

last year. While that of course sounds like good news, the story is more complicated. We have heard of at least three child deaths related to abuse or neglect. Some abuse is going unreported. And there are clear gaps in data between the agencies and in the reporting. So I am urging my state to elevate the standards of protective services even higher.

Child Protection Services needs to coordinate with other agencies. They need to share data so we can have a clear picture of the full scope of the problem. Everyone needs to work together to make sure that all Montana kids are safe.

Our Nation must tackle this issue head on. We must embrace our responsibility to protect our children. We need to provide them with safe, nurturing environments and the support they need to thrive and succeed in our society.

We need to make sure that kids have access to physical and mental health services, so they can grow into happy, productive adults. We need to help children with mental illnesses by reducing the stigma surrounding mental health services and ensuring that these young people know there is a strong support network backing them up.

We should look at programs like home visits, which currently provide professional assistance, right at home, for more than 50,000 families across our Nation, and see how they can be improved to do an even better job supporting vulnerable families.

We are blessed to live in the richest, most powerful country in the world. We have to use every resource at our disposal to strengthen our laws to ensure that all children are given a chance to succeed in life.

This bipartisan legislation we are introducing today is a step in the right direction to protect our kids.

I commend my colleagues Senators KERRY and COLLINS for their years of tireless work, fighting for the rights of our children. The House of Representatives has already acted on this legislation. Let us now join together and create a life free of violence and fear for our most vulnerable citizens.

Let us pass the Protect Our Kids Act.

By Mr. KYL:

S. 3708. A bill to encourage reporting of child abuse; to the Committee on the Judiciary.

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

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

S. 3708

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Stop Abuse For Every Child Act of 2012" or the "SAFE Child Act".

#### SEC. 2. ADDITIONAL SPECIAL ASSESSMENT.

(a) IN GENERAL.—Chapter 20 of title 18, United States Code, is amended by inserting after section 3013 the following:

#### "§ 3014. Additional special assessment

"(a) In addition to the assessment imposed under section 3013, the court shall assess on any person other than an individual convicted of an offense against the United States an amount equal to 3 times the amount that would be assessed on a person under section 3013 for the same offense.

"(b) There is established in the Treasury a fund, to be known as the 'Surcharge Fund' (referred to in this section as the 'Fund'), to be administered by the Secretary of Health and Human Services.

"(c) Notwithstanding section 3302 of title 31, or any other law regarding the crediting of money received for the Government, there shall be deposited in the Fund an amount equal to the amount of the assessments collected under this section, which shall remain available until expended.

"(d) From amounts in the Fund, and without further appropriation, the Secretary of Health and Human Services shall, for fiscal year 2013, and every 3 fiscal years thereafter, award a competitive grant with a grant period of 3 years and in the amount of \$1,000,000 for each year to a private nonprofit organization that has a successful multi-year record of operating a national child abuse hotline, which shall be used—

"(1) to operate such a hotline, which shall—

"(A) operate 24 hours a day, 7 days a week, with individuals answering calls;

"(B) be staffed by individuals that are trained to handle crisis counseling and child abuse and neglect inquiries, including individuals with a background or advanced degrees in counseling, mental health, social work, or other related fields;

"(C) have the ability to provide assistance to callers in multiple languages;

"(D) have chat or text message capability to increase access and participation for children and youth who may not be as likely to call on a telephone; and

"(E) provide—

"(i) assistance in reporting incidences of child abuse and neglect;

"(ii) crisis counseling;

"(iii) referrals to relevant resources in the caller's community; and

"(iv) education and resources on the signs and symptoms of abuse, risk factors, parenting concerns, and adult survivor issues; and

"(2) to encourage reporting of child abuse and conduct public education on child abuse.

"(e)(1) Effective on the day after the date on which an award is made under subsection (d), or, for a fiscal year in which no award is made under subsection (d), effective on September 30 of that fiscal year, all unobligated balances in the Fund shall be transferred to the Crime Victims Fund established under section 1402 of the Victims of Crime Act of 1984 (42 U.S.C. 10601).

"(2) Amounts transferred under paragraph (1)—

"(A) shall be available for any authorized purpose of the Crime Victims Fund; and

"(B) shall remain available until expended.

"(f) The amount assessed under subsection (a) shall be collected in the manner that fines are collected in criminal cases.

"(g) The obligation to pay an assessment imposed on or after the date of enactment of the SAFE Child Act shall not cease until the assessment is paid in full."

