended to be

proposed by him to the bill S. 3240, to reauthorize agricultural programs through 2017, and for other purposes; which was ordered to lie on the table; as follows:

Strike subtitle C of title I and insert the following:

Subtitle C—Sugar

SEC. 1301. SUGAR PROGRAM.

(a) SUGARCANE.—Section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a)) is amended—

(1) in paragraph (4), by striking “and” after the semicolon at the end;

(2) in paragraph (5), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(6) 18 cents per pound for raw cane sugar for each of the 2013 through 2017 crop years.”.

(b) SUGAR BEETS.—Section 156(b)(2) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(b)(2)) is amended by striking “2012” and inserting “2017”.

(c) EFFECTIVE PERIOD.—Section 156(i) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(i)) is amended by striking “2012” and inserting “2017”.

SEC. 1302. FLEXIBLE MARKETING ALLOTMENTS FOR SUGAR.

(a) IN GENERAL.—Section 359b of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359bb) is amended—

(1) in subsection (a)(1)—

(A) in the matter before subparagraph (A), by striking “2012” and inserting “2017”; and

(B) in subparagraph (B), by inserting “at reasonable prices” after “stocks”;

(2) in subsection (b)(1)—

(A) in subparagraph (A), by striking “but” after the semicolon at the end and inserting “and”; and

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

“(B) appropriate to maintain adequate domestic supplies at reasonable prices, taking into account all sources of domestic supply, including imports.”; and

(3) in subsection (c)(2)(C), by striking “if the disposition of the sugar is administered by the Secretary under section 9010 of the Farm Security and Rural Investment Act of 2002”.

(b) ESTABLISHMENT OF FLEXIBLE MARKETING ALLOTMENTS.—Section 359c of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359cc) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking “but” after the semicolon at the end and inserting “and”; and

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

“(B) appropriate to maintain adequate supplies at reasonable prices, taking into account all sources of domestic supply, including imports.”; and

(B) in paragraph (2)(B), by inserting “at reasonable prices” after “market”; and

(2) in subsection (g)—

(A) by striking “ALLOTMENTS.—” and all that follows through “Subject to subparagraph (B), the” and inserting “ALLOTMENTS.—The”; and

(B) by striking subparagraph (B).

(c) SUSPENSION OR MODIFICATION OF PROVISIONS.—Section 359j of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359jj) is amended by adding at the end the following:

“(c) SUSPENSION OR MODIFICATION OF PROVISIONS.—Notwithstanding any other provision of this part, the Secretary may suspend or modify, in whole or in part, the application of any provision of this part if the Secretary determines that the action is appropriate, taking into account—

“(1) the interests of consumers, workers in the food industry, businesses (including small businesses), and agricultural producers; and

“(2) the relative competitiveness of domestically produced and imported foods containing sugar.”.

(d) **ADMINISTRATION OF TARIFF RATE QUOTAS.**—Section 359k of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359kk) is amended to read as follows:

“SEC. 359k. ADMINISTRATION OF TARIFF RATE QUOTAS.

“(a) **ESTABLISHMENT.**—Notwithstanding any other provision of law, at the beginning of the quota year, the Secretary shall establish the tariff-rate quotas for raw cane sugar and refined sugar at no less than the minimum level necessary to comply with obligations under international trade agreements that have been approved by Congress.

“(b) **ADJUSTMENT.**—

“(1) **IN GENERAL.**—Subject to subsection (a), the Secretary shall adjust the tariff-rate quotas for raw cane sugar and refined sugar to provide adequate supplies of sugar at reasonable prices in the domestic market.

“(2) **ENDING STOCKS.**—Subject to paragraphs (1) and (3), the Secretary shall establish and adjust tariff-rate quotas in such a manner that the ratio of sugar stocks to total sugar use at the end of the quota year will be approximately 15.5 percent.

“(3) **MAINTENANCE OF REASONABLE PRICES AND AVOIDANCE OF FORFEITURES.**—

“(A) **IN GENERAL.**—The Secretary may establish a different target for the ratio of ending stocks to total use if, in the judgment of the Secretary, the different target is necessary to prevent—

“(i) unreasonably high prices; or

“(ii) forfeitures of sugar pledged as collateral for a loan under section 156 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272).

“(B) **ANNOUNCEMENT.**—The Secretary shall publicly announce any establishment of a target under this paragraph.

“(4) **CONSIDERATIONS.**—In establishing tariff-rate quotas under subsection (a) and making adjustments under this subsection, the Secretary shall consider the impact of the quotas on consumers, workers, businesses (including small businesses), and agricultural producers.

“(c) **TEMPORARY TRANSFER OF QUOTAS.**—

“(1) **IN GENERAL.**—To promote full use of the tariff-rate quotas for raw cane sugar and refined sugar, notwithstanding any other provision of law, the Secretary shall promulgate regulations that provide that any country that has been allocated a share of the quotas may temporarily transfer all or part of the share to any other country that has also been allocated a share of the quotas.

“(2) **TRANSFERS VOLUNTARY.**—Any transfer under this subsection shall be valid only on voluntary agreement between the transferor and the transferee, consistent with procedures established by the Secretary.

“(3) **TRANSFERS TEMPORARY.**—

“(A) **IN GENERAL.**—Any transfer under this subsection shall be valid only for the duration of the quota year during which the transfer is made.

“(B) **FOLLOWING QUOTA YEAR.**—No transfer under this subsection shall affect the share of the quota allocated to the transferor or transferee for the following quota year.”.

(e) **EFFECTIVE PERIOD.**—Section 359l(a) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359ll(a)) is amended by striking “2012” and inserting “2017”.

On page 897, strike lines 8 through 15, and insert the following:

SEC. 9009. REPEAL OF FEEDSTOCK FLEXIBILITY PROGRAM FOR BIOENERGY PRODUCERS.

(a) **IN GENERAL.**—Section 9010 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8110) is repealed.

(b) **CONFORMING AMENDMENTS.**—

(1) Section 359a(3)(B) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359aa(3)(B)) is amended—

(A) in clause (i), by inserting “and” after the semicolon at the end;

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

(C) by striking clause (iii).

(2) Section 359b(c)(2)(C) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359bb(c)(2)(C)) is amended by striking “, except for” and all that follows through “ of 2002”.

