

The second amendment directs the Secretary of Defense to conduct a top-to-bottom review of programs in the Department designed to recruit and retain the scientists, technology experts, mathematicians, and engineers our national security community will need to meet current and future threats. This amendment is a direct outgrowth of my work on the National Commission on Research and Development in the U.S. Intelligence Community, which published its final report this summer. It is imperative that American find, train, and retain world-class talent in these fields. The security of our nation quite literally depends on it.

Unfortunately, this bill—as it has for years now—continues funding for the war in Afghanistan. It also freezes in place current force levels, continues the acquisition of the flawed and hugely overpriced F-35 fighter, and provides authorization for continued work for plutonium pit production for nuclear weapons. On balance, this bill continues a large number of unnecessary and wasteful Cold War era weapons programs, and maintains our discredited “war on terror” posture. Finally, the bill does nothing to address the surveillance excesses committed by the National Security Agency, which is a combat support agency of DoD. For all of these reasons, I cannot support this bill and call on my colleagues to join me in opposing it.

Ms. SPEIER. Mr. Speaker, I want to thank Chairman MCKEON, Ranking Member SMITH, Chairman LEVIN, and Ranking Member INHOFE for including my amendment with Representative COFFMAN to expand whistleblower protections for survivors of military sexual assault in this year’s National Defense Authorization Act. As Congress looks to change the culture and to prevent sexual assaults and other waste, fraud, and abuse in the military, all service members need to know that they have protections for providing information to stem abuses. The right to a guaranteed due process day in administrative court is the foundation for meaningful reform.

Subsection f(3)(B) in these expanded protections provides that if the Secretary does not make a finding of illegal retaliation and order corrective action, the case shall be forwarded to the appropriate Board of Corrections for Military Records to receive a mandatory administrative due process hearing, “when appropriate.” There should not be any confusion about this provision. It is always appropriate to forward the case for hearing if jurisdiction exists for whistleblower retaliation alleged in the service member’s complaint. It is only inappropriate if another provision of law provides the relevant rights, procedures and remedies to resolve the complaint, such as when the alleged misconduct is sexual harassment per se as opposed to whistleblower retaliation for disclosing sexual harassment.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MCKEON) that the House suspend the rules and agree to the resolution, H. Res. 441.

The question was taken.

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

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

The yeas and nays were ordered.

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

□ 1545

TEMPORARY EXTENSION OF AGRICULTURAL PROGRAMS

Mr. LUCAS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3695) to provide a temporary extension of the Food, Conservation, and Energy Act of 2008 and amendments made by that Act, as previously extended and amended and with certain additional modifications and exceptions, to suspend permanent price support authorities, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3695

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

SECTION 1. TEMPORARY EXTENSION OF AGRICULTURAL PROGRAMS.

(a) EXTENSION.—Except as otherwise provided in this section and notwithstanding any other provision of law, the authorities provided by each provision of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 1651) and each amendment made by that Act (and for mandatory programs at such funding levels), as in effect on September 30, 2013, pursuant to the extension and amendments made by section 701 of the American Taxpayer Relief Act of 2012 (Public Law 112-240; 7 U.S.C. 8701 note), shall continue, and the Secretary of Agriculture shall carry out the authorities, until January 31, 2014, except as provided in subsection (b)(1) of such section 701.

(b) SUSPENSION OF PERMANENT PRICE SUPPORT AUTHORITIES.—The provisions of law specified in subsections (a) through (c) of section 1602 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8782) shall be suspended until January 31, 2014.

(c) SUPPLEMENTAL AGRICULTURAL DISASTER ASSISTANCE.—Section 531 of the Federal Crop Insurance Act (7 U.S.C. 1531), as amended by section 702 of the American Taxpayer Relief Act of 2012 (Public Law 112-240), relating to the provision of supplemental agricultural disaster assistance, shall apply through January 31, 2014.

(d) EXCEPTIONS.—

(1) NUTRITION.—Subsection (a) does not apply with respect to mandatory funding provided by the program authorized by the provision of law amended by subsection (d)(2) of section 701 of the American Taxpayer Relief Act of 2012 (Public Law 112-240; 7 U.S.C. 8701 note).

(2) CONSERVATION.—Subsection (a) does not apply with respect to the programs specified in paragraphs (3)(B), (4), (6), and (7) of section 1241(a) of the Food Security Act of 1985 (16 U.S.C. 3841(a)), relating to the conservation stewardship program, farmland protection program, environmental quality incentives program, and wildlife habitat incentives program, for which program authority was extended through fiscal year 2014 by section 716 of Public Law 112-55 (125 Stat. 582).