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 20 of title 18, United States Code, is amended by inserting after the item relating to section 3013 the following:

"3014. Additional special assessment."

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 3425. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table.

SA 3426. Mr. HARKIN submitted an amendment intended to be proposed to amendment SA 3395 proposed by Mr. REID to the bill H.R. 1, supra; which was ordered to lie on the table.

SA 3427. Mr. NELSON, of Florida submitted an amendment intended to be proposed to amendment SA 3404 submitted by Mr. MERKLEY (for himself, Ms. STABENOW, Mrs. MCCASKILL, Mr. BAUCUS, Mr. WYDEN, Mr. FRANKEN, Mr. JOHNSON of South Dakota, and Mr. UDALL of New Mexico) and intended to be proposed to the bill H.R. 1, supra; which was ordered to lie on the table.

SA 3428. Mr. NELSON, of Florida submitted an amendment intended to be proposed to amendment SA 3404 submitted by Mr. MERKLEY (for himself, Ms. STABENOW, Mrs. MCCASKILL, Mr. BAUCUS, Mr. WYDEN, Mr. FRANKEN, Mr. JOHNSON of South Dakota, and Mr. UDALL of New Mexico) and intended to be proposed to the bill H.R. 1, supra; which was ordered to lie on the table.

SA 3429. Mr. NELSON, of Florida submitted an amendment intended to be proposed to amendment SA 3404 submitted by Mr. MERKLEY (for himself, Ms. STABENOW, Mrs. MCCASKILL, Mr. BAUCUS, Mr. WYDEN, Mr. FRANKEN, Mr. JOHNSON of South Dakota, and Mr. UDALL of New Mexico) and intended to be proposed to the bill H.R. 1, supra; which was ordered to lie on the table.

SA 3430. Mr. LIEBERMAN submitted an amendment intended to be proposed by him to the bill H.R. 1, supra; which was ordered to lie on the table.

SA 3431. Mr. LIEBERMAN submitted an amendment intended to be proposed by him to the bill H.R. 1, supra; which was ordered to lie on the table.

SA 3432. Mr. REID (for Mr. VITTER (for himself, Mr. WARNER, Mr. NELSON of Florida, and Ms. LANDRIEU)) proposed an amendment to the bill H.R. 4212, to prevent the introduction into commerce of unsafe drywall, to ensure the manufacturer of drywall is readily identifiable, to ensure that problematic drywall removed from homes is not reused, and for other purposes.

SA 3433. Mr. REID (for Mrs. MCCASKILL (for herself and Mr. BLUNT)) proposed an amendment to the bill H.R. 6364, to establish a commission to ensure a suitable observance of the centennial of World War I, to provide for the designation of memorials to the service of members of the United States Armed Forces in World War I, and for other purposes.

SA 3434. Mr. REID (for Mr. VITTER (for himself and Mr. BROWN of Ohio)) proposed an amendment to the bill S. 3709, to require a Government Accountability Office examination of transactions between large financial institutions and the Federal Government, and for other purposes.

#### TEXT OF AMENDMENTS

SA 3425. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and

for other purposes; which was ordered to lie on the table; as follows:

On page 7, lines 18 and 19, strike “LIMITED RESOURCE, BEGINNING, AND SOCIALLY DISADVANTAGED FARMERS” and insert “LIMITED RESOURCE FARMERS, BEGINNING FARMERS, AND SOCIALLY DISADVANTAGED FARMERS”.

**SA 3426.** Mr. HARKIN submitted an amendment intended to be proposed to amendment SA 3395 proposed by Mr. REID to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

On page 81, strike lines 9 through 13 and insert the following: “*Provided further*, That obligations incurred for the purposes provided herein prior to the enactment of this Act may be charged to this appropriation: *Provided further*, That funds appropriated in this paragraph may be used to make grants for renovating, repairing, or rebuilding non-Fed-”.

**SA 3427.** Mr. NELSON of Florida submitted an amendment intended to be proposed to amendment SA 3404 submitted by Mr. MERKLEY (for himself, Ms. STABENOW, Mrs. MCCASKILL, Mr. BAUCUS, Mr. WYDEN, Mr. FRANKEN, Mr. JOHNSON of South Dakota, and Mr. UDALL of New Mexico) and intended to be proposed to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment, add the following:

CITRUS DISEASE RESEARCH AND  
DEVELOPMENT TRUST FUND  
FINDINGS AND PURPOSES

SEC. 111. (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 the 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 the 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 the 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 title are to authorize the establishment of a trust to support scientific research, technical assistance, and development activities to combat citrus diseases and pests, both domestic and invasive, harming the United States.