SA 2434. Mr. BLUNT submitted an amendment intended to be proposed by him to the bill S. 3240, to reauthorize agricultural programs through 2017, and for other purposes; which was ordered to lie on the table; as follows:

In section 3002(28) of the Consolidated Farm and Rural Development Act (as amended by section 6001), add at the end the following:

“(D) **EXCEPTION.**—

“(i) **IN GENERAL.**—Notwithstanding any other provision of this paragraph, the Secretary may determine on a case-by-case basis that a project funded under this title is in a rural area if the project meets the criteria described in clause (ii).

“(ii) **CRITERIA.**—To be considered for a waiver under clause (i), a project shall, as determined by the Secretary—

“(I) receive a direct or guaranteed loan under section 3502;

“(II) be subject to match in an amount equal to 100 percent of the loan in the case of a Federal loan, or Federal loan guarantee in case of a guaranteed loan, with funds from non-Federal sources;

“(III) serve regional and national purposes; and

“(IV) primarily support agribusiness, specifically in relation to agribusiness education.

SA 2435. Mr. WARNER (for himself and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill S. 3240, to reauthorize agricultural programs through 2017, and for other purposes; which was ordered to lie on the table; as follows:

On page 764, strike lines 9 through 15 and insert the following:

“(A) **IN GENERAL.**—In making grants, loans, or loan guarantees under paragraph (1), the Secretary shall—

“(i) establish not less than 2, and not more than 4, evaluation periods for each fiscal year to compare grant, loan, and loan guarantee applications and to prioritize grants, loans, and loan guarantees to all or part of rural communities that do not have residential broadband service that meets the minimum acceptable level of broadband service established under subsection (e);

“(ii) give the highest priority to applicants that offer to provide broadband service to the greatest proportion of unserved rural households or rural households that do not have residential broadband service that meets the minimum acceptable level of broadband service established under subsection (e), as—

“(I) certified by the affected community, city, county, or designee; or

“(II) demonstrated on—

“(aa) the broadband map of the affected State if the map contains address-level data; or

“(bb) the National Broadband Map if address-level data is unavailable; and

“(iii) give a higher priority to applicants that have not previously received grants, loans, or loan guarantees under paragraph (1) and that are seeking to build out unserved areas or to upgrade rural households to the minimum acceptable level of broadband service established under subsection (e).

On page 765, line 22, strike “and” after the semicolon at the end.

On page 766, line 7, strike the period at the end and insert “; and”.

On page 766, between lines 7 and 8, insert the following:

“(v) targeted funding to provide the minimum acceptable level of broadband service established under subsection (e) in all or part of an unserved community that is below that minimum acceptable level of broadband service.

On page 766, between lines 21 and 22, insert the following:

(i) by striking clause (i) and inserting the following:

“(i) demonstrate the ability to furnish, improve in order to meet the minimum acceptable level of broadband service established under subsection (e), or extend broadband service to all or part of an unserved rural area or an area below the minimum acceptable level of broadband service established under subsection (e);”;

On page 766, line 22, strike “(ii)” the first place it appears and insert “(iii)”.

On page 766, line 25, strike “(iii)” the first place it appears and insert “(iv)”.

On page 767, strike lines 8 through 18 and insert the following:

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i)—

(aa) by striking “the proceeds of a loan made or guaranteed” and inserting “assistance”; and

(bb) by striking “for the loan or loan guarantee” and inserting “of the eligible entity”;

(II) in clause (i), by striking “is offered broadband service by not more than 1 incumbent service provider” and inserting “are unserved or have service levels below the minimum acceptable level of broadband service established under subsection (e)”; and

(III) in clause (ii), by striking “3” and inserting “2”;

(ii) by striking subparagraph (B);

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

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

(I) in the subparagraph heading, by striking “3” and inserting “2”; and

(II) in clause (i), by inserting “the minimum acceptable level of broadband service established under subsection (e) in” after “service to”;

(C) in paragraph (3)—

(i) in subparagraph (A), by striking “loan or” and inserting “grant, loan, or”; and

(ii) in subparagraph (B), by adding at the end the following:

“(iii) **INFORMATION.**—Information submitted under this subparagraph shall be—

“(I) certified by the affected community, city, county, or designee; and

“(II) demonstrated on—

“(aa) the broadband map of the affected State if the map contains address-level data; or

“(bb) the National Broadband Map if address-level data is unavailable.”;

(D) in paragraph (4)—

(i) by striking “Subject to paragraph (1),” and inserting the following:

“(A) **IN GENERAL.**—Subject to paragraph (1) and subparagraph (B),”;

(ii) by striking “loan or” and inserting “grant, loan, or”; and

(iii) by adding at the end the following:

“(B) PILOT PROGRAMS.—The Secretary may carry out pilot programs in conjunction with interested entities described in subparagraph (A) (which may be in partnership with other entities, as determined appropriate by the Secretary) to address areas that are unserved or have service levels below the minimum acceptable level of broadband service established under subsection (e).”;

(E) in paragraph (5)—

(i) in the matter preceding subparagraph (A), by striking “loan or” and inserting “grant, loan, or”; and

(ii) in subparagraph (C), by inserting “, and proportion relative to the service territory,” after “estimated number”;

(F) in paragraph (6), by striking “loan or” and inserting “grant, loan, or”;

On page 767, line 19, strike “(D)” and insert “(G)”.

On page 767, line 22, strike “(E)” and insert “(H)”.

On page 768, line 6, before the semicolon, insert the following: “, including new equipment and capacity enhancements that support high-speed broadband access for educational institutions, health care providers, and public safety service providers (including the estimated number of end users who are currently using or forecasted to use the new or upgraded infrastructure)”.

On page 768, line 9, before the semicolon, insert the following: “, including—

“(I) the number and location of residences and businesses that will receive new broadband service, existing network service improvements, and facility upgrades resulting from the Federal assistance;

“(II) the speed of broadband service;

“(III) the price of broadband service;

“(IV) any changes in broadband service adoption rates, including new subscribers generated from demand-side projects; and

“(V) any other metrics the Secretary determines to be appropriate

On page 769, strike lines 5 through 12 and insert the following:

“(C) shall, in addition to other authority under applicable law, establish written procedures for all broadband programs administered by the Secretary that, to the maximum extent practicable—

“(i) recover funds from loan defaults;

“(ii)(I) deobligate awards to grantees that demonstrate an insufficient level of performance (including failure to meet build-out requirements, service quality issues, or other metrics determined by the Secretary) or wasteful or fraudulent spending; and

“(II) award those funds, on a competitive basis, to new or existing applicants consistent with this section; and

“(iii) consolidate and minimize overlap among the programs; and”.