(3) TRADE.—Subsection (a) does not apply with respect to the following provisions of law:

(A) Section 3206 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 1726c) relating to the use of Commodity Credit Corpora-

tion funds to support local and regional food aid procurement projects.

(B) Section 3107(l)(1) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o-1(l)(1)) relating to the use of Commodity Credit Corporation funds to carry out the McGovern-Dole International Food for Education and Child Nutrition Program.

(4) SURVEY OF FOODS PURCHASED BY SCHOOL FOOD AUTHORITIES.—Subsection (a) does not apply with respect to section 4307 of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 1893) relating to the use of Commodity Credit Corporation funds for a survey and report regarding foods purchased by school food authorities.

(5) RURAL DEVELOPMENT.—Subsection (a) does not apply with respect to the following provisions of law:

(A) Section 379E(d)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008s(d)(1)), relating to funding of the rural microentrepreneur assistance program.

(B) Section 6029 of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 1955) relating to funding of pending rural development loan and grant applications.

(C) Section 231(b)(7)(A) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1632a(b)(7)(A)), relating to funding of value-added agricultural market development program grants.

(D) Section 375(e)(6)(B) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008j(e)(6)(B)) relating to the use of Commodity Credit Corporation funds for the National Sheep Industry Improvement Center.

(6) MARKET LOSS ASSISTANCE FOR ASPARAGUS PRODUCERS.—Subsection (a) does not apply with respect to section 10404(d) of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 2112).

(7) SUPPLEMENTAL AGRICULTURAL DISASTER ASSISTANCE.—Subsection (a) does not apply with respect to section 531 of the Federal Crop Insurance Act (7 U.S.C. 1531) and title IX of the Trade Act of 1974 (19 U.S.C. 2497 et seq.) relating to the provision of supplemental agricultural disaster assistance.

(8) PIGFORD CLAIMS.—Subsection (a) does not apply with respect to section 14012 of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 2209) relating to determination on the merits of Pigford claims.

(9) HEARTLAND, HABITAT, HARVEST, AND HORTICULTURE ACT OF 2008.—Subsection (a) does not apply with respect to title XV of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 2246), and amendments made by that title, relating to the provision of supplemental agricultural disaster assistance under title IX of the Trade Act of 1974 (19 U.S.C. 2497 et seq.), certain revenue and tax provisions, and certain trade benefits and other matters.

(e) EFFECTIVE DATE.—This section takes effect as of September 30, 2013.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oklahoma (Mr. LUCAS) and the gentleman from California (Mr. COSTA) each will control 20 minutes.

The Chair recognizes the gentleman from Oklahoma.

GENERAL LEAVE

Mr. LUCAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 3695.

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

There was no objection.

Mr. LUCAS. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I rise today in support of H.R. 3695, which provides a temporary extension of the 2008 farm bill.

I believe this short-term extension provides certainty to everyone going into the new year, that permanent law will not be triggered while the conference committee continues its work on a new bill. We are making significant progress in our negotiations with the Senate, and I am confident we will be able to finish the conference report in January.

In the meantime, the reality is that unless we act today, permanent law takes effect January 1. The press headlines already speak of doom, that we are on the brink of going off the dairy cliff.

Time magazine says: "People are freaking out about \$8-a-gallon milk." And there is widespread speculation about what will happen and when exactly.

It is not necessary to have that kind of panic throughout the country for producers and consumers, especially around the holidays. This bill makes clear what will happen on January 1, and passing it is the responsible action to take, given the legislative calendar.

Furthermore, we are not breaking any new ground. The 2002 farm bill was extended six times before the 2008 farm bill was enacted.

Mr. Speaker, I urge and encourage my colleagues to join me in supporting this short-term extension of the farm bill.

Mr. Speaker, I reserve the balance of my time.

Mr. COSTA. Mr. Speaker, I yield myself such time as I may consume, and I rise in opposition to this bill.

First of all, I want to thank Chairman LUCAS, the gentleman from Oklahoma, for all the work that he has done over the years, and my appreciation for his efforts in the past few years. It has taken a long time to get here, and certainly he has worked very hard to produce a 5-year farm bill.

That said, the bill is not needed, and let me tell you why. Chairman LUCAS and Ranking Member PETERSON have been working diligently, as I said, with their Senate counterparts, and the conference committee has reached an agreement on many of the issues, leaving a few remaining issues to be worked out, and we are doing that right now.

Secretary Vilsack, Secretary of Agriculture, has also indicated that should we complete the farm bill in January, as we are talking about, that there should not be any problems regarding the potential impacts of the dairy title being implemented and, therefore, those impacts of the cost of milk being felt by our consumers.