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

CITRUS DISEASE RESEARCH AND DEVELOPMENT  
TRUST FUND

SEC. 112. (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 Agriculture shall—

(A) transfer to the Trust Fund from amounts appropriated to the Secretary under this title an amount the Secretary determines to be necessary for the purposes described in subsection (c)(2); and

(B) reduce on a pro rata basis amounts appropriated for other programs under this title by the amount transferred to the Trust Fund under subparagraph (A).

(2) LIMITATION.—The amount transferred to the Trust Fund under paragraph (1)(A) may not exceed \$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 113, 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 section.

(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 preceding 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) SUNSET PROVISION.—The Trust Fund shall terminate on December 31 of the fifth calendar year that begins after the date of the enactment of this Act 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.

CITRUS DISEASE RESEARCH AND DEVELOPMENT  
TRUST FUND ADVISORY BOARD

SEC. 113. (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 112 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 112.

(C) IMPLEMENTATION.—

(1) REGULATIONS.—Not later than 180 days after the date of the 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 the enactment of this Act.

**SA 3428.** Mr. NELSON of Florida submitted an amendment intended to be

proposed to amendment SA 3404 submitted by Mr. MERKLEY (for himself, Ms. STABENOW, Mrs. MCCASKILL, Mr. BAUCUS, Mr. WYDEN, Mr. FRANKEN, Mr. JOHNSON of South Dakota, and Mr. UDALL of New Mexico) and intended to be proposed to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment, add the following:

**CITRUS DISEASE RESEARCH AND  
DEVELOPMENT TRUST FUND  
FINDINGS AND PURPOSES**

SEC. 111. (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 the 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 the 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 the 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 title are to authorize the establishment of a trust to support scientific research, technical assistance, and development activities to combat citrus diseases and pests, both domestic and invasive, harming the United States.

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

**CITRUS DISEASE RESEARCH AND DEVELOPMENT  
TRUST FUND**

SEC. 112. (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 Agriculture shall transfer to the Trust Fund, from the funds of the Commodity Credit Corporation that the Secretary would have otherwise used to carry out the amendments made by sections 101 and 102, an amount the Secretary determines to be necessary for the purposes described in subsection (c)(2).

(2) LIMITATION.—The amount transferred to the Trust Fund under paragraph (1) may not exceed \$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 113, 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 section.

(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) SUNSET PROVISION.—The Trust Fund shall terminate on December 31 of the fifth calendar year that begins after the date of the enactment of this Act 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.

**CITRUS DISEASE RESEARCH AND DEVELOPMENT  
TRUST FUND ADVISORY BOARD**

SEC. 113. (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 112 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 112.

(c) IMPLEMENTATION.—

(1) REGULATIONS.—Not later than 180 days after the date of the 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 the enactment of this Act.

**SA 3429.** Mr. NELSON of Florida submitted an amendment intended to be proposed to amendment SA 3404 submitted by Mr. MERKLEY (for himself, Ms. STABENOW, Mrs. MCCASKILL, Mr. BAUCUS, Mr. WYDEN, Mr. FRANKEN, Mr. JOHNSON of South Dakota, and Mr. UDALL of New Mexico) and intended to be proposed to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment, add the following:

Subtitle B

Citrus Disease Research and Development Trust Fund

SHORT TITLE

SEC. 111. This subtitle may be cited as the “Citrus Disease Research and Development Trust Fund Act of 2012”.

FINDINGS AND PURPOSES

SEC. 112. (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 the 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 the 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 the 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 113(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.

#### CITRUS DISEASE RESEARCH AND DEVELOPMENT TRUST FUND

SEC. 113. (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 ½ 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 114 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.”

#### CITRUS DISEASE RESEARCH AND DEVELOPMENT TRUST FUND ADVISORY BOARD

SEC. 114. (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 113(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 113(a) of this Act.

(c) IMPLEMENTATION.—

(1) REGULATIONS.—Not later than 180 days after the date of the 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 the enactment of this Act.

**TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES**

SEC. 115. 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 increased by 0.25 percent of such amount (determined without regard to any increase in such amount not contained in such Code); 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.