On page 769, line 12 strike “and”.

On page 769, between lines 12 and 13, insert the following:

“(D) with respect to an application for assistance under this section, shall—

“(i) promptly post on the website of the Rural Utility Service—

“(I) an announcement that identifies—

“(aa) each applicant;

“(bb) the amount and type of support requested by each applicant; and

“(II) a list of the census block groups or proposed service territory, in a manner specified by the Secretary, that the applicant proposes to service;

“(ii) provide not less than 15 days for broadband service providers to voluntarily submit information about the broadband services that the providers offer in the groups or tracts listed under clause (i)(II) so that the Secretary may assess whether the

applications submitted meet the eligibility requirements under this section; and

“(iii) if no broadband service provider submits information under clause (ii), consider the number of providers in the group or tract to be established by reference to

“(I) the most current National Broadband Map of the National Telecommunications and Information Administration; or

“(II) any other data regarding the availability of broadband service that the Secretary may collect or obtain through reasonable efforts; and

On page 769, line 13, strike “(D)” and insert “(E)”.

On page 769, between lines 16 and 17, insert the following:

(5) in subsection (e)—

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

(B) by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—Subject to paragraph (2), for purposes of this section, the minimum acceptable level of broadband service for a rural area shall be at least—

“(A) a 4-Mbps downstream transmission capacity; and

“(B) a 1-Mbps upstream transmission capacity.

“(2) ADJUSTMENTS.—At least once every 2 years, the Secretary shall review, and may adjust, the minimum acceptable level of broadband service established under paragraph (1) to ensure that high quality, cost-effective broadband service is provided to rural areas over time.”;

On page 769, line 17, strike “(5)” and insert “(6)”.

On page 769, between lines 19 and 20, insert the following:

(7) in subsection (g), by striking paragraph (2) and inserting the following:

“(2) TERMS.—In determining the term and conditions of a loan or loan guarantee, the Secretary may—

“(A) consider whether the recipient would be serving an area that is unserved; and

“(B) if the Secretary makes a determination in the affirmative under subparagraph (A), establish a limited initial deferral period or comparable terms necessary to achieve the financial feasibility and long-term sustainability of the project.”;

On page 769, line 20, strike “(6)” and insert “(8)”.

On page 769, strike lines 23 and 24 and insert the following:

(B) in paragraph (1)—

(i) by inserting “grants and” after “number of”; and

(ii) by inserting “, including any loan terms or conditions for which the Secretary provided additional assistance to unserved areas” before the semicolon at the end;

On page 770, line 5, strike “and”

On page 770, between lines 6 and 7, insert the following:

(E) in paragraph (5), by striking “and” at the end;

(F) in paragraph (6), by striking the period at the end and inserting “; and”;

(G) by adding at the end the following:

“(7) the overall progress towards fulfilling the goal of improving the quality of rural life by expanding rural broadband access, as demonstrated by metrics, including—

“(A) the number of residences and businesses receiving new broadband services;

“(B) network improvements, including facility upgrades and equipment purchases;

“(C) average broadband speeds and prices on a local and statewide basis;

“(D) any changes in broadband adoption rates; and

“(E) any specific activities that increased high speed broadband access for educational institutions, health care providers, and public safety service providers.”; and

On page 770, strike line 7 and insert the following:

(9) by redesignating subsections (k) and (l) as subsections (l) and (m), respectively;

(10) by inserting after subsection (j) the following:

“(k) BROADBAND BUILDOUT DATA.—

“(1) IN GENERAL.—As a condition of receiving a grant, loan, or loan guarantee under this section, a recipient of assistance shall provide to the Secretary address-level broadband buildout data that indicates the location of new broadband service that is being provided or upgraded within the service territory supported by the grant, loan, or loan guarantee—

“(A) for purposes of inclusion in the semi-annual updates to the National Broadband Map that is managed by the National Telecommunications and Information Administration (referred to in this subsection as the ‘Administration’); and

“(B) not later than 30 days after the earlier of—

“(i) the date of completion of any project milestone established by the Secretary; or

“(ii) the date of completion of the project.

“(2) ADDRESS-LEVEL DATA.—Effective beginning on the date the Administration receives data described in paragraph (1), the Administration shall use only address-level broadband buildout data for the National Broadband Map.

“(3) CORRECTIONS.—

“(A) IN GENERAL.—The Secretary shall submit to the Administration any correction to the National Broadband Map that is based on the actual level of broadband coverage within the rural area, including any requests for a correction from an elected or economic development official.

“(B) INCORPORATION.—Not later than 30 days after the date on which the Administration receives a correction submitted under subparagraph (A), the Administration shall incorporate the correction into the National Broadband Map.

“(C) USE.—If the Secretary has submitted a correction to the Administration under subparagraph (A), but the National Broadband Map has not been updated to reflect the correction by the date on which the Secretary is making a grant or loan award decision under this section, the Secretary may use the correction submitted under that subparagraph for purposes of make the grant or loan award decision.”;

(11) in paragraph (1) of subsection (l) (as redesignated by paragraph (9))—

On page 770, strike line 12 and insert the following:

(12) in subsection (m) (as redesignated by paragraph (9))—

SA 2436. Mr. NELSON of Florida (for himself, Mr. MENENDEZ, Mr. CARDIN, and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill S. 3240, to reauthorize agricultural programs through 2017, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

Subtitle D—Citrus Disease Research and Development Trust Fund

SEC. 3301. SHORT TITLE.

This subtitle may be cited as the “Citrus Disease Research and Development Trust Fund Act of 2012”.