Extending the current programs through the end of January, which is what this bill does, when it looks like we will be able to vote on a 5-year farm

bill early next year, therefore, is not necessary.

Farmers, ranchers, dairy producers need the certainty of a 5-year farm bill. I think we all agree on that. Families, those in need, who depend upon the nutrition programs as part of our Nation's safety net, need a 5-year farm bill.

American consumers, those who we produce the food for, and those around the world, know that they can depend upon our farmers, our ranchers, and our dairy producers to continue providing the safest and most affordable food in the world.

Mr. Speaker, therefore, this measure is not needed. I urge my colleagues to vote "no" on H.R. 3695 and support a 5-year farm bill which we will vote on early in January when we work out the remaining differences in the conference committee.

Mr. Speaker, I reserve the balance of my time.

Mr. LUCAS. Mr. Speaker, I would note to my colleague I have a couple of thoughts myself and I would conclude with that, so if he has anything else he would like to address.

Mr. COSTA. Mr. Speaker, I yield back the balance of my time.

Mr. LUCAS. Mr. Speaker, I yield myself the balance of my time just simply to note to all my colleagues that my friend from California is exactly right. The importance of completing this cannot be overstated.

The progress we have made certainly has been incredible, and we are on the verge. I would just simply note to all of my colleagues, as I have advocated caution and responsibility throughout this entire process, this is an opportunity for Members to cast a vote to acknowledge to the folks back home that, no matter what happens in the negotiations process, we will not have a dairy cliff. We will not have uncertainty for producers and, ultimately, the American consumers.

Each Member of this body is challenged to do what they think is wise. I would simply say to my colleagues, pass the extension, take care of business, and we, on the Ag Committee, will take care of our business in January.

With that, Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oklahoma (Mr. LUCAS) that the House suspend the rules and pass the bill, H.R. 3695, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

DEATH IN CUSTODY REPORTING ACT OF 2013

Mr. COLLINS of Georgia. Mr. Speaker, I move to suspend the rules and

pass the bill (H.R. 1447) to encourage States to report to the Attorney General certain information regarding the deaths of individuals in the custody of law enforcement agencies, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1447

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 "Death in Custody Reporting Act of 2013".

SEC. 2. STATE INFORMATION REGARDING INDIVIDUALS WHO DIE IN THE CUSTODY OF LAW ENFORCEMENT.

(a) IN GENERAL.—For each fiscal year after the expiration of the period specified in subsection (c)(1) in which a State receives funds for a program referred to in subsection (c)(2), the State shall report to the Attorney General, on a quarterly basis and pursuant to guidelines established by the Attorney General, information regarding the death of any person who is detained, under arrest, or is in the process of being arrested, is en route to be incarcerated, or is incarcerated at a municipal or county jail, State prison, State-run boot camp prison, boot camp prison that is contracted out by the State, any State or local contract facility, or other local or State correctional facility (including any juvenile facility).

(b) INFORMATION REQUIRED.—The report required by this section shall contain information that, at a minimum, includes—

- (1) the name, gender, race, ethnicity, and age of the deceased;
- (2) the date, time, and location of death;
- (3) the law enforcement agency that detained, arrested, or was in the process of arresting the deceased; and
- (4) a brief description of the circumstances surrounding the death.

(c) COMPLIANCE AND INELIGIBILITY.—

(1) COMPLIANCE DATE.—Each State shall have not more than 120 days from the date of enactment of this Act to comply with subsection (a), except that—

(A) the Attorney General may grant an additional 120 days to a State that is making good faith efforts to comply with such subsection; and

(B) the Attorney General shall waive the requirements of subsection (a) if compliance with such subsection by a State would be unconstitutional under the constitution of such State.

(2) INELIGIBILITY FOR FUNDS.—For any fiscal year after the expiration of the period specified in paragraph (1), a State that fails to comply with subsection (a), shall, at the discretion of the Attorney General, be subject to not more than a 10-percent reduction of the funds that would otherwise be allocated for that fiscal year to the State under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.), whether characterized as the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs, the Local Government Law Enforcement Block Grants Program, the Edward Byrne Memorial Justice Assistance Grant Program, or otherwise.

(d) REALLOCATION.—Amounts not allocated under a program referred to in subsection (c)(2) to a State for failure to fully comply with subsection (a) shall be reallocated under that program to States that have not failed to comply with such subsection.

(e) DEFINITIONS.—In this section the terms "boot camp prison" and "State" have the meaning given those terms, respectively, in