**EXTENSION OF CUSTOMS USER FEES**

SEC. 116. Section 13031(j)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)) is amended by adding at the end the following:

“(C)(i) Notwithstanding subparagraph (A), fees may be charged under paragraphs (9) and (10) of subsection (a) during the period beginning on October 23, 2021, and ending on November 6, 2021.

“(i) Notwithstanding subparagraph (B)(i), fees may be charged under paragraphs (1) through (8) of subsection (a) during the period beginning on October 30, 2021, and ending on November 13, 2021.”.

**SA 3430.** Mr. LIEBERMAN submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

On page 69, strike line 1 and insert the following:

(m) **HOUSES OF WORSHIP.**—For purposes of providing assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) relating to a major disaster declared by the President under section 401 of such Act (42 U.S.C. 5170) relating to Hurricane Sandy, the term “private nonprofit facility” shall include a house of worship.

(n) **APPLICABILITY.**—Unless otherwise specified,

**SA 3431.** Mr. LIEBERMAN submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

On page 69, strike line 1 and insert the following:

(m) **HOUSES OF WORSHIP.**—Section 102(10)(B) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(10)(B)) is amended by inserting “houses of worship and” before “any private nonprofit facility”.

(n) **APPLICABILITY.**—Unless otherwise specified,

**SA 3432.** Mr. REID (for Mr. VITTER (for himself, Mr. WARNER, Mr. NELSON

of Florida, and Ms. LANDRIEU)) proposed an amendment to the bill H.R. 4212, to prevent the introduction into commerce of unsafe drywall, to ensure the manufacturer of drywall is readily identifiable, to ensure that problematic drywall removed from homes is not reused, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Drywall Safety Act of 2012”.

**SEC. 2. SENSE OF CONGRESS.**

It is the sense of Congress that—

(1) the Secretary of Commerce should insist that the Government of the People's Republic of China, which has ownership interests in the companies that manufactured and exported problematic drywall to the United States, facilitate a meeting between the companies and representatives of the United States Government on remedying homeowners that have problematic drywall in their homes; and

(2) the Secretary of Commerce should insist that the Government of the People's Republic of China direct the companies that manufactured and exported problematic drywall to submit to jurisdiction in United States Federal Courts and comply with any decisions issued by the Courts for homeowners with problematic drywall.

**SEC. 3. DRYWALL LABELING REQUIREMENT.**

(a) **LABELING REQUIREMENT.**—Beginning 180 days after the date of the enactment of this Act, the gypsum board labeling provisions of standard ASTM C1264-11 of ASTM International, as in effect on the day before the date of the enactment of this Act, shall be treated as a rule promulgated by the Consumer Product Safety Commission under section 14(c) of the Consumer Product Safety Act (15 U.S.C. 2063(c)).

(b) **REVISION OF STANDARD.**—If the gypsum board labeling provisions of the standard referred to in subsection (a) are revised on or after the date of the enactment of this Act, ASTM International shall notify the Commission of such revision no later than 60 days after final approval of the revision by ASTM International. The revised provisions shall be treated as a rule promulgated by the Commission under section 14(c) of such Act (15 U.S.C. 2063(c)), in lieu of the prior version, effective 180 days after the Commission is notified of the revision (or such later date as the Commission considers appropriate), unless within 90 days after receiving that notice the Commission determines that the revised provisions do not adequately identify gypsum board by manufacturer and month and year of manufacture, in which case the Commission shall continue to enforce the prior version.

**SEC. 4. SULFUR CONTENT IN DRYWALL STANDARD.**

(a) **RULE ON SULFUR CONTENT IN DRYWALL REQUIRED.**—Except as provided in subsection (c), not later than 2 years after the date of the enactment of this Act, the Consumer Product Safety Commission shall promulgate a final rule pertaining to drywall manufactured or imported for use in the United States that limits sulfur content to a level not associated with elevated rates of corrosion in the home.

(b) **RULE MAKING; CONSUMER PRODUCT SAFETY STANDARD.**—A rule under subsection (a)—

(1) shall be promulgated in accordance with section 553 of title 5, United States Code; and

(2) shall be treated as a consumer product safety rule promulgated under section 9 of

the Consumer Product Safety Act (15 U.S.C. 2058).