SEC. 3302. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) duties collected on imports of citrus and citrus products have ranged from \$50,000,000 to \$87,000,000 annually since 2004, and are projected to increase, as United States production declines due to the effects

of huanglongbing (also known as “HLB” or “citrus greening disease”) and imports increase in response to the shortfall in the United States;

(2) in cases involving other similarly situated agricultural commodities, notably wool, the Federal Government has chosen to divert a portion of the tariff revenue collected on imported products to support efforts of the domestic industry to address challenges facing the industry;

(3) citrus and citrus products are a highly nutritious and healthy part of a balanced diet;

(4) citrus production is an important part of the agricultural economy in Florida, California, Arizona, and Texas;

(5) in the most recent years preceding the date of enactment of this Act, citrus fruits have been produced on 900,000 acres, yielding 11,000,000 tons of citrus products with a value at the farm of more than \$3,200,000,000;

(6) the commercial citrus sector employs approximately 110,000 people and contributes approximately \$13,500,000,000 to the United States economy;

(7) the United States citrus industry has suffered billions of dollars in damage from disease and pests, both domestic and invasive, over the decade preceding the date of enactment of this Act, particularly from huanglongbing;

(8) huanglongbing threatens the entire United States citrus industry because the disease kills citrus trees;

(9) as of the date of enactment of this Act, there are no cost effective or environmentally sound treatments available to suppress or eradicate huanglongbing;

(10) United States citrus producers working with Federal and State governments have devoted tens of millions of dollars toward research and efforts to combat huanglongbing and other diseases and pests, but more funding is needed to develop and commercialize disease and pest solutions;

(11) although imports constitute an increasing share of the United States market, importers of citrus products into the United States do not directly fund production research in the United States;

(12) disease and pest suppression technologies require determinations of safety and solutions must be commercialized before use by citrus producers;

(13) the complex processes involved in discovery and commercialization of safe and effective pest and disease suppression technologies are expensive and lengthy and the need for the technologies is urgent; and

(14) research to develop solutions to suppress huanglongbing, or other domestic and invasive pests and diseases will benefit all citrus producers and consumers around the world.

(b) **PURPOSES.**—The purposes of this subtitle are—

(1) to authorize the establishment of a trust funded by certain tariff revenues to support scientific research, technical assistance, and development activities to combat citrus diseases and pests, both domestic and invasive, harming the United States; and

(2) to require the President to notify the chairperson and ranking member of the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives before entering into any trade agreement that would decrease the amount of duties collected on imports of citrus products to less than the amount necessary to provide the grants authorized by section 1001(d) of the Trade Act of 1974, as added by section 3303(a) of this Act.

(c) **EFFECT ON OTHER ACTIVITIES.**—Nothing in this subtitle restricts the use of any funds for scientific research and technical activities in the United States.

SEC. 3303. CITRUS DISEASE RESEARCH AND DEVELOPMENT TRUST FUND.

(a) **IN GENERAL.**—The Trade Act of 1974 (19 U.S.C. 2102 et seq.) is amended by adding at the end the following:

“TITLE X—CITRUS DISEASE RESEARCH AND DEVELOPMENT TRUST FUND

“SEC. 1001. CITRUS DISEASE RESEARCH AND DEVELOPMENT TRUST FUND.

“(a) **ESTABLISHMENT.**—There is established in the Treasury of the United States a trust fund to be known as the ‘Citrus Disease Research and Development Trust Fund’ (in this section referred to as the ‘Trust Fund’), consisting of such amounts as may be transferred to the Trust Fund under subsection (b)(1) and any amounts that may be credited to the Trust Fund under subsection (d)(2).

“(b) **TRANSFER OF AMOUNTS.**—

“(1) **IN GENERAL.**—Subject to paragraph (2), the Secretary of the Treasury shall transfer to the Trust Fund, from the general fund of the Treasury, amounts determined by the Secretary to be equivalent to amounts received in the general fund that are attributable to the duties collected on articles that are citrus or citrus products classifiable under chapters 8, 20, 21, 22, and 33 of the Harmonized Tariff Schedule of the United States.

“(2) **LIMITATION.**—The amount transferred to the Trust Fund under paragraph (1) in any fiscal year may not exceed the lesser of—

“(A) an amount equal to 1/3 of the amount attributable to the duties received on articles described in paragraph (1); or

“(B) \$30,000,000.

“(c) **AVAILABILITY OF AMOUNTS IN TRUST FUND.**—

“(1) **AMOUNTS AVAILABLE UNTIL EXPENDED.**—Amounts in the Trust Fund shall remain available until expended without further appropriation.

“(2) **AVAILABILITY FOR CITRUS DISEASE RESEARCH AND DEVELOPMENT EXPENDITURES.**—Amounts in the Trust Fund shall be available to the Secretary of Agriculture—

“(A) for expenditures relating to citrus disease research and development under section 3304 of the Citrus Disease Research and Development Trust Fund Act of 2012, including costs relating to contracts or other agreements entered into to carry out citrus disease research and development; and

“(B) to cover administrative costs incurred by the Secretary in carrying out the provisions of that Act.

“(d) **INVESTMENT OF TRUST FUND.**—

“(1) **IN GENERAL.**—The Secretary of the Treasury shall invest such portion of the Trust Fund as is not required to meet current withdrawals in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. Such obligations may be acquired on original issue at the issue price or by purchase of outstanding obligations at the market price. Any obligation acquired by the Trust Fund may be sold by the Secretary of the Treasury at the market price.

“(2) **INTEREST AND PROCEEDS FROM SALE OR REDEMPTION OF OBLIGATIONS.**—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Trust Fund shall be credited to and form a part of the Trust Fund.

“(e) **REPORTS TO CONGRESS.**—Not later than January 15, 2013, and each year thereafter until the year after the termination of the Trust Fund, the Secretary of the Treasury, in consultation with the Secretary of Agriculture, shall submit to Congress a report on the financial condition and the results of the operations of the Trust Fund that includes—

“(1) a detailed description of the amounts disbursed from the Trust Fund in the pre-

ceding fiscal year and the manner in which those amounts were expended;

“(2) an assessment of the financial condition and the operations of the Trust Fund for the current fiscal year; and

“(3) an assessment of the amounts available in the Trust Fund for future expenditures.

“(f) **REMISSION OF SURPLUS FUNDS.**—The Secretary of the Treasury may remit to the general fund of the Treasury such amounts as the Secretary of Agriculture reports to be in excess of the amounts necessary to meet the purposes of the Citrus Disease Research and Development Trust Fund Act of 2012.

“(g) **SUNSET PROVISION.**—The Trust Fund shall terminate on December 31 of the fifth calendar year that begins after the date of the enactment of the Citrus Disease Research and Development Trust Fund Act of 2012 and all amounts in the Trust Fund on December 31 of that fifth calendar year shall be transferred to the general fund of the Treasury.