(c) **EXCEPTION.**—

(1) **VOLUNTARY STANDARD.**—Subsection (a) shall not apply if the Commission determines that—

(A) a voluntary standard pertaining to drywall manufactured or imported for use in the United States limits sulfur content to a level not associated with elevated rates of corrosion in the home;

(B) such voluntary standard is or will be in effect not later than two years after the date of enactment of this Act; and

(C) such voluntary standard is developed by Subcommittee C11.01 on Specifications and Test Methods for Gypsum Products of ASTM International.

(2) **FEDERAL REGISTER.**—Any determination made under paragraph (1) shall be published in the Federal Register.

(d) **TREATMENT OF VOLUNTARY STANDARD FOR PURPOSES OF ENFORCEMENT.**—If the Commission determines that a voluntary standard meets the conditions in subsection (c)(1), the sulfur content limit in such voluntary standard shall be treated as a consumer product safety rule promulgated under section 9 of the Consumer Product Safety Act (15 U.S.C. 2058) beginning on the date that is the later of—

(1) 180 days after publication of the Commission's determination under subsection (c); or

(2) the effective date contained in the voluntary standard.

(e) **REVISION OF VOLUNTARY STANDARD.**—If the sulfur content limit of a voluntary standard that met the conditions of subsection (c)(1) is subsequently revised, the organization responsible for the standard shall notify the Commission no later than 60 days after final approval of the revision. The sulfur content limit of the revised voluntary standard shall become enforceable as a Commission rule promulgated under section 9 of the Consumer Product Safety Act (15 U.S.C. 2058), in lieu of the prior version, effective 180 days after the Commission is notified of the revision (or such later date as the Commission considers appropriate), unless within 90 days after receiving that notice the Commission determines that the sulfur content limit of the revised voluntary standard does not meet the requirements of subsection (c)(1)(A), in which case the Commission shall continue to enforce the prior version.

(f) **FUTURE RULEMAKING.**—The Commission, at any time subsequent to publication of the consumer product safety rule required by subsection (a) or a determination under subsection (c), may initiate a rulemaking in accordance with section 553 of title 5, United States Code, to modify the sulfur content limit or to include any provision relating only to the composition or characteristics of drywall that the Commission determines is reasonably necessary to protect public health or safety. Any rule promulgated under this subsection shall be treated as a consumer product safety rule promulgated under section 9 of the Consumer Product Safety Act (15 U.S.C. 2058).

**SEC. 5. REVISION OF REMEDIATION GUIDANCE FOR DRYWALL DISPOSAL REQUIRED.**

Not later than 120 days after the date of the enactment of this Act, the Consumer Product Safety Commission shall revise its guidance entitled “Remediation Guidance for Homes with Corrosion from Problem Drywall” to specify that problematic drywall removed from homes pursuant to the guidance should not be reused or used as a component in production of new drywall.

**SA 3433.** Mr. REID (for Mrs. MCCASKILL (for herself and Mr. BLUNT)) proposed an amendment to the bill H.R.

6364, to establish a commission to ensure a suitable observance of the centennial of World War I, to provide for the designation of memorials to the service of members of the United States Armed Forces in World War I, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the “World War I Centennial Commission Act”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Definitions.
- Sec. 4. Establishment of World War I Centennial Commission.
- Sec. 5. Duties of Centennial Commission.
- Sec. 6. Powers of Centennial Commission.
- Sec. 7. Centennial Commission personnel matters.
- Sec. 8. Termination of Centennial Commission.
- Sec. 9. Prohibition on obligation of Federal funds.

**SEC. 2. FINDINGS.**

Congress makes the following findings:

(1) From 2014 through 2018, the United States and nations around the world will mark the centennial of World War I, including the entry of the United States into the war in April 1917.

(2) America’s support of Great Britain, France, Belgium, and its other allies in World War I marked the first time in United States history that American soldiers went abroad in defense of liberty against foreign aggression, and it marked the true beginning of the “American century”.

(3) Although World War I was at the time called “the war to end all wars”, in fact the United States would commit its troops to the defense of foreign lands 3 more times in the 20th century.

(4) More than 4,000,000 men and women from the United States served in uniform during World War I, among them 2 future presidents, Harry S. Truman and Dwight D. Eisenhower. Two million individuals from the United States served overseas during World War I, including 200,000 naval personnel who served on the seas. The United States suffered 375,000 casualties during World War I, including 116,516 deaths.

(5) The events of 1914 through 1918 shaped the world, the United States, and the lives of millions of people.

(6) The centennial of World War I offers an opportunity for people in the United States to learn about and commemorate the sacrifices of their predecessors.

(7) Commemorative programs, activities, and sites allow people in the United States to learn about the history of World War I, the United States involvement in that war, and the war’s effects on the remainder of the 20th century, and to commemorate and honor the participation of the United States and its citizens in the war effort.

**SEC. 3. DEFINITIONS.**

In this Act—

(1) **AMERICA’S NATIONAL WORLD WAR I MUSEUM.**—The term “America’s National World War I Museum” means the Liberty Memorial Museum in Kansas City, Missouri, as recognized by Congress in section 1031(b) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375; 118 Stat. 2045).

(2) **CENTENNIAL COMMISSION.**—The term “Centennial Commission” means the World War I Centennial Commission established by section 4(a).

(3) **VETERANS SERVICE ORGANIZATION.**—The term “veterans service organization” means any organization recognized by the Secretary of Veterans Affairs for the representation of veterans under section 5902 of title 38, United States Code.

**SEC. 4. ESTABLISHMENT OF WORLD WAR I CENTENNIAL COMMISSION.**

(a) **ESTABLISHMENT.**—There is established a commission to be known as the “World War I Centennial Commission”.

(b) **MEMBERSHIP.**—

(1) **COMPOSITION.**—The Centennial Commission shall be composed of 12 members as follows:

(A) Two members who shall be appointed by the Speaker of the House of Representatives.

(B) One member who shall be appointed by the minority leader of the House of Representatives.

(C) Two members who shall be appointed by the majority leader of the Senate.

(D) One member who shall be appointed by the minority leader of the Senate.

(E) Three members who shall be appointed by the President from among persons who are broadly representative of the people of the United States (including members of the Armed Forces, veterans, and representatives of veterans service organizations).

(F) One member who shall be appointed by the executive director of the Veterans of Foreign Wars of the United States.

(G) One member who shall be appointed by the executive director of the American Legion.

(H) One member who shall be appointed by the president of the Liberty Memorial Association.

(2) **TIME FOR APPOINTMENT.**—The members of the Centennial Commission shall be appointed not later than 60 days after the date of the enactment of this Act.

(3) **PERIOD OF APPOINTMENT.**—Each member shall be appointed for the life of the Centennial Commission.

(4) **VACANCIES.**—A vacancy in the Centennial Commission shall be filled in the manner in which the original appointment was made.

(c) **MEETINGS.**—

(1) **INITIAL MEETING.**—

(A) **IN GENERAL.**—Not later than 30 days after the date on which all members of the Centennial Commission have been appointed, the Centennial Commission shall hold its first meeting.

(B) **LOCATION.**—The location for the meeting held under subparagraph (A) shall be the America’s National World War I Museum.

(2) **SUBSEQUENT MEETINGS.**—

(A) **IN GENERAL.**—The Centennial Commission shall meet at the call of the Chair.

(B) **FREQUENCY.**—The Chair shall call a meeting of the members of the Centennial Commission not less frequently than once each year.

(C) **LOCATION.**—Not less frequently than once each year, the Centennial Commission shall meet at the America’s National World War I Museum.

(3) **QUORUM.**—Seven members of the Centennial Commission shall constitute a quorum, but a lesser number may hold hearings.

(d) **CHAIR AND VICE CHAIR.**—The Centennial Commission shall select a Chair and Vice Chair from among its members.

**SEC. 5. DUTIES OF CENTENNIAL COMMISSION.**

(a) **IN GENERAL.**—The duties of the Centennial Commission are as follows:

(1) To plan, develop, and execute programs, projects, and activities to commemorate the centennial of World War I.

(2) To encourage private organizations and State and local governments to organize and

participate in activities commemorating the centennial of World War I.

(3) To facilitate and coordinate activities throughout the United States relating to the centennial of World War I.

(4) To serve as a clearinghouse for the collection and dissemination of information about events and plans for the centennial of World War I.

(5) To develop recommendations for Congress and the President for commemorating the centennial of World War I.

(b) **REPORTS.**—

(1) **PERIODIC REPORT.**—Not later than the last day of the 6-month period beginning on the date of the enactment of this Act, and not later than the last day of each 3-month period thereafter, the Centennial Commission shall submit to Congress and the President a report on the activities and plans of the Centennial Commission.