“SEC. 1002. REPORTS REQUIRED BEFORE ENTERING INTO CERTAIN TRADE AGREEMENTS.

“The President shall notify the chairperson and ranking member of the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives not later than 90 days before entering into a trade agreement if the President determines that entering into the trade agreement could result—

“(1) in a decrease in the amount of duties collected on articles that are citrus or citrus products classifiable under chapters 8, 20, 21, 22, and 33 of the Harmonized Tariff Schedule of the United States; and

“(2) in a decrease in the amount of funds being transferred into the Citrus Disease Research and Development Trust Fund under section 1001 so that amounts available in the Trust Fund are insufficient to meet the purposes of the Citrus Disease Research and Development Trust Fund Act of 2012.”

(b) **CLERICAL AMENDMENT.**—The table of contents for the Trade Act of 1974 is amended by adding at the end the following:

“TITLE X—CITRUS DISEASE RESEARCH AND DEVELOPMENT TRUST FUND

“Sec. 1001. Citrus Disease Research and Development Trust Fund.

“Sec. 1002. Reports required before entering into certain trade agreements.”

SEC. 3304. CITRUS DISEASE RESEARCH AND DEVELOPMENT TRUST FUND ADVISORY BOARD.

(a) **PURPOSE.**—The purpose of this section is to establish an orderly procedure and financing mechanism for the development of an effective and coordinated program of research and product development relating to—

(1) scientific research concerning diseases and pests, both domestic and invasive, afflicting the citrus industry; and

(2) support for the dissemination and commercialization of relevant information, techniques, and technologies discovered pursuant to research funded through the Citrus Disease Research and Development Trust Fund established under section 1001 of the Trade Act of 1974, as added by section 3303(a) of this Act, or through other research projects intended to solve problems caused by citrus production diseases and invasive pests.

(b) **DEFINITIONS.**—In this section:

(1) **BOARD.**—The term “Board” means the Citrus Disease Research and Development Trust Fund Advisory Board established under this section.

(2) **CITRUS.**—

(A) **IN GENERAL.**—The term “citrus” means edible fruit of the family Rutaceae, commonly called “citrus”.

(B) INCLUSION.—The term “citrus” includes all citrus hybrids and products of citrus hybrids that are produced for commercial purposes in the United States.

(3) DEPARTMENT.—The term “Department” means the Department of Agriculture.

(4) PERSON.—The term “person” means any individual, group of individuals, firm, partnership, corporation, joint stock company, association, cooperative, or other legal entity.

(5) PRODUCER.—The term “producer” means any person that is engaged in the domestic production and commercial sale of citrus in the United States.

(6) PROGRAM.—The term “program” means the citrus research and development program authorized under this section.

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

(8) TRUST FUND.—The term “Trust Fund” means the Citrus Disease Research and Development Trust Fund established under section 1001 of the Trade Act of 1974, as added by section 3303(a) of this Act.

(c) IMPLEMENTATION.—

(1) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall promulgate regulations to carry out this section.

(2) CITRUS ADVISORY BOARD.—

(A) ESTABLISHMENT AND MEMBERSHIP.—

(i) ESTABLISHMENT.—The Citrus Disease Research and Development Trust Fund Advisory Board shall consist of 9 members.

(ii) MEMBERSHIP.—The members of the Board shall be appointed by the Secretary.

(iii) STATUS.—Members of the Board represent the interests of the citrus industry and shall not be considered officers or employees of the Federal Government solely due to membership on the Board.

(B) DISTRIBUTION OF APPOINTMENTS.—The membership of the Board shall consist of—

(i) 5 members who are domestic producers of citrus in Florida;

(ii) 3 members who are domestic producers of citrus in Arizona or California; and

(iii) 1 member who is a domestic producer of citrus in Texas.

(C) CONSULTATION.—Prior to making appointments to the Board, the Secretary shall consult with organizations composed primarily of citrus producers to receive advice and recommendations regarding Board membership.

(D) BOARD VACANCIES.—

(i) IN GENERAL.—The Secretary shall appoint a new Board member to serve the remainder of a term vacated by a departing Board member.

(ii) REQUIREMENTS.—When filling a vacancy on the Board, the Secretary shall—

(I) appoint a citrus producer from the same State as the Board member being replaced; and

(II) prior to making an appointment, consult with organizations in that State composed primarily of citrus producers to receive advice and recommendations regarding the vacancy.

(E) TERMS.—

(i) IN GENERAL.—Except as provided in clause (ii), each term of appointment to the Board shall be for 5 years.

(ii) INITIAL APPOINTMENTS.—In making initial appointments to the Board, the Secretary shall appoint $\frac{1}{3}$ of the members to terms of 1, 3, and 5 years, respectively.

(F) DISQUALIFICATION FROM BOARD SERVICE.—If a member or alternate of the Board who was appointed as a domestic producer ceases to be a producer in the State from which the member was appointed, or fails to fulfill the duties of the member according to the rules established by the Board under paragraph (4)(A)(ii), the member or alternate

shall be disqualified from serving on the Board.

(G) COMPENSATION.—

(i) IN GENERAL.—The members of the Board shall serve without compensation, other than travel expenses described in clause (ii).

(ii) TRAVEL EXPENSES.—A member of the Board shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Board.

(3) POWERS.—

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

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

(C) VOLUNTEER SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Board may accept and use the services of volunteers serving without compensation.

(D) TECHNICAL AND LOGISTICAL SUPPORT.—Subject to the availability of funds, the Secretary shall provide to the Board technical and logistical support through contract or other means, including—

(i) procuring the services of experts and consultants in accordance with section 3109(b) of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the highest rate payable under section 5332 of that title; and

(ii) entering into contracts with departments, agencies, and instrumentalities of the Federal Government, State agencies, and private entities for the preparation of reports, surveys, and other activities.

(E) DETAIL OF FEDERAL GOVERNMENT EMPLOYEES.—

(i) IN GENERAL.—An employee of the Federal Government may be detailed to the Commission on a reimbursable or nonreimbursable basis.

(ii) CIVIL SERVICE STATUS.—The detail of the employee shall be without interruption or loss of civil service status or privilege.

(F) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall provide to the Board on a reimbursable basis administrative support and other services for the performance of the duties of the Board.

(G) OTHER DEPARTMENTS AND AGENCIES.—Departments and agencies of the United States may provide to the Board such services, funds, facilities, staff, and other support services as may be appropriate.

(4) GENERAL RESPONSIBILITIES OF THE BOARD.—

(A) IN GENERAL.—The regulations promulgated by the Secretary shall define the general responsibilities of the Board, which shall include the responsibilities—

(i) to meet, organize, and select from among the members of the Board a chairperson, other officers, and committees and subcommittees, as the Board determines to be appropriate;

(ii) to adopt and amend rules and regulations governing the conduct of the activities of the Board and the performance of the duties of the Board;

(iii) to hire such experts and consultants as the Board considers necessary to enable the Board to perform the duties of the Board;

(iv) to advise the Secretary on citrus research and development needs;

(v) to propose a research and development agenda and annual budgets for the Trust Fund;

(vi) to evaluate and review ongoing research funded by Trust Fund;

(vii) to engage in regular consultation and collaboration with the Department and other institutional, governmental, and private actors conducting scientific research into the causes or treatments of citrus diseases and pests, both domestic and invasive, so as to—

(I) maximize the effectiveness of the activities;

(II) hasten the development of useful treatments; and

(III) avoid duplicative and wasteful expenditures; and

(viii) to provide the Secretary with such information and advice as the Secretary may request.

(5) CITRUS RESEARCH AND DEVELOPMENT AGENDA AND BUDGETS.—

(A) IN GENERAL.—The Board shall submit annually to the Secretary a proposed research and development agenda and budget for the Trust Fund, which shall include—

(i) an evaluation of ongoing research and development efforts;

(ii) specific recommendations for new citrus research projects;

(iii) a plan for the dissemination and commercialization of relevant information, techniques, and technologies discovered pursuant to research funded through the Trust Fund; and

(iv) a justification for Trust Fund expenditures.

(B) AFFIRMATIVE SUPPORT REQUIRED.—A research and development agenda and budget may not be submitted by the Board to the Secretary without the affirmative support of at least 7 members of the Board.

(C) SECRETARIAL APPROVAL.—

(i) IN GENERAL.—Not later than 60 days after receiving the proposed research and development agenda and budget from the Board and consulting with the Board, the Secretary shall finalize a citrus research and development agenda and Trust Fund budget.

(ii) CONSIDERATIONS.—In finalizing the agenda and budget, the Secretary shall—

(I) due to the proximity of citrus producers to the effects of diseases such as Huanglongbing and the quickly evolving nature of scientific understanding of the effect of the diseases on citrus production, give strong deference to the proposed research and development agenda and budget from the Board; and

(II) take into account other public and private citrus-related research and development projects and funding.

(D) REPORT TO CONGRESS.—Each year, the Secretary shall submit to the Committee on Agriculture and the Committee on Ways and Means of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry and the Committee on Finance of the Senate a report that includes—

(i) the most recent citrus research and development agenda and budget of the Secretary;

(ii) an analysis of how, why, and to what extent the agenda and budget finalized by the Secretary differs from the proposal of the Board;

(iii) an examination of new developments in the spread and control of citrus diseases and pests;

(iv) a discussion of projected research needs; and

(v) a review of the effectiveness of the Trust Fund in achieving the purpose described in subsection (a).

(6) CONTRACTS AND AGREEMENTS.—To ensure the efficient use of funds, the Secretary may enter into contracts or agreements with public or private entities for the implementation of a plan or project for citrus research.

(d) ADMINISTRATIVE COSTS.—Each fiscal year, the Secretary may transfer up to \$2,000,000 of amounts in the Trust Fund to

the Board for expenses incurred by the Board in carrying out the duties of the Board.

(e) **TERMINATION OF BOARD.**—The Board shall terminate on December 31 of the fifth calendar year that begins after the date of enactment of this Act.

Subtitle E—Cotton and Wool Trust Funds

SEC. 3401. RENEWAL AND MODIFICATION OF DUTY SUSPENSIONS ON COTTON SHIRTING FABRICS AND RELATED PROVISIONS.

(a) **RENEWAL AND MODIFICATION OF DUTY SUSPENSIONS.**—

(1) **IN GENERAL.**—Headings 9902.52.08, 9902.52.09, 9902.52.10, 9902.52.11, 9902.52.12, 9902.52.13, 9902.52.14, 9902.52.15, 9902.52.16, 9902.52.17, 9902.52.18, and 9902.52.19 of the Harmonized Tariff Schedule of the United States (relating to woven fabrics of cotton) are each amended—

(A) in the article description—

(i) by striking “other than fabrics provided for in headings 9902.52.20 through 9902.52.31,”; and

(ii) by striking “, the foregoing imported” and all that follows; and

(B) by striking the date in the effective period column and inserting “12/31/2015”.

(2) **CONFORMING AMENDMENTS.**—Subchapter II of chapter 99 of the Harmonized Tariff Schedule is amended—

(A) in the U.S. Notes, by striking the second Note 18 and Note 19; and

(B) by striking headings 9902.52.20 through 9902.52.31.

(b) **EXTENSION OF DUTY REFUNDS AND PIMA COTTON TRUST FUND; MODIFICATION OF AFFIDAVIT REQUIREMENTS.**—Section 407 of title IV of division C of the Tax Relief and Health Care Act of 2006 (Public Law 109-432; 120 Stat. 3060) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking “amounts determined by the Secretary” and all that follows through “5208.59.80” and inserting “amounts received in the general fund that are attributable to duties received since January 1, 2004, on articles classified under heading 5208”; and

(B) in paragraph (2), by striking “October 1, 2008” and inserting “December 31, 2015”;

(2) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking “beginning in fiscal year 2007” and inserting “for fiscal year 2012 and each fiscal year thereafter”;

(B) by striking “grown in the United States” each place it appears; and

(C) in paragraph (2), in the matter preceding subparagraph (A), by inserting “that produce ring spun cotton yarns in the United States” after “of pima cotton”;

(3) in subsection (d)—

(A) in the matter preceding paragraph (1), by inserting “annually” after “provided”; and

(B) in paragraph (1), by inserting “during the year in which the affidavit is filed and” after “imported cotton fabric”; and

(4) in subsection (f)—

(A) in the matter preceding paragraph (1), by inserting “annually” after “provided”; and

(B) in paragraph (1)—

(i) by striking “grown in the United States” and inserting “during the year in which the affidavit is filed and”; and

(ii) by inserting “in the United States” after “cotton yarns”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on the date of the enactment of this Act and apply with respect to affidavits filed on or after such date of enactment.