(2) **RECOMMENDATIONS.**—Not later than 2 years after the date of the enactment of this Act, the Centennial Commission shall submit to Congress and the President a report containing specific recommendations for commemorating the centennial of World War I and coordinating related activities.

**SEC. 6. POWERS OF CENTENNIAL COMMISSION.**

(a) **HEARINGS.**—The Centennial Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Centennial Commission considers appropriate to carry out its duties under this Act.

(b) **POWERS OF MEMBER AND AGENTS.**—If authorized by the Centennial Commission, any member or agent of the Centennial Commission may take any action which the Centennial Commission is authorized to take under this Act.

(c) **INFORMATION FROM FEDERAL AGENCIES.**—The Centennial Commission shall secure directly from any Federal department or agency such information as the Centennial Commission considers necessary to carry out the provisions of this Act. Upon the request of the Chair of the Centennial Commission, the head of such department or agency shall furnish such information to the Centennial Commission.

(d) **ADMINISTRATIVE SUPPORT SERVICES.**—Upon the request of the Centennial Commission, the Administrator of the General Services Administration shall provide to the Centennial Commission, on a reimbursable basis, the administrative support services necessary for the Centennial Commission to carry out its responsibilities under this Act.

(e) **CONTRACT AUTHORITY.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), the Centennial Commission is authorized—

(A) to procure supplies, services, and property; and

(B) to make or enter into contracts, leases, or other legal agreements.

(2) **LIMITATION.**—The Centennial Commission may not enter into any contract, lease, or other legal agreement that extends beyond the date of the termination of the Centennial Commission under section 8(a).

(f) **POSTAL SERVICES.**—The Centennial Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(g) **GIFTS, BEQUESTS, AND DEVICES.**—The Centennial Commission shall accept, use, and dispose of gifts, bequests, or devises of services or property, both real and personal, for the purpose of covering the costs incurred by the Centennial Commission to carry out its duties under this Act.

**SEC. 7. CENTENNIAL COMMISSION PERSONNEL MATTERS.**

(a) **COMPENSATION OF MEMBERS.**—Members of the Centennial Commission shall serve without compensation for such service.

(b) TRAVEL EXPENSES.—Each member of the Centennial Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in accordance with the applicable provisions of title 5, United States Code.

(c) STAFF.—

(1) IN GENERAL.—The Chair of the Centennial Commission shall, in consultation with the members of the Centennial Commission, appoint an executive director and such other additional personnel as may be necessary to enable the Centennial Commission to perform its duties.

(2) COMPENSATION.—

(A) IN GENERAL.—Subject to subparagraph (B), the Chair of the Centennial Commission may fix the compensation of the executive director and any other personnel appointed under paragraph (1).

(B) LIMITATION.—The Chair of the Centennial Commission may not fix the compensation of the executive director or other personnel appointed under paragraph (1) at a rate that exceeds the rate of payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(C) WORK LOCATION.—If the city government for Kansas City, Missouri, and the Liberty Memorial Association make space available in the building in which the America's National World War I Museum is located, the executive director of the Centennial Commission and other personnel appointed under paragraph (1) shall work in such building to the extent practical.

(d) DETAIL OF GOVERNMENT EMPLOYEES.—Upon request of the Centennial Commission, the head of any Federal department or agency may detail, on a reimbursable basis, any employee of that department or agency to the Centennial Commission to assist it in carrying out its duties under this Act.

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chair of the Centennial Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

(f) SOURCE OF FUNDS.—Gifts, bequests, and devises of services or property, both real and personal, received by the Centennial Commission under section 6(g) shall be the only source of funds to cover the costs incurred by the Centennial Commission under this section.

#### SEC. 8. TERMINATION OF CENTENNIAL COMMISSION.

(a) IN GENERAL.—The Centennial Commission shall terminate on the earlier of—

(1) the date that is 30 days after the date the completion of the activities under this Act honoring the centennial observation of World War I; or

(2) July 28, 2019.

(b) APPLICATION OF FEDERAL ADVISORY COMMITTEE ACT.—

(1) IN GENERAL.—Except as provided in paragraph (2), the provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the activities of the Centennial Commission under this Act.

(2) EXCEPTION.—Section 14(a)(2) of such Act shall not apply to the Centennial Commission.

#### SEC. 9. PROHIBITION ON OBLIGATION OF FEDERAL FUNDS.

No Federal funds may be obligated to carry out this Act.

**SA 3434.** Mr. REID (for Mr. VITTER (for himself and Mr. BROWN of Ohio)) proposed an amendment to the bill S. 3709, to require a Government Accountability Office examination of transactions between large financial institutions and the Federal Government, and for other purposes.

Strike all after the enacting clause and insert the following:

#### SECTION 1. GOVERNMENT ACCOUNTABILITY OFFICE STUDY OF TRANSACTIONS BETWEEN LARGE FINANCIAL COMPANIES AND THE FEDERAL GOVERNMENT.

(a) DEFINITIONS.—For purposes of this Act—

(1) the term “covered institution” means any bank holding company having more than \$500,000,000,000 in consolidated assets; and

(2) the term “economic benefit” means the difference between actual loans terms offered, debt or equity prices, or asset values and a reasonable estimate of what such terms, prices, or values might have been, as determined by examining actual values of comparable transaction in the private markets or by estimating the values of comparable transactions priced to properly reflect associated risk.

(b) GAO STUDY.—The Comptroller General of the United States (in this section referred to as the “Comptroller”) shall conduct a study of covered institutions, such as—

(1) the favorable pricing of the debt of such institutions, relative to their risk profile resulting from the perception that such institutions will receive Government support in the event of any financial stress;

(2) any favorable funding or economic treatment resulting from an increase in the credit rating for covered institutions, as a result of express, implied, or perceived Government support;

(3) any economic benefit to covered institutions resulting from the ownership of, or affiliation with, an insured depository institution;

(4) any economic benefit resulting from the status of covered institutions as a bank holding company, including access to Federal deposit insurance and the discount window of the Board of Governors of the Federal Reserve System before the date of enactment of this Act;

(5) any economic benefit received through extraordinary Government actions taken, such as—

(A) actions by the Department of the Treasury—

(i) under the Emergency Economic Stabilization Act, such as—

(I) asset purchases by the United States Government;

(II) capital injections from the United States Government; or

(III) housing programs; or

(ii) by the purchase of the mortgage backed securities of the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation (in this Act referred to as “government-sponsored enterprises”), in order to lower interest rates, and the value of such securities in the absence of such purchases;

(B) actions by the Board of Governors of the Federal Reserve System prior to the date of enactment of this Act, such as—

(i) providing loans to financial institutions through the Term Auction Facility; and

(ii) assistance through programs under section 13(3) of the Federal Reserve Act prior to the date of enactment of this Act, such as—

(I) lending through the Commercial Paper Funding Facility;

(II) securities lending to primary dealers through the Primary Dealer Credit Facility and the Term Securities Lending Facility;

(III) lending to institutions through the Term Asset-Backed Securities Loan Facility; or

(IV) purchasing assets through the Maiden Lane facility; and

(C) actions by the Federal Deposit Insurance Corporation, such as—

(i) guaranteeing debt or deposits through the Temporary Liquidity Guarantee Program; or

(ii) pricing of assessments related to any such guarantees; and

(6) any extraordinary assistance provided to American Insurance Group, but ultimately received by one of the covered institutions; and

(7) any Government actions that resulted in the payment or nonpayment of credit default swap contracts entered into by a covered institution.

#### SEC. 2. REPORT TO CONGRESS.

Not later than 1 year after the date of enactment of this Act, the Comptroller shall submit a report to Congress detailing the findings of the Comptroller in the study conducted under this Act. Such report shall be made electronically available to the public, except that any proprietary, sensitive, or confidential information shall be redacted in any release to the public.

#### SEC. 3. RULE OF CONSTRUCTION.

Nothing in this Act may be construed to provide authority inconsistent with, or to otherwise affect, section 714 of title 31 United States Code.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON FINANCE

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate following a vote on the Senate Floor on December 21, 2012.

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

#### PRIVILEGES OF THE FLOOR

Mr. MCCAIN. Mr. President, I ask unanimous consent that LTCs Todd Ladwig and Victor Glover, Navy fellows in my office, be allowed floor privileges for the duration of the debate on the conference report of H.R. 4310, the National Defense Authorization Act for fiscal year 2013.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I ask unanimous consent that CDR Jeff Bennett be allowed permission to occupy the floor.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### UNANIMOUS CONSENT AGREEMENT—FISA AMENDMENTS

Mr. REID. Mr. President, I ask unanimous consent that with respect to the consideration of the FISA bill, the text for each of the amendments in order under the previous agreement is at the desk.

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

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 834,