SEC. 3402. MODIFICATION OF WOOL APPAREL MANUFACTURERS TRUST FUND.

(a) **IN GENERAL.**—Section 4002(c)(2) of the Miscellaneous Trade and Technical Correc-

tions Act of 2004 (Public Law 108-429; 118 Stat. 2600) is amended—

(1) in subparagraph (A), by striking “subject to the limitation in subparagraph (B)” and inserting “subject to subparagraphs (B) and (C)”; and

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

“(C) **ALTERNATIVE FUNDING SOURCE.**—Subparagraph (A) shall be applied and administered by substituting ‘chapter 62’ for ‘chapter 51’ for any period of time with respect to which the Secretary notifies Congress that amounts determined by the Secretary to be equivalent to amounts received in the general fund of the Treasury of the United States that are attributable to the duty received on articles classified under chapter 51 of the Harmonized Tariff Schedule of the United States are not sufficient to make payments under paragraph (3) or grants under paragraph (6).”.

(b) **FULL RESTORATION OF PAYMENT LEVELS IN CALENDAR YEARS 2010 THROUGH 2012.**—

(1) **TRANSFER OF AMOUNTS.**—

(A) **IN GENERAL.**—Not later than 30 days after the date of the enactment of this Act, the Secretary of the Treasury shall transfer to the Wool Apparel Manufacturers Trust Fund, out of the general fund of the Treasury of the United States, amounts determined by the Secretary of the Treasury to be equivalent to amounts received in the general fund that are attributable to the duty received on articles classified under chapter 51 or chapter 62 of the Harmonized Tariff Schedule of the United States (as determined under section 4002(c)(2) of the Miscellaneous Trade and Technical Corrections Act of 2004), subject to the limitation in subparagraph (B).

(B) **LIMITATION.**—The Secretary of the Treasury shall not transfer more than the amount determined by the Secretary to be necessary for—

(i) U.S. Customs and Border Protection to make payments to eligible manufacturers under section 4002(c)(3) of the Miscellaneous Trade and Technical Corrections Act of 2004 so that the amount of such payments, when added to any other payments made to eligible manufacturers under section 4002(c)(3) of such Act during calendar years 2010, 2011 and 2012, equal the total amount of payments authorized to be provided to eligible manufacturers under section 4002(c)(3) of such Act during calendar years 2010, 2011, and 2012; and

(ii) the Secretary of Commerce to provide grants to eligible manufacturers under section 4002(c)(6) of the Miscellaneous Trade and Technical Corrections Act of 2004 so that the amounts of such grants, when added to any other grants made to eligible manufacturers under section 4002(c)(6) of such Act during calendar years 2010, 2011, and 2012, equal the total amount of grants authorized to be provided to eligible manufacturers under section 4002(c)(6) of such Act during calendar years 2010, 2011, and 2012.

(2) **PAYMENT OF AMOUNTS.**—U.S. Customs and Border Protection shall make payments described in paragraph (1) to eligible manufacturers not later than 30 days after such transfer of amounts from the general fund of the Treasury of the United States to the Wool Apparel Manufacturers Trust Fund. The Secretary of Commerce shall promptly provide grants described in paragraph (1) to eligible manufacturers after such transfer of amounts from the general fund of the Treasury of the United States to the Wool Apparel Manufacturers Trust Fund.

(c) **RULE OF CONSTRUCTION.**—The amendments made by subsection (a) shall not be construed to affect the availability of amounts transferred to the Wool Apparel Manufacturers Trust Fund before the date of the enactment of this Act.

(d) **CONFORMING AMENDMENTS.**—Title IV of the Miscellaneous Trade and Technical Corrections Act of 2004 (Public Law 108-429; 118 Stat. 2600) is amended by striking “Bureau of Customs and Border Protection” each place it appears and inserting “U.S. Customs and Border Protection”.

(e) **DISCRETIONARY AUTHORITY.**—

(1) **IN GENERAL.**—Section 4002(c)(3) of the Miscellaneous Trade and Technical Corrections Act of 2004 is amended by inserting “(or at the request of the manufacturer and in the sole discretion of the U.S. Customs and Border Protection, no later than April 15 of the year of the payment)” after “March 1 of the year of the payment”.

(2) **EFFECTIVE DATE.**—The amendment made by paragraph (1) shall—

(A) take effect on the date of the enactment of this Act; and

(B) apply with respect to a request made by a manufacturer after such date of enactment for an extension of time to file an affidavit pursuant to section 4002(c)(3) of the Miscellaneous Trade and Technical Corrections Act of 2004, as amended by paragraph (1), with respect to a payment payable under that section during calendar year 2011 or any calendar year thereafter.

SEC. 3403. TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES.

Notwithstanding section 6655 of the Internal Revenue Code of 1986—

(1) in the case of a corporation with assets of not less than \$1,000,000,000 (determined as of the end of the preceding taxable year), the amount of any required installment of corporate estimated tax which is otherwise due in July, August, or September of 2017 shall be 100.25 percent of such amount; and

(2) the amount of the next required installment after an installment referred to in paragraph (1) shall be appropriately reduced to reflect the amount of the increase by reason of such paragraph.

SEC. 3404. EXTENSION OF CUSTOMS USER FEES.

Section 13031(j)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)) is amended—

(1) in subparagraph (A), by striking “August 2, 2021” and inserting “October 22, 2021”;

(2) in subparagraph (B)(i), by striking “December 8, 2020” and inserting “October 29, 2021”; and

(3) by striking subparagraphs (C) and (D).

SA 2437. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 3240, to reauthorize agricultural programs through 2017, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____ . LIMITATION ON PREMIUM SUBSIDY BASED ON AVERAGE ADJUSTED GROSS INCOME.

Section 508(e) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)) (as amended by section 11023(b)) is amended by adding at the end the following:

“(9) **LIMITATION ON PREMIUM SUBSIDY BASED ON AVERAGE ADJUSTED GROSS INCOME.**—

“(A) **DEFINITION OF AVERAGE ADJUSTED GROSS INCOME.**—In this paragraph, the term ‘average adjusted gross income’ has the meaning given the term in section 1001D(a) of the Food Security Act of 1985 (7 U.S.C. 1308-3a(a)).

“(B) **LIMITATION.**—Notwithstanding any other provision of this subtitle and beginning with the 2014 reinsurance year, in the case of any producer that is a person or legal entity that has an average adjusted gross income in excess of \$750,000 based on the most recent data available from the Farm Service

Agency as of the beginning of the reinsurance year, the total amount of premium subsidy provided with respect to additional coverage under subsection (c), section 508B, or section 508C issued on behalf of the producer for a reinsurance year shall be 15 percentage points less than the premium subsidy provided in accordance with this subsection that would otherwise be available for the applicable policy, plan of insurance, and coverage level selected by the producer.

“(C) APPLICATION.—

“(i) STUDY.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the approved insurance providers, shall carry out a study to determine the effects of the limitation described in subparagraph (B) on—

“(I) the overall operations of the Federal crop insurance program;

“(II) the number of producers participating in the Federal crop insurance program;

“(III) the amount of premiums paid by participating producers;

“(IV) any potential liability for approved insurance providers;

“(V) any crops or growing regions that may be disproportionately impacted;

“(VI) program rating structures;

“(VII) creation of schemes or devices to evade the impact of the limitation; and

“(VIII) underwriting gains and losses.

“(ii) EFFECTIVENESS.—The limitation described in subparagraph (B) shall not take effect unless the Secretary determines, through the study described in clause (i), that the limitation would not—

“(I) increase the premium amount paid by producers with an average adjusted gross income of less than \$750,000;

“(II) result in a decline in the availability of crop insurance services to producers; and

“(III) increase the costs to the Federal government to administer the Federal crop insurance program established under this subtitle.”

SA 2438. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 3240, to reauthorize agricultural programs through 2017, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title II, add the following:

SEC. 2609. HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION FOR CROP INSURANCE.

(a) HIGHLY ERODIBLE LAND PROGRAM INELIGIBILITY.—

(1) IN GENERAL.—Section 1211(a)(1) of the Food Security Act of 1985 (16 U.S.C. 3811(a)(1)) is amended—

(A) in subparagraph (C), by striking “or” at the end;

(B) in subparagraph (D), by adding “or” at the end; and

(C) by adding at the end the following:

“(E) any portion of premium paid by the Federal Crop Insurance Corporation for a plan or policy of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).”

(2) EXEMPTIONS.—Section 1212(a)(2) of the Food Security Act of 1985 (16 U.S.C. 3812(a)(2)) is amended—

(A) in the first sentence, by striking “(2) If,” and inserting the following:

“(2) ELIGIBILITY BASED ON COMPLIANCE WITH CONSERVATION PLAN.—

“(A) IN GENERAL.—If,”

(B) in the second sentence, by striking “In carrying” and inserting the following:

“(B) MINIMIZATION OF DOCUMENTATION.—In carrying”; and

(C) by adding at the end the following:

“(C) CROP INSURANCE.—In the case of payments that are subject to section 1211 for the

first time due to the amendment made by section 2609(a) of the Agriculture Reform, Food, and Jobs Act of 2012, any person who produces an agricultural commodity on the land that is the basis of the payments shall have until January 1 of the fifth year after the date on which the payments became subject to section 1211 to develop and comply with an approved conservation plan.”.

(b) WETLAND CONSERVATION PROGRAM INELIGIBILITY.—Section 1221(b) of the Food Security Act of 1985 (16 U.S.C. 3821) is amended by adding at the end the following:

“(4) Any portion of premium paid by the Federal Crop Insurance Corporation for a plan or policy of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).”.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on National Parks. The hearing will be held on Wednesday, June 27, 2012, at 3 p.m. in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the following bills:

S. 1897, a bill to amend Public Law 101-377 to revise the boundaries of the Gettysburg National Military Park to include the Gettysburg Train Station;

S. 2158, a bill to establish the Fox-Wisconsin Heritage Parkway National Heritage Area;

S. 2229, a bill to authorize the issuance of right-of-way permits for natural gas pipelines in Glacier National Park;

S. 2267, a bill to reauthorize the Hudson Valley National Heritage Area;

S. 2272, a bill to designate a mountain in the State of Alaska as Mount Denali;

S. 2273, a bill to designate the Talkeetna Ranger Station in Talkeetna, Alaska, as the Walter Harper Talkeetna Ranger Station;

S. 2286, a bill to amend the Wild and Scenic Rivers Act to designate certain segments of the Farmington River and Salmon Brook in the State of Connecticut as components of the National Wild and Scenic Rivers System;

S. 2316, a bill to designate the Salt Pond Visitor Center at the Cape Cod National Seashore as the “Thomas P. O’Neill, Jr. Salt Pond Visitor Center”;

S. 2324, a bill to amend the Wild and Scenic Rivers Act to designate a segment of the Neches River in the State of Texas for potential addition to the National Wild and Scenic River System;

S. 2372, a bill to authorize pedestrian and motorized vehicular access in Cape Hatteras National Seashore Recreational Area; and

S. 3300, a bill to establish the Manhattan Project National Historical Park in Oak Ridge, Tennessee, Los Alamos, New Mexico, and Hanford, Washington.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, 304 Dirksen Senate Office Building, Washington, DC 20510-6150, or by email to Jake_McCook@energy.senate.gov.

For further information, please contact please contact Sara Tucker (202) 224-6224 or Jake McCook (202) 224-9313.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN: Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Thursday, June 28, 2012, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to review innovative non-federal programs for financing energy efficient building retrofits.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by email to Abigail_Campbell@energy.senate.gov.

For further information, please contact Deborah Estes at (202) 224-5360, or Abigail Campbell at (202) 224-1219.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on June 14, 2012, at 9:30 a.m., in room 366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on June 14, 2012, at 10 a.m., in room SD-215 of the Dirksen Senate Office Building, to conduct a roundtable entitled “Medicare Physician Payment Policy: Lessons from the Private Sector.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 14, 2012, at 10 a.m., to hold a hearing entitled, “The Law of the Sea Convention (Treaty Doc. 103-39): Perspectives from the U.S. Military.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 14, 2012, at 2:30 p.m., to hold a hearing entitled, “The Law of the Sea Convention (Treaty Doc. 103-39).”